

COLORADO COMMISSION ON HIGHER EDUCATION

Tivoli Student Union
Auraria Higher Education Center
Denver, Colorado
March 2, 2000

MINUTES

Commissioners Present: Raymond T. Baker; Alexander E. Bracken, Chair; Terrance L. Farina; Marion S. Gottesfeld; David E. Greenberg; Robert A. Hessler; Peggy Lamm; Ralph J. Nagel, Vice Chair; and William B. Vollbracht.

Advisory Committee Present: Representative Debbie Allen; Senator John Andrews; Penelope Bauer; Jane Duncan; Calvin M. Frazier; and Sandy Hume.

Commission Staff Present: Timothy E. Foster, Executive Director; Jeanne Adkins; JoAnn Evans; Rick Hum; Patty O'Connor; and Sharon Samson

I. Call to Order

The regular meeting of the Colorado Commission on Higher Education was called to order at 10:10 a.m. in the Tivoli Student Union at the Auraria Higher Education Center, in Denver, Colorado.

Action: Commissioner Hessler moved approval of the minutes of the February 3, 2000, Commission meeting. Commissioner Nagel seconded the motion, and the motion carried unanimously.

II. Reports

A. Chair's Report

The Chair, Commissioner Alexander E. Bracken, reported that Commissioners Lamar Allen and Dean Quamme were excused absent.

He reported that the Commission and the board members of the Colorado Community College and Occupational Education System met for dinner on Wednesday evening. The meeting was enlightening, helpful, productive, and provided an opportunity to discuss a range of issues. The Commission will continue the meetings with governing boards.

Chair Bracken clarified a comment he made at the February meeting inviting feedback from the governing boards and the higher education system on the HB 1289 Study. He said that he has received comments from Dr. Fulkerson, President of the State Colleges, and Dr. Kaplan, President of Metropolitan State College of Denver. To formalize the process, Commissioner Bracken encouraged the systems to provide the Commission with their feedback and recommendations by the end of March.

Commissioner Bracken outlined the protocol for this meeting. He established time parameters for each agenda item due to the length of the agenda.

B. Commissioners' Reports

No reports.

C. Advisory Committee Reports

No reports.

III. Consent Items

A. CCHE-Technology Advancement Group Program Plan

Ms. Jeanne Adkins reported that the Technology Advancement Group (TAG) had completed the work plan for the Advanced Technology Program. The program plan incorporated the guidance from the enabling legislation, recommendations from the state performance audit, and concerns expressed by the Joint Budget Committee and other members of the General Assembly. Several institutions have submitted comments regarding the program plan reviews. Rick Hum was available for comments or to answer specific questions; however, there were none.

Staff Recommendation

The Science and Technology Committee recommends approval of the Proposed Program Plan with inclusion of any suggestions from the Institutions, other State Agencies or the Commission that the Commission feels are appropriate.

Action: Commissioner Greenberg moved approval of the staff recommendation. Commissioner Nagel seconded the motion, and the motion carried by consensus.

IV. Action Items

A. Degree Programs Remanded to Governing Boards for Review and Action

Dr. Sharon Samson introduced the Degree Program action item by tracing the history of CCHE's Degree Approval policy and procedures. She stated that the Follow-up Report is a long-standing CCHE policy, moving a newly approved degree program from provisional to full approval status. Since 1986, 48 programs have moved from provisional to full approval status and 11 programs were remanded to their respective governing board for review and action. Governing boards have three options: restructure a program; terminate the program; or intervene with the program administration. Four degree programs remanded to the governing board for review and action, including Environmental Science and Engineering (Ph.D.) at Colorado School of Mines; Physics (M.A.) offered by the University of Colorado at Colorado Springs; and Ph.D. in Biological Educational and Ph.D. in Chemical Education offered by the University of Northern Colorado, require Commission action.

Dr. Samson presented evidence supporting the extension of the review phase of CSM's Environmental Science and Engineering Ph.D. degree until January 2001. CSM Board of Trustees has restructured the doctoral program in May 1999 and convened a visiting committee that will submit a final report to the Trustees in fall 2000. The staff recommended supporting this request.

