

## Colorado Commission on Higher Education Agenda

October 7, 2004

10:00 a.m.

- I. Approval of Minutes (June 3, 2004)
- II. Reports
  - A. Chair's Report
    - Election of Officers
    - Changes to Commission By Laws
    - Approval of 2005 Commission meeting schedule
    - Ethics Policy
  - B. Commissioners' Reports
  - C. Advisory Committee Reports
  - D. Public Comment
- III. Consent Items
  - A. CCHE Policy on approval of new academic programs at institutions operating under a performance contract - Kuepper
  - B. Adjustment to transfer admission standard – Gianneschi
  - C. Modifications to Teacher Education Program Review Policies - Gianneschi
- IV. Action Items
  - A. 2005-2006 Higher Education Budget - Schweigert
- V. Written Reports for Discussion
  - A. CCHE's policy regarding student participation in capital fee decisions - Johnson
  - B. Capital Assets Quarterly Report for Second and Third Quarters on Program Plan Waivers, Cash-Funded and SB-902 Projects and Leases – Johnson/Hoffman
- VI. Presentation and Discussion
  - A. University of Colorado-Denver Health Science Center Redevelopment at 9<sup>th</sup> and Colorado presented by Tim Romani, Vice Chancellor for Campus Planning and Development, UCDUSC; Jeff Willis, Vice President of Land Acquisition and \ Sales for Shea Properties; Chancellor James Shore, UCDHSC
- VII. Written Reports no Discussion
  - A. Service Area Exemptions
  - B. Out-of-State Instruction

**MINUTES OF THE COLORADO COMMISSION ON HIGHER EDUCATION  
JUNE 3, 2004  
TELECONFERENCE**

Chairman Ray Baker called the teleconference meeting to order at 10:00 a. m.

Commission members attending were Ray Baker, Chairman; Terry Farina; Vice-Chairman; Judy Weaver; Judy Altenberg; James Stewart; Dean Quamme; Mike Feeley; Richard Garcia; Bill Vollbracht; and Pres Montoya. Commission Staff members attending were Executive Director Rick O'Donnell, Rich Schweigert, Jenna Allen, Bill Kuepper, Jennifer Nettesheim, Joan Johnson, Jett Conner, and Mary Lou Lawrence.

Advisory Committee member Sue Windels was present.

Executive Director Rick O'Donnell announced that the meeting was being conducted via teleconference and explained the procedures for public participation.

**I. APPROVAL OF MINUTES.**

The minutes of the April 1, 2004, Commission meeting were approved.

**II. REPORTS.**

Chairman's Report

Chairman Baker reported the Commission's retreat is scheduled for August 5-6, 2004, location to be determined. Director O'Donnell said the retreat would focus largely on performance contracts.

Commissioners' Report

Commissioner Richard Garcia reported on the success of the Statewide Parent Coalition meeting. He thanked Director O'Donnell for being the luncheon keynote speaker, institutions of higher education, and the Colorado Commission on Higher Education (Commission/CCHE), through Gear-Up, for their support. He reported that Adams State College awarded four (4) \$500 scholarships to students.

Advisory Committee Report

Committee Member Windels had no report.

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Public Comment

Daniel Ong, a part time student at University of Colorado-Denver (CU-D), observed that SB04-189, the College Opportunity Fund Bill (COF), does not require differentiation between tuition charged as a flat stipend or a per credit hour stipend. He complained tuition for students in University of Colorado's (CU-B) School of Engineering is being increased 15%, twice that of other colleges. Law School students approved a fee increase but he did not think engineering students approved such an increase.

**III. CONSENT ITEMS A, B, C, D**

Staff had no changes or recommendations regarding any consent item.

Consent Item A. Teacher Education Reauthorization at University of Colorado-Boulder.

Commissioner Garcia suggested that an "ethnic studies" course might help CU-B's minority outreach efforts. Director O'Donnell stated it would be an individual institution's decision to seek CCHE authorization to offer elementary education courses in "ethnic studies" and that Commissioner Garcia's concerns and ideas would be relayed to the university. Commissioner Montoya asked if teacher education curriculum at all institutions included classes on different cultures, including Hispanics, poverty and cultural diversity. This topic has been discussed at the University of Northern Colorado (UNC). Staff member Jett Conner said he was not aware of any such course in teacher education curriculum. Generally, cultural diversity courses are offered as a general studies program option.

There was no Public comment on Action Item A.

There was no discussion on Consent Items B (Teacher Education Reauthorization: Colorado State University-Pueblo), C (Western State College Teacher Education Proposals) and D (Approval of Programs for the Associate of Arts and Associate of Science Degrees).

Commissioner Altenberg moved for approval of all Consent Items and Commissioner Weaver seconded the Motion. Commissioners unanimously approved Consent Items A, B, C & D.

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**IV. ACTION ITEMS**

Action Item A: Exemption from Certain State Regulations.

Staff member Rich Schweigert stated that, pursuant to recent legislation, higher education institutions and CCHE had the option to choose to exempt themselves from some state centralized services including fleet management, risk management, and procurement. Staff recommended CCHE exempt itself from the state procurement program as goods and services could be more efficiently and cost effectively acquired through an alternative, internal procurement program.

Commissioner Altenberg asked if the requested exemption applied only to CCHE or if it also applied to institutions. Mr. Schweigert stated it only applied to CCHE. Institutional Governing Boards could choose which, if any, exemptions would benefit their institution. Commissioner Farina asked if CCHE could buy the services through the state program or return to the system if experience showed the internal purchasing procedures ineffective. Mr. Schweigert said CCHE would be able to buy off the state bids system. Commissioner Feeley inquired about rules CCHE would promulgate for the alternative procurement system. Mr. Schweigert stated rules promulgated would adhere to state fiscal rule requirements regarding thresholds and procurement procedures and the State Controller's Office would review the draft rules.

Commissioner Weaver requested an annual report showing amounts saved as a result of exemption from state procurement rules and justifying the exemption. Staff will provide such a report.

Commissioner Feeley moved to adopt staff recommendation with the addition of annual report showing savings incurred and Commissioner Farina seconded the motion.

There was no Public comment on Action Item A.

The Commissioners unanimously adopted Action Item as amended.

Action Item B. FY 2005 Financial Aid Allocations.

Staff member Diane Lindner reported the 2004 Legislative Session did not change the 2004-2005 total financial aid appropriation but did reduce need based aid, merit aid and work study due to mandatory increases in Native American, law, POW and fire tuition assistance. In addition, the Governor put one time funding into need-based aid for 2004. The proposed allocation methodology presented recommended pro-rating reductions to institutions as the majority of aid is distributed to the neediest students, in accordance with Commission Policy approved March 2004. It would provide the most stability to institutions as they implement changes in higher education. Attachment IV-B detailed institutional allocations as well as the methodology for pro-rated reductions.

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Commissioner Montoya moved to accept the staff recommendation; Commissioner Baker seconded the Motion.

Responding to Commissioner Garcia's question, Ms. Lindner stated there was no correlation between financial aid allocations and tuition increases. The allocation of financial aid appropriated by the General Assembly and the majority of it is used to provide tuition, including tuition increases, to the neediest students. Advisory Member Senator Windels noted that SB04-189 required 20% of tuition increases to be applied to financial aid. Director O'Donnell stated that 20% of the revenue generated from tuition increases is applied to institutions' financial aid programs.

There were no public comments.

Commission unanimously approved the staff recommendation.

Action Item C. FY 2005 Tuition Policies.

Staff member Schweigert stated that, in his veto message to a footnote of the 2004-05 Long Appropriations Bill, the Governor directed the Commission to examine institutional tuition increases and to draft a tuition plan recommendations. Passage of Senate Bill 04-189, which allows institutions to attain enterprise status in FY 2004-05 under the Tabor Amendment, causes tuition increases to be considered for both enterprise and non-enterprise institutions. It is anticipated that only the University of Colorado (CU) System would attain enterprise status in FY 2004-05 with other institutions attaining enterprise status in 2005-06. The 2004-05 Long Appropriations Bill permits schools that do not attain enterprise status to increase tuition revenue 1.1%. Staff recommended that, within that 1.1 % revenue factor, non-enterprise institutions that wish to increase the full time credit hour cap by 1 credit hour be allowed to do so as long as they remain within the 1.1% revenue increase set in the budget.

Staff recommended approval of tuition differentials for all CU System campuses in both under-graduate and graduate courses but did not recommend approval of Quality for Colorado (QFC). Staff also recommended base tuition rate increases across the CU System and approval of the Enterprise Adjustment for CU. Enterprise Adjustment is the 4.5 million dollars CU agreed reimburse the General Fund for funds it would lose when CU attained enterprise status. CU would recoup the amount reimbursed in increased tuition.

Commissioner Altenberg moved for acceptance of staff recommendation and Commissioner Montoya seconded.

Commissioner Weaver asked how many schools would be able to increase their credit hour and stay within the 1.1%. Mr. Schweigert said Mesa State, Western State, Colorado State University-Pueblo (CSU-P) and University of Northern Colorado (UNC) may be

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able to make the increase. Commissioners and staff discussed QFC, previously approved by the Commission for one year with the option to approve it annually in future years.

