

## Service Area Policy Clarifications from the Colorado Department of Higher Education

**Q: What are service areas?**

**A:** Service areas are defined geographic and programmatic areas in which Colorado public colleges and universities with a two-year statutory role and mission can provide instruction. Institutions impacted by this policy include all Colorado community colleges, local district colleges, area technical colleges, and four-year universities with a two-year statutory role and mission. Find the Colorado Commission on Higher Education policy here: <https://highered.colorado.gov/sites/highered/files/2020-03/i-partn.pdf>

Colorado Revised Statutes 23-1-109(2) states:

*“No such institution shall provide instruction off-campus in programs or in geographic areas or at sites not approved by the commission, unless otherwise provided by law.”*

The service area for public four-year Institutions of Higher Education (IHEs) is the entire state of Colorado. Those four-year IHEs with a two-year statutory role and mission (Adams State University and Colorado Mesa University) must comply with the service area geographic boundaries as described in policy for their two-year academic and career and technical programs.

**Q: How does the service area policy impact Concurrent Enrollment (CE) and ASCENT programs?**

**A:** The service area policy mostly impacts instruction of college courses provided at the high school (or on the LEP’s property). As this is considered “off-campus” instruction, IHEs are guided to enter into cooperative agreements only with LEP’s that exist within the geographical boundaries described in the service area policy.

CE and ASCENT courses instructed **on the IHE’s campus** are not impacted by the service area policy as the policy applies to instruction provided off-campus.

**Q: Does the location of where the college course is offered make a difference with the service area policy?**

**A:** Yes.

The service area policy states that an IHE shall not provide instruction **off-campus** in programs or geographic areas that are not approved by the Colorado Commission of Higher Education. As such, the service area policy would apply if the college course is being delivered to students by an IHE **at the high school campus** (or LEP’s property).

CE and ASCENT college courses instructed **on an IHE’s campus** are within the institution’s service area. As such, IHE’s can enter into a cooperative agreement with any Colorado LEP for courses instructed on the college campus.

**Q: Can an LEP enter into an ASCENT or Concurrent Enrollment cooperative agreement with any four-year public IHE in Colorado?**

**A:** Yes – but **exceptions** apply to public 4-year IHEs delivering educational services through their two-year statutory role and mission (Adams State University and Colorado Mesa University). All other public four-year IHEs are not held to service area restrictions. NOTE: LEPs cannot enter into an ASCENT or Concurrent Enrollment cooperative agreement with any IHE outside of the state of Colorado (this refers to programs which follow the Concurrent Enrollment Act).

**Q: Can an IHE enter into a Concurrent Enrollment cooperative agreement with an LEP outside of their service area?**

**A:** Yes. HB 18-1052 created a process for an LEP to seek an exception to the statewide service area policy for a specific course or program offered through the Concurrent Enrollment Programs Act.

The LEP must request, in writing, a Concurrent Enrollment course(s) or program(s) from the IHE whose geographic service area in which they reside. An IHE may agree to offer the course or decline to offer the course and allow a service area exception for a period of between one and five years. LEPs must use the “Concurrent Enrollment Course Request and Decline Form” to request a service area waiver. Click [here](#) for the service areas exceptions policy and form.

**Note** for service area exceptions with colleges within the Colorado Community College System (CCCS): CCCS has an internal process for colleges to come into agreement with one another on service area exceptions. An LEP seeking a service area exception with a CCCS institution can ask their community college contact partner if they would be willing to initiate their internal service area exception process. However, the LEP can always use the “Concurrent Enrollment Course Request and Decline Form” if they wish to follow that process instead and/or if the CCCS contact person is unwilling to initiate the internal CCCS service area exception process.

**Q: How does the service area policy impact online high schools?**

**A:** Schools that provide most of or all of their instruction online are currently not referenced in the service area policy. Because online instruction typically does not have a geographical location, the online school and its students do not fall into an IHE’s service area boundaries. As such, an IHE held to the service area policy can enter into a CE/ASCENT cooperative agreement with any Colorado online high school. However, in cases in which an online high school also offers instruction in a physical location, the service area policy would apply for the students taking courses at the physical location.