Dr. Samson described the intervention actions taken by the UNC Board of Trustees pertaining to Biological Education (Ph.D.) and Chemical Education (Ph.D.) in 1987. Because the Chemical Education degree program met its projected enrollment and graduation numbers, staff recommended granting full approval status to this degree. Noting that UNC is recruiting two biology faculty members and is seeking extramural funds to support the graduate research program, Dr. Samson observed that Biological Education had not met its goal of 2 graduates and 13 enrolled students per year. Staff recommended supporting the governing board's request for a two-year extension to meet the projections until January 2003.

Dr. Samson summarized the history of UCCS's

Physics master's degree program from its approval in 1988, the Commission's action to remand it for a comprehensive review because of failure to meet its enrollment and graduation projections, non-acceptance of the governing board response in 1995, approval of a two-year extension of provisional status in 1996 with six conditions, including take immediate steps to raise student enrollment in the program. She concluded that UCCS has not achieved the projections that were reduced in 1996. Data show there are eight students enrolled in the Physics program -- three new and five continuing. Of the eight, two appear to have sufficient credits to graduate but the other six students have accrued less than 7 credit hours. Staff recommended discontinuance of the master's program at UCCS based on low demand, with the caveat that the students currently enrolled in the program will have four years to complete their degree program.

Responding to Commissioner Gottesfeld's question regarding the source of the staff data, Dr. Samson responded that UCCS provides the student enrollment and graduation data at the end of each term and verifies its accuracy. She further

clarified that the physics degree is located in the College of Liberal Arts and Sciences.

Dr. Michel Dahlin, Assistant Vice President for Academic Affairs at the University of Colorado, presented revised data regarding the number of students currently enrolled in the UCCS master's in physics program (10 graduate students). The governing board wishes to substitute CCHE's low enrollment benchmarks for the projections provided by the institution in its program proposal to determine whether the program meets a bona fide need. Dr. Dahlin confirmed that the program has not met the original enrollment projections, but believes that the Physics degree was only accountable for meeting the six conditions attached to the approval of the program's provisional status.

Commissioner Greenberg asked Dr. Dahlin why there was a difference in the enrollment figures from UCCS, at what enrollment threshold would the university close a degree program, and to explain the decline in the number of students enrolled in the Physics degree program. Dr. Dahlin said that the governing board continues to monitor the enrollment numbers and believes it is in compliance with Commission policy.

Dr. Linda Bunnell Shade, UCCS Chancellor, stated that the University manages its scarce resources prudently. Closing the program will not save money because the department will continue to provide physics courses for other majors and the program pays for itself through grants.

Dr. Thomas Christensen, Chair of the Physics Department at UCCS, reported that eight students were enrolled in the fall 1999 and anticipates that one or two will graduate in spring 2000. Dr. Christensen responded to Commissioner Gottesfeld's question on the number of undergraduate Physics majors, stating UCCS enrolled 35 undergraduate physics majors and graduated five baccalaureate students in 1999. Dr. Christensen enumerated the grants awarded to the Physics department, asserting that without graduate students the faculty could not complete the grant research.

Advisory Committee member Sandy Hume spoke in support of the continuation of the degree program. Commissioner Farina commented that he is troubled by the 12 years of low enrollment and he lacks confidence in UCCS's enrollment data. Commissioner Bracken stated that he hoped the demand from the business community would have increased Physics graduate enrollment during the second provisional approval period, but this demand for the degree has not materialized in Colorado Springs.

Staff Recommendation

That the Commission:

- Continue provisional status for the Ph.D. in Environmental Science and Engineering offered by CSM until the Visiting Committee recommendations are final.
- Discontinue the M.S. in Physics offered by UCCS.
- Continue provisional status for the Ph.D. in Biological Education offered by UNC until 2003.
- Grant full approval to the Ph.D. in Chemical Education offered by UNC.

Action: Commissioner Hessler moved approval of the staff recommendation. Commissioner Nagel seconded the motion. Commissioner Farina amended the motion to sever the discontinuance action from the approval and extension actions. Commissioner Gottesfeld seconded the motion to amend. The amendment carried unanimously.

The motion to approve the staff recommendation to continue provisional status for the Ph.D. in Environmental Science and Engineering offered by CSM until January 2001; continue provisional status for the Ph.D. in Biological Education offered by UNC until January 2003; and grant full approval to the Ph.D. in Chemical Education offered by UNC carried unanimously.