Commissioners requested staff prepare a report showing the use of first year QFC funds. It was noted that approval of QFC this year would result in an additional 10% tuition increase at CU-B and would be in addition to other, significant increases and tuition differentials already recommended for approval, resulting in tuition increases of 19% to 50%.

As a parent paying tuition for two daughters attending CU, Commissioner Garcia noted any increase in tuition creates a hardship on the families paying the bills. Commissioner Feeley believes there is a management disconnect regarding CU deregulation which is occurring in concert with enterprise status while, at the same time, the State, the Legislature and the Governor's office retain the ability to set prices. He noted that everyone is doing the best that can be done while working under very difficult circumstances. Commissioner Montoya asked, since CU reported a record setting year for freshman minorities, if there was a report showing student ethnicity ratio. Vice-President Burns said there was none but CU would obtain the information.

Public Comment:

CU President Hoffman affirmed that CU remains committed to QFC, including reduced freshman class size and window size.

The Commission unanimously voted to approve staffs' recommendation.

Action Item D. FY 2005 Capital Construction Policies.

Staff member Joan Johnson presented the recommendation of: 1. As in past years, Governing Boards were asked to submit only health & life safety capital projects for general fund monies; 2. Governing boards were asked to creatively look at alternative sources of funding for Five Year Construction Plan projects submitted for general fund funding; 3. Governing boards were asked to explore the feasibility of facility fees with student involvement.

Commissioner Weaver moved for approval of staffs' guidelines and Commissioner Altenberg seconded the Motion.

Commissioner Weaver requested a review of CCHE policy regarding student referendum and/or student government vote to determine use of student fees for capital construction as it is a critical piece which needs addressing at a future Commission meeting to determine if modifications are needed. Commissioner Baker concurred and proposed looking at national trends on student fees for capital construction. Commissioner Farina asked if the Mines Green Center remodeling, the Commission's number one health and life safety project for the past two years, was progressing even though the project was

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only half funded. Ms. Johnson reported that Mines was doing it in stages as funding allows.

Public Comment:

CU President Hoffman wanted to know if CU would have to resubmit their facility fee for separate approval. Ms. Johnson stated that it would not.

The Commission unanimously approved the action item.

**V. WRITTEN REPORTS FOR DISCUSSION**

The Staff had no comments on any report.

Commissioner Comments:

Written Report C. Statewide Report on Racial & Ethnic Composition of Students & Faculty

Commissioner Stewart thought the report excellent commenting it was the first time he has seen the data. He expressed concern about CU-B's numbers considering the national press coverage regarding student athletes' failure to obtain degrees, especially football and basketball players. He asked if there was any specific data on athletes as scholars and their success since many of them are black. Staff member Julie Carnahan reported the NCAA collects data differentiating athletes from students, not the Commission. She will ask CU for that information. Commissioner Weaver asked to expand the data request to include the 6-year graduation rates for all athletics at all 4-year institutions and to include that data in the quality indicator reports. She stated this was a serious concern and the Commissioners should be tracking the retention and graduation rates of athletes separate from other students.

Public Comments:

President Hoffman reported that CU-B football player six year graduation rate was 53% and that, after consideration of athlete transfers to other schools, 24 of 26 seniors completing their eligibility in the spring would graduate by December. She will provide additional information including their athletic program action plan that contains a substantial academic component.

Director O'Donnell noted staff would work with CU to obtain the information and the information requested by Commissioner Stewart.

Staff member Bill Kuepper stated the information requested by Commissioner Stewart on Aims and Commissioner Montoya on new freshmen will be obtained and given to them.

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There was no further business and the teleconference meeting was adjourned at 11:04 p.m.

**TOPIC: CHAIR'S REPORT**

**PREPARED BY: RAYMOND T. BAKER**

Election of Officers

[Changes to Commission By-Law](#)

[Approval of 2005 Commission Meeting Schedule](#)

[Ethics Policy](#)

[Ethics Guidelines](#)

**COLORADO COMMISSION ON HIGHER EDUCATION**

**BY-LAWS**

COLORADO COMMISSION ON HIGHER EDUCATION  
BY-LAWS

September 10, 1965  
(Amended January 14, 1966)  
(Amended February 25, 1972)  
(Amended June 1, 1978)  
(Amended July 1, 1993)  
(Amended October 7, 2004)

Colorado Commission on Higher Education  
1380 Lawrence Street, Suite 1200  
Denver, Colorado 80204  
(303) 866-2723

# **COLORADO COMMISSION ON HIGHER EDUCATION**

## **BY-LAWS**

### Section 1. Organization and Meetings

- 1.1 **Organization:** The Commission shall consist of eleven members appointed by the Governor with the consent of the Senate. The members of the Commission are selected on the basis of their knowledge of and interest in higher education and shall serve for four-year terms. No member of the Commission may serve more than two consecutive full four-year terms.
- 1.2 **Officers:** The officers of the Commission shall be the Chair, Vice Chair, and Secretary, as may be designated by the Commission. The Secretary shall be the Executive Director of the Commission.
- 1.3 **Election and Terms of Officers:** All officers shall be elected at the October meeting of the Commission to serve a term of one year, except the Secretary whose term shall be coterminous with his or her term as Executive Director.
- 1.4 **Regular Meetings of the Commission:** The Commission shall adopt at the October Commission meeting a schedule of regular meetings of the Commission for the following year.
- 1.5 **Notice of Meetings:** Any meetings at which the adoption of any proposed policy, position, resolution, rule, regulation, or formal action occurs or at which a majority or quorum of the body is in attendance, or is expected to be in attendance, shall be held only after full and timely notice to the public. In addition to any other means selected by the Commission for giving notice to the public, the Commission shall post notice of its meetings at the office of the Colorado Commission on Higher Education located at 1380 Lawrence Street, Suite 1200, Denver, Colorado 80204. Notices shall be posted no less than two days prior to the holding of the meeting. The posting shall include specific agenda information where possible.
- 1.6 **Special Meetings:** Special meetings of the Commission may be held at the call of the Chair on two days notice, or at the request of five members of the Commission who may petition the Chair to call such a meeting. Notice of special meetings shall be made electronically or by telephone and posted at the office of the Colorado Commission on Higher Education no less than two days prior to the meeting date.
- 1.7 **Conduct of Meetings:** The Chair shall preside at all meetings at which he or she is present. In the Chair's absence, the Vice Chair shall preside, and in the event both are absent, those present shall elect a presiding officer. All meetings shall be conducted in accordance with all State laws and regulations. The parliamentary rules contained in Robert's Rules of Order, latest revision, shall govern in all cases to which they are applicable, except as modified herein.

- 1.8 Attendance at Meetings: The term of any member of the commission who misses more than two consecutive regular commission meetings without good cause shall be terminated and his successor appointed in the manner provided for appointments under C.R.S. §23-1-102.
- 1.9 Preparation of Agenda: Agenda shall be prepared by the Executive Director of the Commission with the approval of the Chair. At a regular or special meeting, an item of business may be considered for addition to the agenda by a majority vote of the Commissioners present.
- 1.10 Minutes of the Commission: The Secretary shall maintain an accurate set of minutes of Commission meetings, which shall include a complete record of all actions taken by the Commission. Such minutes shall be annually bound and constitute a permanent record. After the minutes of each meeting are completed, they shall be reviewed by the Executive Director, and after approval, posted on the CCHE website and made available to the public for inspection upon written request.

## Section 2. Duties and Responsibilities of Officers

- 2.1 Chair of the Commission: The Chair of the Commission shall preside at meetings of the Commission at which he or she is in attendance. The Chair shall approve all agendas for regular and special meetings of the Commission as prepared by the Executive Director.
- 2.2 The Vice Chair: The Vice Chair shall perform all duties of the Chair in the Chair's absence.
- 2.3 The Secretary/Executive Director: In addition to performing those duties established by law, the Executive Director of the Commission shall: (a) serve as the Secretary of the Commission, (b) meet with the officers and staff of institutions of higher learning as the needs dictate for a mutual discussion of the matters affecting the responsibilities of the Commission, (c) meet with appropriate state and federal groups and/or officials on matters pertaining to the Commission, (d) meet with appropriate committees of the general assembly on matters pertaining to the Commission's responsibilities, (e) appoint such professional staff as in his or her judgment are required and are within the budget approved by the Commission and for which funds are available, (f) prepare an annual operating budget and work program for approval by the Commission, (g) implement the policies of the Commission and communicate those policies to interested parties as appropriate.

## Section 3. The Advisory Committee

- 3.1 There is hereby established an advisory committee as provided by law (C.R.S. 23-1-103).
- 3.2 Advisory Committee Members: The advisory committee shall consist of not less than thirteen members, to be designated as follows: (a) Six members shall be appointed from

the general assembly, including three senators, two of whom shall be from the majority party, appointed by the president of the senate, and three representatives, two of whom shall be from the majority party, appointed by the speaker of the house of representatives. Said six members shall be appointed for terms of two years or for the same terms to which they were elected to the general assembly, whichever is the lesser. Successors shall be appointed in the same manner as the original members; (b) One member shall be selected and designated by the Commission to represent the faculty in the state and one member shall be selected and designated by the Commission to represent the students in the state; (c) Not more than five additional members representing educational or other groups may be selected and designated by the Commission to serve on the advisory committee.

