

MINUTES OF THE COLORADO COMMISSION ON HIGHER EDUCATION

November 4, 2004

Community College of Denver

Chairperson Judy Weaver called the meeting to order at 10:00 a. m.

Commission members attending were Judy Weaver, Chairperson; Terry Farina, Vice-Chairperson; Ray Baker; Judy Altenberg; James Stewart; Mike Feeley; Greg Stevinson; Richard Garcia; Bill Vollbracht; and Pres Montoya. Commissioner Dean Quamme was excused. Commission Staff members attending were Executive Director Rick O'Donnell, Rich Schweigert, Jenna Allen, Matt Gianneschi, Jason Hopfer, Amy Roberts, Joan Johnson, Diane Lindner, Gail Hoffman, and Mary Lou Lawrence.

Advisory Committee member Chris Purkiss was present.

Chairperson Weaver introduced Dr. Christine Johnson, President of Community College of Denver (CCD) and host of the meeting, who made welcoming remarks. Chairperson Weaver then introduced the new President of the Colorado Community College System (CCCS), Nancy McCallin, who made brief remarks.

APPROVAL OF MINUTES

Commissioner Stewart moved to approve the minutes of the October 7, 2004, meeting and Commissioner Feeley seconded the Motion. They were unanimously approved.

REPORTS

Chairman's Report: Chairperson Weaver reflected on the recent election and pending legislative session and encouraged the Commission to reach out and work with all legislators to continue the viability of higher education in Colorado. She gave a status report on performance contract negotiations, stating they were progressing with mutual collaboration.

Commissioners' Report: At Commissioner Montoya's request, President Johnson reported on financial aid seminars for Hispanic families hosted by Sallie Mae in conjunction with the Pueblo foundation at CCD and Aims Community College with one being planned for Greeley. They were done in English and in Spanish on a Saturday morning to a large crowd, debunking the myth that minority families are not interested in higher education. Commissioner Weaver reported similar attendance at the seminar in Pueblo. Commissioner Montoya hopes other, unique approaches will be considered for marketing the College Opportunity Fund to the underserved community.

Advisory Committee Report: There were no reports.

Public Comment: George Walker spoke on accountability and the failure of recent state legislatures to implement programs to advance diversity in higher education and mitigate the disparate impact of the Tabor Amendment on minorities. The disparity of students' home and institutional educational environment impacts their ability to productively perform in transferable core curriculum courses between schools of different social,

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racial, economic makeup. He submitted written remarks for the record, which are attached.

PRESENTATIONS & DISCUSSION

Update on COF Stipend Applications Process: Jeanne Adkins, Director of the College Access Network, provided a verbal and visual presentation on the development and administration of the computer program being developed for on-line application and accounting for stipends. Commissioner Baker noted the criticality of the application process to the stipend program and wants the Commission to be apprised of any and all problems if they occur. A status report will be presented at each Commission meeting until the system is fully operational. There was no public comment.

Update on Private Institution Participation in COF: Mr. Schweigert reported that Requests for Information were issued to private institutions in October. From the responses received, Colorado College, University of Denver and Regis College were accepted into the program and performance contracts would be negotiated with them. The application from Colorado Christian University was denied and Naropa University withdrew its application. Mr. Schweigert reported as many as two thousand students may qualify to receive one half of the public institution stipend amount and the Commission's proposed FY 05-06 budget requests additional money, separate from the budget request for public institutions, for private school stipends. There was no public comment.

ACTION ITEMS

Treatment of the Colorado Opportunity Fund Stipend in the Financial Aid Process: Pursuant to SB04-189, Staff Member Lindner prepared a uniform policy that states stipends are not to be included in a student's Cost of Attendance and resources available to pay for those costs when determining financial aid. Ms. Lindner assured Commissioner Farina the enabling legislation had been reviewed and its intent and meaning were included in the policy. Mr. Schweigert stated staff would meet with institutions to further clarify the treatment of the stipend and the policy. Commissioner Feeley asked if there had been any discussion with the Internal Revenue Rulings (IRS) addressing stipends as income. Mr. Schweigert reported that there had been no staff discussions with the IRS. There was no public comment. A motion to adopt the policy was made, seconded and unanimously approved.