The motion to discontinue the M.S. in Physics offered by UCCS carried with a vote of seven (7) in favor and two (2) opposed (Commissioners Farina and Gottesfeld).

B. Teacher Education Policy

Dr. Sharon Samson presented the Teacher Education Policy that was developed in consultation with the State Board of Education and the higher education institutions. C.R.S. 23-1-121, which mandated that the Commission adopt policies establishing the requirements for teacher preparation programs offered by institutions of higher education before July 1, 2000. She highlighted the key features of the Teacher Education Policy, including:

- Emphasis on quality.
- Emphasis on the mastery of content knowledge.
- Increased time that teacher education candidates spend in the K-12 classroom prior to graduating.
- Ability of teacher education students to graduate in four years.
- Joint CCHE/CDE review and approval processes that ensure that teacher education program curricula align with K-12 content standards.

Ms. Diane Lindner outlined the performance measures of the outcome-based teacher education program evaluation process. The performance criteria include admission systems; counseling systems; technology; content mastery; integration of field experience, theory and practice; and comprehensive assessment of candidate's content mastery. The approval and review processes will consider evidence supporting these measures and link the performance of teachers to the institutions to the performance of the K-12 students they teach. She thanked the working committee that developed the performance measures in collaboration with deans, principals, and superintendents.

Commissioner Farina asked for clarification on the admission performance measure. Dr. Samson clarified that each institution will be measured on the way they apply admission standards to new students and transfer students. She stated that, under the policy, a student's college GPA is not the sole measure of basic skills for teacher education programs, especially for returning adults.

Commissioner Bracken summarized the issues resolved since the February discussion, including elimination of the preferred degree list, agreement on the relationship of post-baccalaureate and graduate degrees, and the transition strategies for students currently enrolled in teacher education programs. He noted that the Attorney General's office has drafted language for institutions to use in their catalogues to inform students of the change in teacher education program authorizations and requirements. Dr. Samson explained that the jurisdiction issue pertaining to non-public institutions is being resolved in another venue.

Commissioner Gottesfeld asked for confirmation on the four-year graduate requirements. Dr. Samson stated that two programs -- special education and music -- are exempt from the four-year limit, but the statutory requirement applies to all other approved teacher education programs.

Dr. Nancy Hartley, Dean of Applied Human Science at Colorado State University, strongly endorsed the policy. She commended the positive working relationship between CCHE staff and the institutions in developing and refining the policy. She noted that the policy simultaneously evolved top-down and bottom-up. CSU supports the policy as written.

Dr. William Ottey, Assistant Commissioner at the Colorado Department of Education, complimented the Commission on the proposed policy. The relationship between the State Board of Education and the Commission has been excellent with a strong willingness to work together. He commented that this was the first time that the State Board of Education was invited to comment on the policy and witness the open process higher education used to collaborate on performance-based standards.

Dr. Margaret "Midge" Cozzens, Vice Chancellor for Academic Affairs at the University of Colorado at Denver, thanked the Commission for playing a strong role in setting high standards. She credited the policy for establishing the standards for high quality teacher education programs, creating a system with multiple entry points each with high standards. She noted the importance of the policy in ensuring that Colorado public institutions graduate high quality teachers and that these teachers will provide quality learning for all students in the state.

Dr. Cheryl Norton, Vice President for Academic Affairs at Metropolitan State College of Denver, praised CCHE's

efforts in creating a policy that will provide quality teachers. She stated that Metropolitan State College of Denver strongly supports and endorses the policy as written.

Drs. Hartley, Ottey, Cozzens, and Norton unilaterally supported the proposed Teacher Education policy.

Chair Bracken stated that the issues identified in the February discussion appear to have been resolved. The Commission appreciated the spirit of cooperation from the entire education community on the policy.

Cal Frazier suggested three changes to align the policy with the law, including replacing the reference to "the institutions" with "the Commission" in 6.02.02, deleting the reference in Section 5.0 to non-public institutions, and deleting Section 6.3 describing the institutional reward system. Dr. Samson explained that the reward system was part of the statutory mandate.

Staff Recommendation

That the Commission approve the proposed Teacher Education Policy.

Action: Commissioner Hessler moved approval of the staff recommendation. Commissioner Nagel seconded the motion. Commissioner Lamm moved to amend the staff recommendation to include Dr. Frazier's recommendation for modifying section 5.0 and 6.02.02. Commissioner Nagel seconded the amendment. The motion as amended carried unanimously.