- 3.3 Notice and Agendas: All members of the advisory committee shall receive agendas and background material and be notified of all public meetings of the Commission and shall be invited to attend for the purpose of suggesting solutions for the problems and needs of higher education and maintaining liaison with the general assembly.
- 3.4 Meetings of the Advisory Committee: The advisory committee shall meet with the Commission separate from a regular Commission meeting and shall do so as often as necessary to provide assistance to the Commission.
- 3.5 Recommendations of the Advisory Committee: The members of the advisory committee shall have full opportunity to present their views on any matter before the Commission.

#### Section 4. Change in Bylaws

- 4.1 Bylaws shall be subject to amendment at any meeting of the Commission provided any such proposed change is listed on the agenda in accordance with the procedure outlined herein. Bylaw changes must be approved by a majority of the Commission.

# STATE OF COLORADO

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**Department of Higher Education  
COLORADO COMMISSION ON HIGHER EDUCATION**

Raymond T. Baker , Chair  
Terrance L. Farina, Vice Chair  
Judith Altenberg  
Michael F. Feeley  
Richard L. Garcia  
Pres Montoya  
Dean L. Quamme  
Greg C. Stevinson  
James M. Stewart  
William Vollbracht  
Judy Weaver



Bill Owens  
Governor

Richard F. O'Donnell  
Executive Director

## **COLORADO COMMISSION ON HIGHER EDUCATION 2005 MEETING SCHEDULE**

<b>Date</b>	<b>Location</b>
January 6, 2005	Community College System – Lowry Campus
February 3, 2005	To be determined
March 3, 2005	Front Range Community College – Westminster Campus
April 7, 2005	Community College of Aurora
May 5, 2005	Auraria Campus
June 2, 2005	Colorado Northwestern Community College
August 4-5, 2005 (Retreat)	To be determined
October 6, 2005	Adams State
November 3, 2005	Aims Community College

(No meeting in July, September or December)

Note: Regular Commission meetings will be held in the morning on the first Thursday of the month. Special or Teleconference meetings will be scheduled upon need.

COLORADO COMMISSION ON HIGHER EDUCATION  
Commissioner Code of Ethics  
POLICY

1. Purpose

Public confidence in the integrity of state government demands that public officials demonstrate the highest ethical standards at all times. Those who serve the people of the State of Colorado as public officials should do so with integrity and honesty, and should discharge their duties in an independent and impartial manner. At the same time, qualified individuals should be encouraged to serve in state government and have reasonable opportunities with all citizens to develop private economic and social interests. This policy strives to accomplish these ends by providing standards by which the conduct of all who serve on the Colorado Commission on Higher Education can be measured.

2. Code of Ethics

All Commissioners of the Colorado Commission on Higher Education:

- (a) Shall serve the public with respect, concern, courtesy and responsiveness;
- (b) Shall demonstrate the highest standards of personal integrity, truthfulness and honesty and shall through personal conduct inspire public confidence and trust in government;
- (c) Shall not use public office to bestow any preferential benefit on anyone related to the officer, appointee or employee by family, business or social relationship;
- (d) Shall not disclose or use or allow others to use confidential information acquired by virtue of state employment for private gain;
- (e) Shall not accept any compensation, gift, payment of expenses or any other thing of value which would influence him or her to depart from the faithful and impartial discharge of his or her duties;
- (f) Shall not accept any compensation, gift, payment of expenses or any other thing of value as a reward for official action taken;
- (g) Shall not use state time, property, equipment or supplies for private gain;
- (h) Shall not knowingly engage in any activity or business which creates a conflict of interest or has an adverse effect on the confidence of the public in the integrity of government.
- (i) Shall carry out all duties as a public servant by exposing corruption or impropriety in government whenever discovered;
- (j) Shall support equal access and employment opportunities in state government for all citizens of the State of Colorado.

Adopted by the Colorado Commission  
on Higher Education, October 7, 2004

# Colorado Commission on Higher Education

## Ethics Guidelines

### DOES A COMMISSIONER NEED TO REPORT THE GIFT?

*A Commissioner must report any of the following he or she receives in connection with his or her public service:*

- *Speaking honoraria, appearance fees, and fees for articles/publications (any amount);*
- *Gifts of money or cash loans<sup>1</sup> greater than \$50.00; non-perishable gifts and loans of real or personal property greater than \$50.00;*
- *Tickets, meals, memberships and other expenses, greater than \$100.00, including family or guest(s), from any private source that are not reasonably related to your attendance at a community event, meeting or conference, or to your participation in a trade delegation or study visit.*

*The following need not be reported:*

- *Tickets, meals, memberships and other expenses from any private source that are reasonably related to a community event—including cultural, educational, civic, political, social and charitable dinners, meetings, conferences, functions and gatherings—where your attendance is not extraordinary given your position on the Commission.*
- *Public or privately funded travel and related expenses for attending a meeting or conference, or for participating in a trade delegation or study visit.*
- *Occasional gift that is insignificant in value (e.g. coffee mugs, etc.)*
- *Non-money awards publicly presented by an organization in recognition of public service.*

*\* All Commissioners must submit an annual Disclosure of Gifts and Benefits Statement, attached hereto as [Exhibit A](#), to the Secretary of the Commission or his/her designee by January 30<sup>th</sup> of each succeeding year.*

*\* If a Commissioner has any reservations about accepting a gift because it might appear improper or could be construed as a bribe, the gift can be accepted on behalf of the Commission on Higher Education, as appropriate. This means the gift belongs to the State and will remain with the Department of Higher Education after the Commissioner's term expires.*

*\*\* Ask the question: Would he or she have received this gift if he or she did not hold this position. (Relatives and close friends, for example, would give the gifts whether or not he or she held the position. Therefore, gifts from friends are not received in connection with his or her public service.)*

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<sup>1</sup> The value of a loan of money or property is the cost avoided by not borrowing from a source available to the general public.

**DISCLOSURE OF GIFTS AND BENEFITS STATEMENT**  
**Colorado Commission on Higher Education Code of Ethics**

All Commissioners shall submit this Statement to the Secretary of the Commission or his or her designee by January 30<sup>th</sup> of each year.

SIGNATURE: \_\_\_\_\_

NAME: \_\_\_\_\_

DATE: \_\_\_\_\_

Must be reported:

Speaking honoraria, appearance fees, and fees for articles/publications (any amount);

Gifts of money or cash loans<sup>1</sup> greater than \$50.00; non-perishable gifts and loans of real or personal property greater than \$50.00;

Tickets, meals, memberships and other expenses, greater than \$100.00, including family or guest(s), from any private source that are not reasonably related to your attendance at a community event, meeting or conference, or to your participation in a trade delegation or study visit.

Need not be reported:

Tickets, meals, memberships and other expenses from any private source that are reasonably related to a community event—including cultural, educational, civic, political, social and charitable dinners, meetings, conferences, functions and gatherings—where your attendance is not extraordinary given your position on the Commission.

Public or privately funded travel and related expenses for attending a meeting or conference, or for participating in a trade delegation or study visit.

Occasional gift that is insignificant in value (e.g. coffee mugs, etc.)

Non-money awards publicly presented by an organization in recognition of public service.

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<sup>1</sup> The value of a loan of money or property is the cost avoided by not borrowing from a source available to the general public.



Exhibit A

**DISCLOSURE OF GIFTS AND BENEFITS STATEMENT**  
**Colorado Commission on Higher Education Code of Ethics**

**TOPIC: COMMISSIONERS' REPORTS**

**PREPARED BY: COMMISSIONERS**

This item provides an opportunity for Commissioners to report on their activities of the past month.

**TOPIC:                   ADVISORY COMMITTEE REPORTS**

**PREPARED BY:       ADVISORY COMMITTEE MEMBERS**

This item provides an opportunity for Commission Advisory Committee members to report on items of interest to the Commission.

**TOPIC: PUBLIC COMMENT**

**PREPARED BY: RICHARD O'DONNELL**

This item provides an opportunity for public comment on any item unrelated to the meeting agenda. A sign-up sheet is provided on the day of the meeting for all persons wishing to address the Commission on issues not on the agenda. Speakers are called in the order in which they sign up. Each participant begins by stating his/her name, address and organization. Participants are asked to keep their comments brief and not repeat what others have said.

**TOPIC: POLICY ON APPROVAL OF NEW ACADEMIC PROGRAMS AT PUBLIC COLLEGES AND UNIVERSITIES OPERATING UNDER A PERFORMANCE CONTRACT**

**PREPARED BY: WILLIAM G. KUEPPER**

**I. SUMMARY**

Senate Bill 04-189 limits the role of CCHE in the approval of new academic programs at institutions operating under a performance contract to reviewing the program's fit with the institution's role and mission. Commission staff have drafted a program approval process that provides an orderly way for the Commission to play this more limited role. For institutions not operating under a performance contract, the existing policy on approval of new academic programs, adopted by the Commission in June 2003, would continue to apply. Staff recommends approval of the proposed policy appended as Attachment A to take effect at an institution immediately upon Commission approval of its performance contract.