WRITTEN REPORTS FOR POSSIBLE DISCUSSION

Memo on Statutory Authority of Higher Education Capital Construction Projects: Executive Director O'Donnell stated the memo from Staff Member Johnson reiterates statutory requirements and Commission and Department policies regarding capital construction for higher education, as there was confusion resulting from SB04-189 and SB04-252. Commissioner Baker reported the FY 05-06 Governor's Budget requests \$33.2 million for controlled maintenance on Levels I & II facilities, the majority of which

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are Commission owned properties. Commissioner Baker and Ms. Johnson discussed SB85-1187 and the fact that it continues to control the Commission's responsibility and authority on capital construction issues. There was no public comment.

Capital Construction Issues: Ms. Johnson reported that the H.P.E.R. project at Colorado State University- Pueblo had become an emergency due to asbestos contamination.

State General Funded Program Plans FY 05-06 and Cash-Funded Capital Construction Projects FY 05-06:

Ms. Johnson reported that Mesa State College had revised the funding source for the Business and Info Tech Center from general fund coverage to cash funds. Therefore, approval of the project was recommended as a cash-funded project.

Ms. Johnson also requested the Commission approve a change in the University of Northern Colorado (UNC) project to replace the Underground High Temperature Hot Water Main. UNC has requested and CCHE staff has approved a supplemental for this fiscal year for \$635,825 in cash funds so the University can begin design work on the project. The Capital Development Committee (CDC) approved the supplemental on November 4. The Joint Budget Committee (JBC) is expected to consider the request prior to the holiday break in December. The UNC request for state funds for FY 05-06 will be \$6,040,153. The change was approved.

Staff member Gail Hoffman reported the Ekeley Sciences Middle Wing Renovation at the University of Colorado Boulder (UCB) had not been evaluated since its initial submission and the renovation is more programmatic than life safety changes. She had requested additional information from the UCB staff but the requested data has not been forthcoming.

Jack Burns, Vice President for Academic Affairs at UCB, explained only a small portion of Ekeley needs renovation and is required by the fire and environmental hazards created by the wet lab in the portion marked for renovation. The current conditions create risks to the faculty and the research conducted in the area. Commissioners suggested UCB staff confer with Commission staff regarding the hazards and agreed to conditional approval of the renovation pending subsequent Executive Director approval.

Commissioner Baker moved to approve:

State General Fund Program Plan amendments for FY 05-06:

Colorado Historical Society – Cumbres & Toltec Railroad: Track Upgrade and Locomotive Upgrade;

Colorado State University – Regulated Materials Handling Facility;

Colorado State University-Pueblo – H.P.E.R. Renovation;

University of Colorado at Boulder – Ketchum Arts & Sciences Building Renewal;

University of Colorado at Colorado Springs – Dwire Hall Renovation and Technology Upgrade;

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Colorado School of Mines – Green Center-CTLM Addition (Phase III);
University of Colorado at Boulder – Eckley Sciences Middle Wing Renovation.
(Approval of this project is contingent upon the CCHE Executive
Director’s approval of the program plan amendment); and

State-funded projects in the priority order listed:

