**In support of HB11-1168 Equalizing the amount of the Colorado Opportunity Fund (COF) Stipend**

**(Murray/Spence)**

**Contact: Donnah Moody, Capitol Corps LLC**

**303-562-4551**

**What the bill does:**

* Current law allows all undergraduate students attending the 12 four-year state schools and 13 community colleges to receive the full Colorado Opportunity Fund (COF) stipend to offset a portion of their educational costs
* Of students at three private universities, **only those eligible for the Federal Pell grant,** receive **50 percent** of the COF stipend.
* This bill would allocate the entire amount of the stipend to students whether they choose a private or a public university beginning in 2011-12
* This is not an attempt to expand eligibility but, rather, to give low-income students who attend private universities the same COF funding stipend as non-low-income students who attend public universities
* Only those private universities that have signed a performance contract with the Colorado Commission on Higher Education (CCHE) for oversight and program review are eligible to accept COF funding.

|  |  |  |
| --- | --- | --- |
|  |  |  |

* The bill would not increase the total amount appropriated to fund the stipends
* According to the fiscal analyst, the bill would **result in a decrease of $6** for each public education student that receives COF funds

**Arguments for:**

* There is no justification for penalizing students who elect to attend a private university in the state
* The Federal GI bill since the 1940’s has allocated funds equally to students attending private versus public institutions
* Students in privately funded universities already pay a disproportionate share of their educational costs
* The change in allocation of the COF stipend is not enough to cause a change in behavior; i.e., public school students are not likely to leave public universities because of a $6 decrease in their COF stipend
* Students attending privately funded universities compare favorably to those in public universities in terms of academic achievement, employment, and payment of student loans.
* The COF stipend is funded through tax dollars collected from all Colorado residents. It is inherently unfair to distribute them inequitably
* The 10th Circuit Court of Appeals ruled that the state has to treat religious schools equally and can’t discriminate between them and secular schools if COF funds are made available to any private university.

Additional talking points for floor debate:

* The 10th Circuit Court of Appeals ruled that Colorado’s exclusion of “pervasively sectarian” institutions of higher education from state scholarship programs expressly discriminated among religions, in violation of the First Amendment, by allowing aid to sectarian but not pervasively sectarian institutions; discrimination was expressly based on the degree of religiosity of the institution and the extent to which that religiosity affected its operations, as defined by such things as the content of its curriculum and the religious composition of its governing board.
* A number of private institutions are already subject to the same statutory regulations as public institutions. Private institutions are certified by the Colorado Department of Education with respect to teacher training.
* Private schools receiving COF funding must fulfill requirements prescribed by the state for participation in the program
* John & Bill – how does the educational structure of private schools compare to and differ from charter schools???
* Private institutions are subject to a multitude of laws and regulations of general applicability
* The governing authority of public institutions exercise prerogatives at public institutions that should not apply to private schools (example?)
* Other private universities support the concept of equity for the lowest income students
* Other private universities would accept COF funds if they were available
* All taxpayers fund the Colorado Opportunity Fund (COF) program and those funds should be distributed in an equitable manner