

House Bill 17-1131

Legislation Resulting From the Colorado Student Loan Program dba College Assist,
Department of Higher Education, State of Colorado, Financial and Compliance Audits,
Fiscal Years Ended June 30, 2015 and 2014
Concerning Contracting By The Colorado Student Loan Program For The Administration
Of The College Opportunity Fund Program
Recommendation No. 1, Page 8

What Would This Bill Do?

House Bill No. 17-1131 would amend Section 23-18-201, C.R.S. to permit the Colorado Student Loan Program to enter into an agreement with the Department of Higher Education or another state entity to administer part or all of the College Opportunity Fund Program.

What Did The Audit Find?

The financial and compliance audit of the Colorado Student Loan Program dba College Assist for the Fiscal Years Ended June 30, 2015 and 2014 found that effective July 1, 2015, the Colorado Student Loan Program entered into an intra-division memorandum of understanding with the Colorado Department of Higher Education (CDHE) to provide administration of the College Opportunity Fund (COF). Statute specifically requires the Colorado Student Loan Program to administer the COF program.

The audit recommended that the Colorado Student Loan Program dba College Assist (College Assist) consult with the Attorney General to make a determination as to whether the memorandum of understanding entered into with the Department for administration of the COF was within its statutory authority. If the Attorney General determined that it was not, and if College Assist wished to continue the arrangement, the audit recommended that College Assist work with the General Assembly to seek statutory change to allow the arrangement.

College Assist reports that they consulted with the Attorney General and, while no formal opinion was made, the Attorney General indicated that the statute is unclear and a statutory change could provide better clarity.

Comments: College Assist and the Department of Higher Education support this bill.