V. Items for Discussion and Possible Action

A. Grandview Terrace Waiver, CU-Boulder

Ms. Jeanne Adkins reported that the University of Colorado at Boulder (UCB) submitted a waiver request in August 1999 for relocation or demolition of bungalows and other related ancillary buildings in a neighborhood known as Grandview Terrace. All of the properties for which the waiver was submitted are currently owned by the University. Commission policy allows discretionary waiver authority between \$500,000 and \$1.5 million for non-capital construction funded projects. If a waiver request is not granted by CCHE, a program plan by policy and statute must be submitted on the project for review and approval. Acting on the information provided in the waiver request, Ms. Adkins, acting on behalf of CCHE, granted the waiver on September 10, 1999.

Ms. Betty Chronic, a representative of Historic Boulder, filed an objection to the CCHE waiver in February 2000. Ms. Chronic's request was included in the agenda. Ms. Chronic also requested that the Commission deny the institution's master plan section for the Grandview Terrace neighborhood. Ms. Chronic's objection initiated the request for the review of the staff action.

In order to provide both sides of the issue, the institution provided historical background, information on how the property had come into possession of the institution, and the Regents' action on the issue.

For the past two years UCB has been in the process of creating a new master plan for Boulder. At the writing of the item, CCHE staff had not received the master plan. The Regents have since approved the UCB master plan and CCHE staff is reviewing it.

Ms. Adkins pointed out that prior to her September 1999 decision had she been aware of two additional pieces of information she might have made a different decision based on her knowledge of the potential requirements for one potential historic preservation site. Documentation dates back to 1998 for the 1301 Grandview property. A program plan for that site would have been requested before the decision was made. Historical designation or intent to designate as an historical site does not prohibit the institution from relocating or demolishing a property. However, there are conditions to do that.

Ms. Betty Chronic, a Boulder resident and a member of Historic Boulder, opened the public testimony. Ms. Chronic filed the request because the waiver granted by CCHE is impeding the planning between the city of Boulder and the University. In 1988 the City Landmarks Board recognized Grandview Plaza as an historic neighborhood. The Boulder community is concerned about demolition of the historic property and wants to protect the bungalows. She complained

community is concerned about demolition of the historic property and wants to protect the bungalows. She complained that the University does not have a public process. She recommended that Commission vote to support CCHE staff recommendation Option 2, to rescind the waiver and ask both parties to re-enter negotiation.

Monta Lee Dakin, Executive Director of Colorado Preservation Inc., stated that Grandview Terrace was listed as an historic site in 1999. She said Grandview is eligible for national historic registry. She warned that the University may be penalized under a 1996 federal regulation affecting historic properties that assure that all alternatives are considered before federal money is spent. Anticipatory demolition is illegal in this case.

Cynthia Shaw McLaughlin, representative of the Colorado Arts and Crafts Society, said the CU Master Plan shows a lack of respect for its history. Grandview Terrace is a collection of textbook examples of the arts and crafts architectural style. She encouraged the University to come up with a compromise and communicate with the city of Boulder.

Katherine Barth, an architect and a member of the Colorado Arts and Craft Charette Society, presented an alternative plan for Grandview Terrace to retain a limited number of the historic buildings and still allow the construction of new university facilities. The plans have been submitted to the city and the university. The plan recommended use of alternative modes of transportation as well as alternative parking.

Margaret Hanson, president of Historic Boulder, outlined the work which has been done with the university property. She would welcome the opportunity to work with the University and encouraged the Commission to rescind the waiver and re-enter negotiations.

Michael Hollarin, Chair, Landmarks Board for the city of Boulder, spoke as an individual architect in support of re-negotiations. He presented an alternative architectural plan.

Jane Greenfield, special counsel for the Colorado Arts and Crafts Society, asked the Commission to allow time for further consideration of the demolition of the bungalows.

Allen Boles, an attorney with the city of Boulder, reported that the city passed an ordinance designating Grandview Terrace as an historic area. The city has had some negotiations with the university and has a confidence the negotiations will result in a resolution that will satisfy the transportation problems and the historic preservation value of the area. The city feels it needs more than three months to continue the negotiations. He urged the waiver be rescinded and the Commission adopt staff recommendation option two.