**II. BACKGROUND**

Among the provisions of Senate Bill 04-189 is one that changes the role of CCHE in approving new academic programs at public colleges and universities. It states that the governing board of an institution operating under a performance contract "Need not consult with nor obtain approval from the Colorado Commission on Higher Education to create modify, or eliminate academic and vocational programs offered by the institution, so long as such creations, modifications, and eliminations are consistent with the institution's statutory role and mission. The Colorado Commission on Higher education shall have the authority to override any creations or modification of an academic or vocational program if the change made by the governing board is inconsistent with the institution's statutory role and mission." [Section 3, 23-5-129,(6)(a)]

To implement this provision, staff drafted a proposed policy appended as Attachment A. The policy acknowledges the reduced role of CCHE in program approval and provides an orderly process that facilitates timely consideration of a proposal.

The policy requires that a governing board inform the Commission of its approval of a new program proposal. The Commission then reviews the new program for its consistency with the institution's role and mission.

The policy does provide the opportunity for a governing board to submit a proposal to CCHE

anytime before the governing board acts. This allows CCHE endorsement of the consistency of the program with institutional role and mission to be obtained earlier in the program approval process.

### **III. STAFF RECOMMENDATION**

The Commission approve the program approval policy for institutions operating under a performance contract with the new policy to take effect for an institution immediately upon the Commission's approving that institution's performance contract. For institutions operating without a performance contract, the current program approval policy would continue to apply.

**Attachment A**

**POLICY AND PROCEDURES FOR THE APPROVAL OF NEW ACADEMIC PROGRAMS IN PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN COLORADO OPERATING UNDER A PERFORMANCE CONTRACT\***

**1.00 Introduction**

The public higher education system in Colorado is intended to provide access to degree programs, specifically broad geographic access to undergraduate programs, access to master's degree programs based on market demand, and unique access to doctoral degree programs. No new degree program may be implemented at a state postsecondary institution unless the proposal is approved by the appropriate governing board and reviewed by the Colorado Commission on Higher Education. The Commission's role is limited to evaluation of a proposed program's fit with an institution's role and mission. A new degree program may not be implemented without Commission determination that it is consistent with the institution's role and mission. This program approval policy and set of procedures applies to Associate of Arts, Associate of Science, Associate of General Studies, baccalaureate and graduate degree programs.

**2.00 Statutory Authority**

The Colorado Commission on Higher Education's role and responsibility in the approval of new academic programs at institutions operating under a performance contract is defined in SB 04-189. It reads:

**When operating pursuant to a performance contract negotiated pursuant to this section, the governing board of a state institution of higher education: Need not consult with nor obtain approval from the Colorado Commission on Higher Education to create, modify, or eliminate academic and vocational programs offered by the institution, so long as such creations, modifications, and eliminations are consistent with the institution's statutory role and mission. The Colorado Commission on Higher Education shall have the authority to override any creation or modification of an academic or vocational program if the change made by the governing board is inconsistent with the institution's statutory role and mission.**  
**(23-5-129 (6)(b))**

\* For public colleges and universities not operating under a performance contract, program approval follows the CCHE policy on approval of new academic programs adopted by the Commission at its June, 2003 meeting

### **3.00 Policy Goal**

The goal of CCHE's approval policy for academic degree programs at institutions operating pursuant to a performance contract is to ensure that a new or substantially modified degree program is consistent with the statutory role and mission of the institution.

### **4.00 Process and Procedures**

The academic degree approval process includes:

- Governing board approval.
  - Review by the Commission of proposed program's fit with institution's role and mission.
  - Post-approval review as specified in performance contracts.
1. Governing Board Approval.
    - a. A governing board may act to approve a new degree program before or after commission endorsement of the program's fit with the institution's role and mission.
    - b. The governing board shall formally notify the Commission of its approval of a new degree program immediately following board action.
  2. Review by the Commission of Role and Mission
    - a. Upon receipt of the notification of the governing action, CCHE reviews the program for fit with the institution's role and mission, and responds to the governing board within 30 days of receiving the proposal.
    - b. If CCHE determines that the proposed program is consistent with an institution's statutory role and mission, it shall assign a CIP code to the program, place the program on CCHE's list of approved degree program list, and, in writing, inform the governing board. The program may be implemented anytime after this notification is received.

- c. If CCHE determines that the proposal is not consistent with the institution's role and mission, it will so inform the governing board.
- d. No new degree can be implemented without CCHE determination that the program is consistent with the institution's role and mission.

Note: While not required to do so, an institution or governing board may request the Commission to review a proposed academic program's fit with the institution's role and mission prior to the program's being considered by the governing board. CCHE will respond within 30 days of receiving the proposal.

If CCHE determines that the proposed program is consistent with an institution's statutory role and mission, it shall so inform the institution and no further consideration of that issue will be made by the Commission.

If CCHE determines that the proposal is not consistent with the institution's role and mission, it will, discuss the matter with governing board staff and, if requested to do so, communicate the concern in writing to the requesting governing board.

3. Changes to existing approved programs.

Following institutional and/or governing board approval, proposals that involve modifying the academic scope of a degree program, consolidation of programs, or renaming a degree program must be reported to CCHE for appropriate entry in the list of approved programs.

**TOPIC:                   ADJUSTMENT TO TRANSFER ADMISSION STANDARD**

**PREPARED BY:       MATTHEW E. GIANNESCHI**

**I.       SUMMARY**

Currently, Commission admission policies treat traditional (“external”) transfer and internal transfer applicants differently. Specifically, when non-degree-seeking undergraduates apply for formal admission to enroll in the same institution and become degree-seeking students (i.e., transfer within an institution), these applicants are then subject to the precollegiate curriculum requirement, regardless of age if s/he graduated in spring 2008 or later. This policy does not affect traditional (“external”) transfer applicants.

The principal argument against these policies is that they create contradictory options for “internal” transfer students. For example, if a student older than 20 years of age with more than 30 credit hours of college level coursework and a grade point average of 3.0 were to apply for regular, degree-seeking enrollment at the institution at which s/he earned the college credits as a non-degree-seeking student, s/he would be subject to the pre-collegiate curriculum requirement. If the same student instead applied for degree-seeking admission at any other state college or university in Colorado, s/he would not be subject to the pre-collegiate requirement.

Given that other CCHE admission policies sufficiently and appropriately restrict admission of non-degree-seeking candidates, staff sees no compelling reason for admission policies to treat internal and “external” transfer students differently. To ensure consistency in the handling of all transfer applicants, it is recommended that any language in the CCHE Admissions Standards Requirements specifying that internal transfers be treated differently be removed.

**II.       BACKGROUND**

The CCHE admissions standards policy adopted on October 3, 2003, rightfully addressed abuses or policy/procedure “loopholes” that selective colleges and universities used to enroll students that would otherwise not meet the CCHE freshman admission requirements. It was believed that some selective colleges and universities encouraged otherwise inadmissible students to enroll as non-degree-seeking students, then later, after amassing enough credits to qualify as a transfer student, apply for regular admission.

In their analysis presented to the Commission on October 2, 2003, staff described some of the specific programs the policy changes were meant to address—CSU’s Start-Up and

UNC's Challenge Programs. These programs were described as ones that "...offer freshman applicants who do not meet the admission standards the opportunity to enroll [at CSU and UNC]." Students in those programs were described as ones that, "generally stay in the Challenge or Start-Up Programs for two semesters and earn 24 or more credits. They usually then apply for admission as degree-seeking students who, because they have earned more than 12 credits, are no longer subject to the freshman admission standards that they did not meet previously."

The admission policy adopted by the Commission in October 2003 successfully ended these programs, which staff agreed was prudent and appropriate, but also added restrictions to otherwise admissible students, particularly adult students (often over 30 years old) returning to or attempting for the first time college-level coursework, and, in the Colorado Springs area, military personnel.

It is worthwhile to mention that these policies affect less than one half of one percent of all undergraduates. The most recent SURDS report (FY 2002-03, attached) shows that only 837 students were admitted as internal transfers (excluding those reported for Mesa State College, which are 2-year degree seeking candidates mistakenly reported as internal transfers). At the September 2004 Academic Council meeting, academic vice presidents and provosts emphasized that the numbers of internal transfers are significantly lower today due to the campuses' implementation of the CCHE Admissions Standards Requirements.

### **III. STAFF ANALYSIS**

Several sections of the CCHE Admissions Standards Policy address "internal transfers" directly or indirectly: 4.04.03; 4.04.10; 5.02.02.04; 5.03; 5.04.01.02; and 5.04.04.

If the policies were not changed, and barring any future changes to admission policies, colleges and universities could certainly continue to admit "internal transfer" through their transfer admission window, which is currently set at 20 percent. Moreover, the pre-collegiate curriculum requirement does not take effect for transfer candidates until after fall 2008.

In spite of the flexibility provided by the transfer admissions window (20%) and the four years until the pre-collegiate curriculum takes effect, staff sees no compelling reason to handle internal and traditional transfer students differently

Staff believes that two sections under 4.04 (Students Exempt from Precollegiate Curriculum Requirements) provide sufficient and appropriate protection against institutional abuses of the CCHE Admissions Standards Requirements:

4.04.03, that “Students with 30 or more college-level semester credit hours and a minimum grade point average that meets or exceeds that specified,” and,

4.04.10, that “Students who are non-degree seeking without a baccalaureate degree and are age 20 or older...”

In other words, if language referencing “internal transfers” were removed, sections 4.04.03 and 4.04.10 of the CCHE admissions policy would still require all students under the age of 20 to satisfy the pre-collegiate admission requirement for admission as a traditional or non-degree-seeking student and allow all transfer students—traditional (degree-seeking) or non-degree-seeking (internal)—with 30 or more college-level semester credit hours and a minimum grade point average that meets or exceeds the institution’s requirement set forth in Table 2 of the CCHE Admissions Standards Requirements (Table 2 from the Admissions Standards Requirements appears below) to be treated equally under Commission policy.