1. Colorado School of Mines – Green Center Decontamination/CTLM Addition Phase III - \$4,836,735;
2. Colorado State University-Pueblo – H.P.E.R. Renovation, Phase I - \$1,588,600;
3. University of Northern Colorado – Replace Underground High Temperature Hot Water Main - \$6,040,153;
4. University of Colorado at Colorado Springs – Dwire Hall - \$1,500,000 (CCFE); \$1,500,000 (CFE);
5. Colorado State University – Regulated Materials Handling Facility – \$1,502,078;
6. Pikes Peak Community College – Telephone System - \$834,793;
7. Colorado State University – Vet Teach Hospital, Fire Sprinklers – \$3,225,172;
8. Community College of Aurora – Campus Maintenance Facility - \$116,051;
9. Arapahoe Community College – Telephone Switch - \$254,100;
10. University of Colorado at Boulder – Ketchum Arts & Sciences, Phase I, \$903,428;
11. Colorado Historical Society – Cumbres & Toltec Railroad – Track Upgrade – \$1,350,000 (CCFE), \$1,350,000 (CFE), \$1,300,000 (FF);
12. Colorado Historical Society – Cumbres & Toltec Railroad – Locomotive Upgrade - \$650,000 (CCFE), \$650,000 (CFE);
13. University of Colorado at Boulder – Eckley Sciences Middle Wing Renovation - \$1,965,610 (CCFE), \$218,401 (CFE); and

Commission recommendation that alternative sources of funding be sought for the following projects if they are not funded in FY 05-06:

1. CSU – Regulated Materials Handling Facility;
2. Arapahoe Community College – Telephone Switch;
3. Community College of Aurora – Campus Maintenance Facility;
4. Pikes Peak Community College – Telephone System; and

Cash-funded program project plans to be forwarded to the legislative Capital Development Committee for the FY 05-06:

1. Colorado State University – 3 projects:
 - a. Shortgrass Steppe Field Station Additions-Alterations, \$3,800,000;
 - b. Engineering Entrance Addition - \$3,147,575;
 - c. AILD, Annex Renovation - \$2,239,000;
2. University of Colorado – 4 projects:
 - a. Colorado Springs – Science/Engineering Building, Phases II and

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- III - \$21,800,000;
- b. UCDHSC-Fitzsimons – Infrastructure Phase 9 - \$5,424,376;
- c. Boulder – Information Technology Infrastructure - \$13,524,930
(approval contingent on Board of Regents approval of the project as totally cash-funded);
- d. Boulder – Business School Expansion & Renovation - \$24,718,555
(approval contingent on Board of Regents' approval of the project as totally cash-funded);
- 3. Mesa State College – 2 projects:
 - a. House Demolition & Ground Recovery - \$20,638,900 (the Commission recommends to the JBC that the Long Bill contain a footnote exempting Mesa State from the three-year rule that 25 percent of the total project cost has to be encumbered within three years of appropriation);
 - b. Business and Information Technology Center - \$11,500,000;
- 4. Colorado Historical Society – 1 project:
 - a. Regional Museums - \$542,000.

Commissioner Feeley seconded the motion. There was no public comment. The motion was unanimously approved.

Commissioner Baker commented that there were other options available to institutions to secure funding for capital construction projects and maintenance, including lease back which institutions could consider.

Five-Year Capital Construction Projects for FY 05-06:

Ms. Johnson reported few Governing Boards had explored other means of funding projects on the five-year list as the Commission requested they do at the June 3, 2004, Commission meeting. This report is required to be submitted to the Legislature's Capital Development Committee. There was no public discussion.

A Motion was made and seconded to approve the Five Year Capital Construction Project Report for FY 05-06 and forward it to the Capital Development Committee. The motion was unanimously approved.

CONSENT ITEMS

American Sign Language in Public Higher Education Institutions; Policy Revision on Tuition Classification of Members of the Armed Forces at Public Institutions of Higher Education; and Statewide Remedial Education Policy:

Commissioner Montoya moved for approval of all items as presented and Commissioner Vollbracht seconded the motion. There was no public discussion. The motion was unanimously approved.

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WRITTEN REPORTS - NO DISCUSSION

FTE – Service Area Exemptions:

No action was taken.

ADJOURNMENT

Chairperson Weaver adjourned the meeting stating, the next meeting would be on January 6, 2005, at 10:00 a.m., at the Community College System, 9101 East Lowry Boulevard.