Ted Lock, a property owner at 1302 Grandview, said the private property owners have not been involved in any of the discussions about the property. His property has a business and he has filed a law suit to protect the property from becoming part of a historic district. He urged the Commission to act quickly to resolve the situation and protect the private property owner.

Amy Vandersall, retired professor at UCB and resident of the city of Boulder, recommended continued negotiations with the city of Boulder.

Jim Topping, Associate Vice President for Budget and Finance at the University of Colorado, stated that the University is willing to re-open negotiations for a period of three months to reach agreement. The University is willing to negotiate on parking/transit issues, and recognize the preservation issue. The University is sensitive to the cost of preservation because it and the state will bear part of that cost. He encouraged the Commission to keep the waiver in place as it will move negotiations along.

Paul Tabolt, Vice Chancellor for Administration at UCB, reported that the University began to purchase property in the Grandview neighborhood 30 years ago. In 1979 CCHE approved the CU master plan, which included the Grandview neighborhood. Public involvement has been included in the planning process and the university has worked with the city of Boulder. All projects that were listed for preservation in the 1992 plan have been preserved. The University will respect and abide by the Commission's decision.

Robert Sievers, Regent of the University of Colorado, said this has been a very complex issue before the Regents. He said that the city and the university are close to an agreement. He is committed to restoring the best of the bungalows. The University supports the Commission's decision.

Commissioner Lamm asked if the University was aware 1301 had been designated as an historic site. Mr. Talbot reported that the property was included in the master plan to be preserved.

Ms. Adkins clarified that CCHE staff has discretionary approval authority for projects between \$500,000 to \$1.5 million. Pointed out the letter for granting the waiver did not imply approval of any property improvement. The only approval was for demolition and relocation.

Commissioner Hessler stated that the Commission does not want to micromanage institutions. The issues need to be resolved and he recommended the parties negotiate a resolution. The Commission's role is to review the institution's master plan.

Commissioner Gottesfeld, stated that the Commission has known since 1961 that the University acquired the land for the growth of the university. The problem exists between the city of Boulder and the University. The Commission has helped the education institutions, now its up to the institution to settle with the community.

Commissioner Baker asked if a similar situation has ever been before the Commission. He said he does not believe it is the Commission's responsibility to micromanage and it is critical to have a long-term master plan. It will be July or August before the Commission has an opportunity to review of the master plan.

Ms. Adkins reported that the Commission does not currently have a policy in similar circumstances and there are no records in terms of review of delegated authority action. Staff asked both sides to present the information, with a staff overview of the action. The attorney general was consulted to provide an appeal position for delegated authority. There may be a need to develop a formal CCHE policy for the delegated authority appeal process. The University has agreed to put action on hold until the Commission acts.

Chair Bracken's recommendation was to assure a compromise between the institution and the city of Boulder before the Commission reviews the CU master plan. Ms. Adkins reported that it is anticipated the master plan will come to the Commission in August.

Chair Bracken discussed staff recommendation Option 3 to allow the waiver to stand and request that resolution be made by the parties involved or we approve the master plan before the waiver be acted upon. Nothing can go forward until the Commission approves the master plan or the city of Boulder and the University reach an agreement.

Commissioner Farina stated that although the Commission can encourage negotiations, it cannot force the parties, the city of Boulder and the University of Colorado at Boulder, to come to an agreement. It is suggested everyone negotiate in good faith and within a specified timeframe.

Staff Recommendation

As stated earlier, staff has by virtue of granting the waiver entered a decision on this issue for the record.

Commission options, however, include:

- Overturn staff's decision to grant the program plan waiver and require program plan submission by the institution before any demolition/relocation could occur.
- Rescind the waiver and ask both parties to re-enter negotiations to reach a compromise that can be addressed by the Commission when it considers the UCB master plan. The section of the master plan concerning development of this property is controversial in the community.
- Allow staff's decision to stand and request the parties provide a consensus resolution to this issue to staff for Commission review when the UCB master plan is reviewed by the Commission this summer.
- Take no action, allowing waiver to stand and consider the issues raised when the master plan is reviewed this summer.