**Table 2. Minimum Grade Point Average Requirements for Students Transferring from Another Institution with More Than Twelve Collegiate Semester Credit Hours\*\*\*\***

Receiving Institution	GPA*	Transfer Window Size
Highly Selective: CSM	2.70	20%
Selective: UCB	2.70	20%
CSU	2.50	20%
UCCS	2.40	20%
UCD	2.40	20%
UNC	2.40	20%
Moderately Selective: ASC	2.30	20%
CSU-Pueblo**	2.30	20%
FLC	2.30	20%
Mesa	2.30	20%
WSC	2.30	20%
Modified Open: Metro***	2.30	20%
Open Admission: Community & Local Community District Colleges and all other institutions		n/a

\*The same transfer standards apply to the two-year programs at these institutions

\*\*Effective July 2003; formerly University of Southern Colorado

\*\*\*Applies to admitted students 19 years of age and younger.

\*\*\*\*Students transferring within an institution (i.e., changing from non-degree-seeking to degree-seeking status) will be subject to freshmen admission standards, regardless of the number of transfer hours.

**IV. STAFF RECOMMENDATION**

**To ensure the consistent handling of all transfer applicants and credits earned at Colorado colleges and universities, it is recommended that the Commission remove all language from or sections in the CCHE Admissions Standards Requirements that differently affect internal transfer applicants. These sections are as follows: 4.04.03; 4.04.10; 5.02.02.04; 5.03; 5.04.01.02; and 5.04.04. The updated policies in the Admissions Standards Requirements should read as follows:**

Section 4.04.03: “Students entering a baccalaureate-degree program with 30 or more college-level semester credit hours and a minimum grade point average that meets or exceeds that specified in Table 2.”

Section 4.04.10: “Students who are non-degree-seeking without a baccalaureate degree and are age 20 or older..”

5.02.02.04: “Applicants without a baccalaureate degree who are age 20 or older.”

5.03: “The freshman standard applies to all in-state and out-of-state new freshmen applicants and to transfer applicants with 12 or fewer college credit hours, except freshmen and transfer applicants who meet one of the admissions standards index exemptions listed in section 5.02. The freshman standard also applies to new non-degree admits under age 20 (except summer). The Commission has developed a single scale for evaluating the achievement records of applicants that incorporates measures of standardized test scores, high school class rank, and high school grade point average.”

5.04.01.02: “...transferred from an accredited institution and earned more than 12 collegiate semester credit hours with a GPA at or above the minimum shown in Table 2.”

5.04.04: “Transfer applicants with under 30 college-level semester credit hours must also demonstrate academic preparation comparable to the precollegiate curriculum to meet the transfer standard, if they graduated from high school in spring 2008 or later. Such preparation can be demonstrated by completing the precollegiate curriculum in high school and/or by successfully completing (with a grade of C- or higher) a college-level course in each core area (English, mathematics, natural sciences, and social sciences) where the high school unit requirements have not been fulfilled.”

### **STATUTORY AUTHORITY**

The Commission shall commence immediately to establish and the governing boards shall implement academic and admission standards for first-time freshman and transfer students at all

state-supported baccalaureate and graduate institutions of higher education in the state. The standards shall be established by the Commission, after consultation with the governing boards institutions, and the first step of implementation shall be completed by the governing boards by the beginning of the fall term of 1986. C.R.S. 23-1-113(1)(a).

The standards established shall use at least two of the following three criteria for first-time admitted freshman students: Standardized test scores, high school grade point average, and high school class rank. The criteria established shall be consistent with the role and mission established for each state-supported institution of higher education. In lieu of such criteria, additional criteria may be used for up to twenty percent of the admitted freshman. Students who meet the minimum criteria for admission shall not be guaranteed admission to the institution to which they have applied, but they shall be eligible for consideration. C.R.S. 23-1-113 (1) (b).

The standards established shall use college point average. In lieu of such criterion, additional criteria may be used for up to twenty percent of the admitted transfer students. The academic admission standards and policies established for transfer students shall be consistent with the student transfer agreements established by the Commission pursuant to section 23-1-108 (7). C.R.S. 23-1-113 (1) (c).

No other admission standards shall be imposed by any agency or committee of the executive or legislative branch of state government. C.R.S. 23-1-113 (1) (d).

**TOPIC:                   MODIFICATIONS TO TEACHER EDUCATION PROGRAM  
REVIEW PROCESS POLICIES**

**PREPARED BY:       MATTHEW E. GIANNESCHI**

**I.       SUMMARY**

To better associate CCHE policies and C.R.S. directives, and to provide the CCHE greater flexibility and expediency in recommending reauthorization, probation, or termination for teacher education programs, staff recommends the modification of section 6.01.05.04 of Section P of CCHE Academic Affairs policy.

**II.      BACKGROUND**

In March 2000, the Commission approved the new Teacher Education Policy in response to C.R.S. 23-1-121, which mandated that the CCHE adopt policies for the review and authorization of teacher education programs in Colorado. In January 2004, these policies were amended to replace “dates language and policy initiatives specifically associated with the process of program reauthorization...”

**III.     STAFF ANALYSIS**

Adopted January 10, 2004, the CCHE teacher education program review policy (6.01.05.04.b) requires that, if a program is recommended for probation, the length of the probation is one year. Moreover, current policy (6.01.05.04.c) requires that “staff will discontinue a program that does not meet the State Board of Education adopted teacher preparation standards, following the probationary period defined above.” How these policies work in concert is not altogether clear to staff.

Staff believes that the current policies under section 6.01.05.04 should be modified for clarity of processes, to reflect increased collaboration with the Colorado Department of Education, and to allow for a wider range of options for the teacher education program reauthorization process. Specifically, staff believes that, to be more consistent with statute (C.R.S. 23-1-121), the CCHE should be permitted to recommend probation or termination of programs that do not meet the State Board of Education adopted teacher preparation standards or do not meet the performance criteria adopted by the Commission or both. In addition, staff believes that the language regarding program probation should be amended to read, “Any teacher preparation program placed on probation shall not accept new students until staff recommends that the teacher preparation be removed from probationary status and the

Commission acts affirmatively. The length of the probationary status shall not exceed one year.” This change would, resultantly, permit the CCHE greater flexibility and expediency in recommending reauthorization for programs that successfully redress problems revealed during the reauthorization process or in recommending termination for programs that do not.

#### IV. STAFF RECOMMENDATION

**Staff recommends that the Commission approve and adopt the amended language to section 6.01.05.04 of CCHE Academic Affairs policy described below.**

- 6.01.05.04 An institution may submit a rejoinder to address the findings or, if necessary, request a second visit to address the findings of the review panel. If there is no request for a second visit, the final visit report will be presented to the committee.
- 6.01.05.04.1 The staff will recommend **full approval** of a teacher preparation program that meets the performance criteria adopted by the Commission and the professional content standards adopted by the State Board of Education.
- 6.01.05.04.2 The staff may recommend **probation or termination** of a teacher education preparation program that does not meet the performance criteria adopted by the commission or the professional content standards adopted by the State Board of Education or both.
- (a) If the Commission places a program on probation based upon the recommendation of the state board of education, the Commission shall consult with the State Board of Education in determining whether the program should be reapproved or whether the program should be terminated.
- (b) Any teacher preparation program placed on probation shall not accept new students until staff recommends that the teacher preparation be removed from probationary status and the Commission acts affirmatively. The length of the probationary status shall not exceed one year.
- (b.1.) If after one year on probation the teacher preparation program fails to correct any of its deficiencies with regard to the performance criteria adopted by the Commission or the professional content standards adopted by the State Board of Education or both, the Commission shall order termination of the teacher preparation program.

- (c) If the Commission determines that a teacher preparation program should be terminated, the teacher preparation program must not accept new students and must terminate within four years of the said determination.

**STATUTORY AUTHORITY**

**C.R.S. 23-1-121. Commission directive - approval of teacher preparation programs.**

**TOPIC: FISCAL YEAR 2005-2006 DEPARTMENT OPERATING BUDGET REQUEST**

**PREPARED BY: RICHARD SCHWEIGERT AND BRIDGET MULLEN**

**I. SUMMARY**

The College Opportunity Fund (COF) program is unique in the nation and completely changes the nature of higher education funding in Colorado. It provides a mechanism to allow students a choice, and provides an incentive for more students to attend college. Like all new programs, hundreds of hours of preparation and planning have gone into it. More than 100 people from the institutions, Attorney General's Office, the Governor's Office, and Commission staff have held dozens of meetings to design the new system.

According to sections 23-1-105 (2) and (3), CRS, the Commission has the responsibility and authority to develop a comprehensive annual budget recommendation for the state's colleges and universities. The budget is submitted to the Governor's Office and the Joint Budget Committee (JBC) of the General Assembly. This recommendation is due to the JBC on November 1 of each year, in advance of the upcoming fiscal year that begins July 1.

The COF requires that the Commission determine the split of the current appropriations of General Fund and Cash Funds between stipends and fee-for-service contracts. Stipends are for undergraduate education and fee-for-service for graduate and other educational services.

The proposed stipend funding level is based upon the current number of students in higher education plus inflation and enrollment growth. The estimate represents staff's best prediction as to the number of students who will participate in the program. Fee-for-service allows the department to "purchase" graduate education and other services from institutions for the benefit of students. Contracts between the department and each institution will provide specifics on the types of services being purchased. In the first year, the department proposes purchasing graduate services based on the number of students enrolled in Masters and Doctoral programs. The department will also work to ensure that, in the first year, all institutions receive the same amount of funds as they have in the current fiscal year in order to smooth the transition to the new funding model.

Tuition increases and how they are determined are also changed in this recommendation. In years past, staff has recommended tuition increases based upon a multiple of inflation. As an example, last year it was three times inflation. This year, staff recommends using a mandatory cost-based model to determine tuition increases. Unlike using a multiple of inflation, mandatory costs are reported to the Commission using standardized forms in the Budget Data Book submitted by each institution. These forms provide some type of outside verification of costs and allow comparison between institutions. To date, this has never been

possible. A mandated cost model provides the Commission a guide by which to gauge tuition increases and request additional information if an institution is proposing to increase tuition above their costs.

Because of the new model, staff is recommending that the Commission not act on individual decision item requests from the institutions, but forward these items to the General Assembly without comment.

## **II. BACKGROUND**

### **A. Stipend Funding (Attachment A)**

- a. Stipends requested at \$2,400 per full-time eligible undergraduate student
- b. Estimated 126,091 eligible students
- c. \$302.6 million of the \$491.2m available will be needed to fund Stipends.
- d. OSPB added an additional \$1.44m to stipend funding for enrollment growth for a total of \$304.1 million
- e. It is anticipated that no additional funds are available from the state for previously unfunded enrollment (\$54.0m)
- f. The FY2005-06 “Stipend base” is calculated on complete enrollment figures and includes students considered unfunded from FY2000-01 through FY2004-05.

### **B. Fee-For-Service (FFS) Funding**

- a. FFS funding purchases specific educational and other services from public institutions of higher education
- b. The services include, rural education, basic skills, PSEO, Fastrack, graduate education, economic development opportunities, and specialized education (medical and veterinary schools).
- c. Purchase of services from various categories makes institutions “whole” in comparison with current appropriation in the first year.
- d. There is \$188.6 million available for FFS purchases as follows:
  - a. Graduate education services \$54.1m
  - b. Specialized education services \$97.6m
  - c. Rural and Economic Develop. \$29.0m
  - d. Basic skills, PSEO, Fastrack \$7.9m

### **C. Tuition, Fee, Inflationary, and Enrollment Increases**

- a. Recommend implementing a new “mandated costs” model to identify the additional amount of tuition and fee revenue needed each year.
- b. Mandated costs are identified by budget documents provided to staff through the Commission’s Budget Data Book.
- c. Mandated costs look at different areas within an institution to identify the potential cost increases they face from year to year. This year, the model

- has identified the need for an average revenue increase of 5.4%
- d. New cost information, due in mid-October, to Commission staff may cause the need for some adjustments in the cost model.
  - e. Mandatory cost model recognizes costs associated with cash funds but not all of the General Fund expenses.
  - f. The mandatory cost model considers the following areas (Attachment B):
    - a. Personnel costs
    - b. Risk Management premiums
    - c. Utilities
    - d. Other
  - g. In addition to mandatory costs, inflation must be covered by increased tuition. This year, that amount is .1% as estimated by OSPB.
  - h. Enrollment for FY05-06 is estimated to go up an average of 3.1%.
  - i. Combined, staff recommends the necessary spending authority increase for institutions should be:

a. Mandated Costs (tuition revenue increase of 5.4%)	\$52.5m
b. Inflation of .1%	\$ 2.3m
c. Enrollment at 3.1%	\$19.6m
d. TOTAL	\$74.4m

**D. Controlled Maintenance (CM) Fee**

- a. Recommendation to implement a statewide controlled maintenance fee at every institution to allow them to begin to deal with the issue of backlogged CM projects.
- b. The fee represents between a ¼% and 1% of the current replacement value of buildings throughout public higher education. (The industry standard is between 1% and 4% of replacement value.)
- c. Total recommended spending authority for the new fee is \$47.1 million.
- d. All schools, with the exception of Adams, Mesa, Western, and Fort Lewis College, would be required to spend 1% of the CRV on maintenance. The others, ¼% as they do not have the capacity to raise fees up to the 1% threshold.
- e. This fee will be implemented in conjunction with performance contracts.

**E. Decision Items**

- a. Included is information on the additional amount of funds requested by each institution or system for FY2005-06
- b. Recommendation is that these be forwarded to the Legislature for informational purposes only. The new mandated cost model will replace these requests in the Commission's budget.
- c. Gross revenue increase noted below means % increase in additional

- revenue to an institution based upon appropriated cash funds.
- d. The requests are as follows:
- a. Community College technology and capital asset fee \$11.5m
  - b. Community College tuition increase/combined \$10.0m  
 increase equals a revenue increase of 19%
  - c. Western State College change in credit hour by 1 9.5% \$878,100
  - d. UNC tuition increase/gross revenue increase of 17% \$7.5m
  - e. UNC CM-Cap. Issues (tentative) gross rev. inc. of 5.5% \$2.5m
  - f. Carl Perkins match \$242,464
  - g. CU tuition increase/net revenue increase of 7.2% \$49.0m/35.2
  - h. CSU tuition increase/gross revenue increase of 6.6% \$13.0m
  - i. CSU CM-Cap. issues/ gross revenue increase of 3.5% \$7.0m
  - j. Adams State College change in credit hour by 1 4.9% \$353,468
  - k. Colorado Vocational Act Funding \$4.6m
  - l. Colorado School of Mines ?

The following chart compares the amount of revenue generated by the mandatory cost model and institution decision item requests:

Institution	Decision Item	Mandatory Costs	Difference
Community Colleges Tuition	\$10.0m	\$14.6m	\$(4.6m)
Community Colleges Capital/ Tech fee	\$11.5m	\$0	
Adams State College Tuition	\$353,468	\$895,001	\$(541k)
Western State College	\$878,100	\$481,078	\$(397k)
Colorado State University System	\$13.0m	\$10.5m	\$2.5m
Colorado State University System CM issue	\$7.0m	\$0	
University of Colorado System	\$35.7m net w/o enrollment or inflation. \$49.5m total	\$25.5m	\$10.2
Colorado School of Mines	Will submit request to JBC and CCHE no later than Feb 15, 2005	\$2.0m	
University of Northern Colorado	\$7.5m (pending Board action)	\$3.2m	\$4.3m
University of Northern Colorado CM/Capital	\$2.5m (pending Board action)	\$0	

1. The difference between decision item amounts requested by institutions and the mandatory cost model in many cases is due to institutions desire to recapture lost General Fund support and unfunded enrollment.  
 2. The mandatory cost model currently does not consider capital or controlled maintenance needs for each institution.

F. **Financial Aid**

- a. OSPB has approved an additional \$5.89 million for need based financial aid. Staff recommends approval of this amount for the budget.

G. **Area Vocational Schools Inflationary Increase**

- a. Recommendation is to include a request for \$153,100 for inflationary increase for the Area Vocational Schools

**III. STAFF RECOMMENDATION**

Recommendation is the Commission adopt staff plan for the FY2005-06 budget.



**I. Attachment A**

**FY 2005 General Fund Appropriation** **491,291,351**

**Funding Split**

**College Opportunity Fund Stipend @ \$2,400** **304,100,360**  
(126,091 Student FTE X \$2,400 + 1.4m for enrollment)

**Fee For Service** **188,671,991**

Broken out as follows:

<b>FFS Funding Model: Undergraduate Education</b>	<b>TOTAL</b>
PSEO Up To \$2,400	4,065,514
Fastrack Up To \$2,400	111,706
Basic Skills Up To \$2,400	3,705,220
Sub-Total FFS for UG Educational Services	7,882,440

*Remaining FFS After Undergraduate Education* **180,789,551**

<b>FFS Funding Model: Specialized Education</b>	<b>TOTAL</b>
	97,632,574

*Remaining FFS After Specialized Education* **83,156,977**

<b>FFS Funding Model: Graduate Education</b>	
Graduate based on Institution Cost Grad I & II	54,112,002

*Remaining FFS After Graduate Education* **29,044,975**

**Attachment B**

**Department of Higher Education  
FY 2005 Mandated Cost Increases**

<b>UNFUNDED MANDATED COSTS</b>	<b>TOTAL</b>
<b>FY 2005 Additional Salary &amp; Health Costs:</b>	\$36,294,930
<b>FY 2005 Additional Risk Management Costs:</b>	\$9,269,448
<b>FY 2005 Additional Utilities Costs:</b>	\$7,006,169
<b>TOTAL</b>	\$52,570,547
<b>% increase</b>	5.4%
<b>Controlled Maintenance Expense</b>	\$47,100,000
<b>% increase</b>	4.6%
<b>TOTAL</b>	\$99,670,547
<b>FY 2005 Revenue Base</b>	\$981,901,762
<b>Combined % Increase</b>	10%

**TOPIC:                   STUDENT PARTICIPATION IN CAPITAL FEE DECISIONS**

**PREPARED BY:       JOAN JOHNSON**

**I.       SUMMARY**

In the 1994 legislative session, the Colorado General Assembly passed HB94-1362 which established a directive for the Commission concerning student fees. The main purpose of the legislation was to require institutions of higher education to consider students' opinions concerning the amount of fees assessed and the purposes for which the institution would use the revenues received.