Action: Chair Bracken moved staff recommendation of Option 3, that allows the waiver to stand and requested that the parties involved (the city of Boulder will represent the city, the Historical Preservation Committee and other Grandview Terrace preservation interests; and the University of Colorado at Boulder) negotiate a resolution on the Grandview Terrace property. The Commission will take no action on the University of Colorado at Boulder Master Plan until the property issues are resolved. Commissioner Farina seconded the motion and the motion carried unanimously.

B. Financial Aid Policy

Dr. Sharon M. Samson introduced the proposed Financial Aid Policy, highlighting the major changes. In the presentation, she illustrated the new financial aid model with a chart that diagrammed the use of federal financial aid funds as the base, the contribution resulting from student responsibility, and directing state dollars to support Colorado students with the least ability to pay. She noted that the proposed policy contains the three elements that the governing boards requested during the initial policy discussions – an implementation plan that protects currently enrolled students, ability to recruit out-of-state graduate students with state funds, and consistency with federal methodology. Ms. Samson compared Colorado to other states, including that 10 states use state dollars for athletes, primarily southern states, and that the overwhelming majority of the states offering merit awards require a 3.0 GPA or above.

The Commissioners discussed Colorado's low ranking in the number of low-income students attending college. Responding to Commissioner Hessler's question on how the minimum 3.0 GPA impacts highly selective institutions, Ms. Patty O'Connor distributed a table showing that the majority of undergraduate students qualified for a merit award with a 3.0 GPA or better at each public university or college. Ms. O'Connor indicated that changing the eligibility parameters will redirect a significant amount of dollars to Colorado residents.

Ms. Sandy Calhoun, representing the CSU System, supported CCHE staff's approach, but asked CCHE to reopen discussions on the use of state dollars for athletic scholarships, including out-of-state students as eligible recipients, and eliminating the the maximum of 150% graduation credit hour limit. Colorado State University system opposed directing need-based dollars to students with the least ability to pay and contested the use of federal tuition refunds for middle income students. CSU expressed concern about the impact on diversity awards. Dr. Samson stated that the proposed policy does not restrict using merit or need-based dollars for diversity initiatives, but allows each institution to set their own amounts. Commissioner Bracken commented that the diversity plans presented by the institutions appear to be a more effective way of addressing the diversity issue.

Dr. Michel Dahlin expressed concern regarding the proposed definition of full-time enrollment status since it is inconsistent with the full-time definition used by CU for financial aid purposes.

Commissioner Bracken summarized the main points of the new policy and directed staff to continue work on the need-based index and research other states' definition of full-time graduate enrollment status.

VI. Written Reports For Possible Discussion

A. Technology Learning Grant and Revolving Loan Program 2000 Report

The Commission accepted the report on the Technology Learning Grant and Revolving Loan Program 2000.

B. Capital Construction Cash-Funded Programs

The Commission accepted the report on the Capital Construction Cash-Funded Programs.

C. Report on Out-of-State Instruction

The Commission accepted the report of instruction offered out-of-state beyond the seven contiguous states approved by the Executive Director:

The Executive Director has approved the following out-of-state instruction:

To be delivered by Adams State College:

ED 589, *Multicultural Studies/Hawaii* delivered in Hawaii May 19-26, 2000;

ED 589, *Eye Exercises to Make Learning Easy* delivered in Hawaii July 12-17, 2000;

ED 589, *Simple Self-Healing Techniques* delivered in Hawaii March 30-April 9, 2000;

ED 589, *Time to Teach* delivered in Washington February 28, 2000.

To be delivered by Western State College in England, July 15-August 12, 2000:

HIST 397 or HNRS 397, *The Historical Landscape of England*;

ENG 397 or HNRS 397, *The Literary Landscape of England*;

COTH 397, ENG 397, or HNRS 397, *The Dramatic Landscape of England*.

To be delivered by the University of Colorado at Denver:

EDUC 5836, *Employment Consultant Training Program* to be delivered in Utah February 1-3, 2000; in South Dakota February 8-11, 2000; in North Dakota March 7-9, 2000, and in Montana April 25-27, 2000.

EDUC 5836, *Paraeducator Supervision Academy* to be delivered in Japan February 10-11 and February 15-16, 2000; in Korea February 17-18, 2000; and in Germany March 9-10, 2000.

Action: Commissioner Hessler moved adjournment of the meeting. Commissioner Baker seconded the motion, and the motion carried unanimously. The meeting adjourned at 3:00 p.m.