HB94-1362 required the Commission to "establish a policy concerning the minimum level of student involvement in assessing and setting the amount of fees and in determining the purposes for which institutions of higher education shall use the revenues obtained from fees." (C.R.S. 23-1-123(3)) The Commission adopted such a policy in July of 1994. In the 1997 legislative session, the General Assembly passed SB97-028 which amended HB94-1362. The Commission then amended its tuition and fee policy on October 9, 1997 and on October 4, 2001 (VI-C).

The purpose of this report is to examine this policy as it relates to using tuition and/or fees for capital projects, particularly for construction of academic buildings, how it has been used and whether or not it should be changed or modified. The staff recommendation is that it should not be changed.

**II.       BACKGROUND**

The policy on student fees was established by the Commission in July of 1994 in response to the provisions of HB94-1362 which became law July 1, 1994. The provisions governing the use of students fees for both auxiliary and academic buildings have not substantially changed in the ensuing ten years.

Each institution of higher education is required to have an Institutional Plan for Student Fees that is approved by the governing board. A copy of the plan and any revisions to that plan must be filed with CCHE.

Among the components that the plan shall include is:

\*Whether to allow for the use of student fees or tuition for academic facilities construction. Use of tuition or fees would be allowed only under the following conditions, including:

- All other financing options have been explored;
- Students approved the use of funds through a student vote/referendum or student government approval (to be specified in the Plan);
- Any referendum relating to the use of fees under this section is initiated by the student government; and
- Students are involved in the entire project.

\*Procedures for any student referendum relating to student fees shall include:

- Full disclosure of information relating to the referendum;
- Agreements on disbursement of factual information regarding the referendum which is non-biased in nature;
- Restrictions on campaigning by the institution and student government relating to such referendums;
- No new fee, fee increase, or fee extension that is defeated by a vote of the student body may be resubmitted for a student vote until the following regularly scheduled election.

Prior to 2003-2004, most student votes on fees for capital projects concerned those projects considered auxiliary in nature: housing, student centers, bookstores, recreation centers, etc. However, in early October 2003, administrators from the University of Colorado at Boulder began discussions with student leaders about a capital fee for several academic buildings that had been approved for funding (both by CCHE and the Legislature) prior to the freeze on capital construction projects in October of 2001.

Over the next six months, at least 12 formal meetings were held between various student leadership groups and campus administrators. Other, more informal information sessions also took place during this time. In early March 2004, the UCSU (University of Colorado Student Union) student leaders chose to initiate a legislative council bill process to evaluate and possibly approve the fee. At this point, the evaluation and approval process was entirely student directed.

Over a three week period, the student-drafted bill was debated in well-attended public sessions. This six month process culminated in the approval of the fee by the UCSU Legislative Council in two readings and votes on the bill.

The fee, which must be paid by all students attending the Boulder campus, will begin once the first building (the Law School) has opened its doors. CU/Boulder administrators believe

this will be in the fall of 2006. Starting at \$50 per semester, the fee will increase to \$200 per semester over the next four years and will remain at \$400 per year for the next 16 years.

Projects that will be built with this fee include: the Law School, the ATLAS Center Project, the Business School Addition and Renovation and Renovation of the Campus Information Technology Infrastructure. Up to 20 percent of the revenue from the fee will be devoted to resident financial aid.

26 states currently have some form of student fee for capital construction. Some institutions have opted for a per credit hour fee, some for a flat fee per semester and some for a percentage of tuition rates. Here are some examples of capital fees in other states:

\*Connecticut

- University of Connecticut: Undergrad: \$0; Grad: \$408 per year
- Connecticut State: \$682 per year Resident and \$1677 Non-Resident

\*Michigan

- University of Michigan: \$185 per semester for full time students

\*Nebraska

- University of Nebraska: \$3 per credit hour

\*South Dakota

- University of South Dakota: \$12 per credit hour/Resident; \$40 per credit hour/Non-Resident

\*Washington

- All institutions: 3% to 11% of current tuition rates

\*Texas

- University of Texas at Austin: \$150 per semester

### **III. STAFF ANALYSIS**

There was a lot of second-guessing by both the media and many of the students on the Boulder campus when the student government decided that they should be the ones to vote on the capital fee proposal and not hold a general student referendum. The CU/Boulder student government consists of approximately 18 people who are elected by other groups to represent them in the campus student government organization.

The CCHE policy clearly gives institutions the option of a student government vote or a general student referendum. Staff sees no reason to change that policy at this time. Other institutions have also begun talking with their student leadership and most of them believe that the option CU chose was a good one. CCHE policy also says the type of approvals must be specified in the Plan and most of those Plans have been unchanged since 1994 (when student fees were not even contemplated for academic buildings).

The CCHE policy on this subject is clear, concise and does what the statutes intended – make sure that those who will be paying the fee have a maximum amount of involvement in the proposal and a great deal to say about how much and for what the fee will be used.

#### IV. STAFF RECOMMENDATION

**That the Commission not change the current Student Fee Policy and continue to work with institutions to develop alternatives for funding capital and controlled maintenance projects.**

#### STATUTORY AUTHORITY

**23-1-123 C.R.S. Commission directive – fee policies.**

(3) The commission shall establish a policy concerning the minimum level of student involvement in assessing and setting the amount of fees and in determining the purposes for which institutions of higher education shall use the revenues obtained from fees.

**TOPIC: CAPITAL ASSETS QUARTERLY REPORT FOR SECOND AND THIRD QUARTERS ON PROGRAM PLAN WAIVERS, CASH-FUNDED AND SB 92-202 PROJECTS, AND LEASES**

**PREPARED: JOAN JOHNSON/GAIL HOFFMAN**

**I. SUMMARY**

The two attached reports concern CCHE staff actions on matters that the Commission has delegated to staff. They both cover the period from March through September 3, 2004, roughly corresponding to the second and third quarters of the year. [Attachment A](#) lists CCHE actions on program plan waiver requests, cash-funded and SB 92-202 projects, and other projects, such as supplemental appropriations and program plan amendments. As with other more recent quarterly reports, CCHE staff is listing actions on other matters such as supplemental appropriations and program plan amendments because some times such requests are a reflection of state cuts in previously approved projects. [Attachment B](#) lists CCHE actions on leases.

**II. BACKGROUND**

CCHE Section III Policy J – Policy for Delegation of Facility Program Planning Approval Authority lists the following capital construction matters as eligible for approval by the CCHE executive director:

- Capital construction projects costing \$500,000 or less. (For these projects, institutions typically request waivers from the statutory requirements of program planning. If such projects will be paid for through state capital construction dollars, they are prioritized with all other state-funded projects. If they are cash-funded, the Commission typically only sees the projects in the quarterly reports.)
- Cash-funded and state-funded projects costing \$2 million or less that: do not add more than 20,000 square feet; do not change the function of existing space; remodel or renovate existing space for the same purposes as before; correct health and life-safety hazards; acquire new or replace existing instructional or scientific equipment; or remove space that should be razed, sold, or converted to non-higher education space and are consistent with master planning;
- SB 92-202 projects, which are those constructed, operated, and maintained from gifts, bonds, bequests, fees, and other dedicated revenue sources; and
- Leases for off-campus facilities.

The policy also permits executive director approval of capital construction projects costing

more than \$2 million that comply with program planning and financial guidelines and raise no state policy issues. The current CCHE staff has chosen not to retain such approval authority for state-funded projects, but rather to recommend approval or denial of such program plans to the Commission.

In addition, the executive director, in turn, has delegated approval authority for the projects listed above to the director of capital assets and governing boards.

### **III. STAFF ANALYSIS**

The most significant projects listed on [Attachment A](#) are two University of Colorado at Boulder projects that the Commission approved earlier. Those are supplemental appropriation requests and program plan amendments for the Law School and the ATLAS Center. As you know, the student government at the University of Colorado at Boulder voted to approve a new student facility fee to begin as soon as the first project, the Law School Building, is finished. The Law School and ATLAS Center are among four projects for which bonds to fund construction will be paid through the student fee. The supplemental appropriation for the Law School is classified as an emergency because the University of Colorado at Boulder wants to start work on the new building as quickly as possible in order for the additional facility student fee to begin. Program plan amendments were also part of the actions because of changes in scope that have occurred since CCHE approved the program plans.

The Law School, for example, will increase in size from 160,000 gross square feet to 178,000 gross square feet and in cost from \$38,467,493 to \$46,355,000 due to the decision to provide more space for approximately 700 more students than provided for earlier. The law students several years ago agreed to pay higher tuition with the tuition increase to go to a fund that would be used for the new law school building. The ATLAS Center design changes have occurred to take into account building code changes since CCHE initially approved the program plan in 1998 and allow for the possibility of wireless technologies or other information technology innovations that weren't feasible in 1998. All University of Colorado at Boulder projects paid for with the student fee shall be built according to sustainable standards in accordance with the student government fee.

On the leases, the Commission should know that not all "lease renewals" listed are really renewals. In many cases, they are lease amendments made after State Buildings and Real Estate Programs first approved them. The lease amendments may be changes in the amount of space leased, the amount paid, or the lease purposes. Some of the leased classroom space listed is inevitable because of various institutions' very active extended campus programs, in which they offer classes at various sites around the state.

**IV. STAFF RECOMMENDATION**

No recommendation is made.

**STATUTORY AUTHORITY**

**23-1-106 C.R.S. – Duties and powers of the commission with respect to capital construction and long-range planning.**

(1) It is declared to be the policy of the general assembly not to authorize or to acquire sites or initiate any program or activity requiring capital construction for state-supported institutions of higher education unless approved by the commission.

(3) The commission shall review and approve master planning and program planning for all capital construction projects of institutions of higher education on state-owned or state-controlled land, regardless of the source of funds, and no capital construction shall commence except in accordance with an approved master plan, program plan, and physical plan.

(5)(a) The commission shall approve plans for any capital construction project at any institution, including a community college, regardless of the source of funds; except that the commission need not approve plans for any capital construction project at a local district college or area vocational school or for any capital construction project described in subsection (9) or (10) of this section that is estimated to require total expenditures of two hundred fifty thousand dollars or less.

(5)(b) The commission may except from the requirements for program and physical planning any project that shall require less than five hundred thousand dollars of state moneys.

(8) Any acquisition or utilization of real property by a state-supported institution of higher education which is conditional upon or requires expenditures of state-controlled funds or federal funds shall be subject to the approval of the commission, whether acquisition is by lease, lease-purchase, purchase, gift, or otherwise.

(9)(a) The commission shall review and approve any plan for a capital construction project that is estimated to require total expenditures exceeding two hundred fifty thousand dollars and that is to be constructed, operated, and maintained solely from student fees, auxiliary facility funds, wholly endowed gifts and bequests, research building revolving funds, or a combination of such sources, as provided in sections 23-5-102, 23-5-103, 23-5-112, 23-20-124, 23-31-129, and 23-41-117 and section 24-75-303 (3), C.R.S. Any such plan for a capital construction project that is estimated to require total expenditures of two hundred fifty thousand dollars or less shall not be subject to review or approval by the commission.

(10) The commission shall review and approve any plan for a capital construction project that is estimated to require total expenditures exceeding two hundred fifty thousand dollars and that is to be constructed solely from cash funds held by the institution other than those funds specified in paragraph (a) of subsection (9) of this section and operated and maintained from such cash funds or from state moneys appropriated for such purpose, or both. Any plan for any such capital construction project that is estimated to require total expenditures of two hundred fifty thousand dollars or less shall not be subject to review or approval by the commission.

(11) Each institution shall submit to the commission on or before September 1 of each year a list and description of each project for which an expenditure was made during the immediately preceding fiscal year that was not subject to review by the commission pursuant to subsections (9) and (10) of this section. The commission shall submit a compilation of such projects to the capital development committee on or before December 1 of each year.

**CCHE Approvals of Program Plan Waivers, Cash-Funded, SB 92-202, and Other Projects, Second and Third Quarters 2004**

**(March 9, 2004 through September 3, 2004)**

17-Jun-04	College Center and Rex Gym Roof	Emergency Supplemental	ASC	\$2,162,312	CFE	NA	Supplemental intended to show total project cost of \$2.5 million, not just the \$337,688 shown in the Long Bill, HB 04-1422, to allow ASC to proceed with project with bond refinance money it already has in hand. Supplemental also clarifies that the project is an SB 92-202 one.
3-Sep-04	Coronado Dormitory Renovation	Waiver	ASC	\$375,000	CFE	23,400	Auxiliary fees and revenues
3-Sep-04	Card Lock System Replacement	Waiver	ASC	\$490,000	CFE	NA	Auxiliary fees and revenues
<b>ADAMS STATE COLLEGE TOTALS</b>				<b>\$865,000</b>		<b>23,400</b>	
23-Jun-04	Auraria Higher Education Center 7th Stree-Auraria Parkway Intersection Reconfiguration	Waiver	AHEC	\$330,600	CFE	NA	Parking enterprise fees will be used
<b>AURARIA HIGHER EDUCATION CENTER TOTALS</b>				<b>\$330,600</b>			
27-Apr-04	Colorado Community College System Lowry Chapel Renovation	Waiver	Lowry	\$229,863	CFE	NA	Lease Payments for Building 758 and reserves
<b>COLORADO COMMUNITY COLLEGE SYSTEM TOTALS</b>				<b>\$229,863</b>			
16-Apr-04	Fort Vasquez Facility Upgrade	Supplemental Appropriation	CHS	\$190,000	CFE	NA	Source of funds is federal funds funneled through the Colorado Department of Transportation for exits and entrances off of Highway 85.
17-Aug-04	Cumbres & Toltec Scenic Railroad	Supplemental Appropriation	CHS	\$270,000	CFE	NA	State Historical Fund grant \$180,000, federal grant \$90,000 to pay for CCHE-required facilities master plan
<b>COLORADO HISTORICAL SOCIETY TOTALS</b>				<b>\$460,000</b>			
1-Jul-04	Colorado School of Mines Purchase of 1222 17th Street	Waiver	CSM	\$280,000	CFE	7,405	House 2,040 gsf; Lot 7,405 gsf

COLORADO SCHOOL OF MINES TOTALS				\$280,000		7,405	
27-Apr-04	Animal Quarters Facility - Deer Housing	Waiver	CSU	\$450,000	CFE	3,000	
20-May-04	R-AXIS IV ++Image plate Detector	Waiver	CSU	\$333,500	CFE	NA	\$333,500 CFE -W.M. Keck Foundation Grant
20-May-04	FluoView FV1000 Confocal Laser Scanning Microscope	Waiver	CSU	\$319,000	CFE	NA	4319,000 CFE - National Institutes of Health Grant
27-May-04	The Marketplace at Corbett Hall	SB-92-202	CSU	\$904,437	CFE	5,510	Auxiliary Funds
27-Jul-04	Anatomy/Zoology Lab Space Renovations	Waiver	CSU	\$391,450	CFE	3,379	\$391,450 CFE is from National Institutes of Health
28-Jul-04	Shephardson Laboratory Improvement	Waiver	CSU	\$324,000	CFE	2,305	Research Building Revolving Fund
25-Aug-04	Natural Resources Research Center Building A	Supplemental Appropriation	CSU	\$4,497,380	CFE	NA	Money to increase electrical capacity and provide power backups will come from federal government
25-Aug-04	Arts Renovation of the Old Fort Collins High School	Supplemental Appropriation	CSU	\$866,000	CFE	NA	Gifts and donations to correct or halt further deterioration of building; renovation largely halted during state funding cuts.
COLORADO STATE UNIVERSITY SYSTEM TOTALS				\$8,085,767		14,194	
15-Apr-04	Construction Trades Addition	Waiver	MSC	\$300,000	CFE	3,288	\$300,000 gift from Associated Builders and Contractors to build addition to state-owned building at Unified Technical Education campus
20-May-04	General Property Acquisition - Church Property	Waiver	MSC	\$0		24,098	

MESA STATE COLLEGE TOTALS				\$300,000		27,386	
29-Mar-04	UCHSC Parking Structure I at Fitzsimons	SB-92-202	UCHSC	\$23,000,000	CFE	521,000	
5-Apr-04	Williams Village Apartments Renovations	Waiver	UCB	\$175,000	CFE	1,198	1,198 square feet is assignable, not gross
26-May-04	Renovaton to the Institute for Behavioral Genetics	Waiver	UCB	\$435,000	CFE	2,000	Departmental funds from indirect cost recovery and salary savings
17-Jun-04	Law School Building	Emergency Supplemental Request and Program Plan Amendment	UCB	\$46,350,000	CFE	178,000	\$1,542,159 from previous capital construction funds exempt appropriation; \$21.2 million student fees; \$5.8 million from Law school revenues; \$17.9 million gifts. Gross square footage for the new building increased from 160,800 and the cost from \$38,467,443. This is one of the projects for which bonds will be repaid out of a recently approved student facility fee.
13-Jul-04	ATLAS Center Project	Supplemental Request and Program Plan Amendment	UCB	\$26,942,408	CFE	NA	\$19.1 million from student capital fee; \$6.3 million private cash contributions; \$3 million from federal grants. Amendment eliminates all future state capital construction money for design and construction; revises the building design to reflect changes in building codes since 1998; allows for the possibility of the use of wireless technologies in the building or other information technology methods not possible in 1998; and commits UCB, per the student government vote permitting the student fee increase, to use sustainable methods of construction so that it will achieve at least a silver rating from the US Green Building Council's Leadership in Energy and Environmental Design. The supplemental appropriation is in addition to the \$3,053,132 previous appropriation that occurred before state funding cuts began. This project also will be paid for through the new student facility fee enacted last spring.
4-Aug-04	State Set Construction Shop Conversion	Waiver	UCB	\$400,000	CFE	1,500	College of Music summer income, ticket revenue, etc.
25-Aug-04	Fitzsimons Acquisition of a Structure and Parcel known as the Red Cross Building and Red Cross Parcel	Waiver	UCHSC	\$0		60,984	\$0 except for tranfer costs
2-Sep-04	Electrical Switchgear Vault	Waiver	UCB	\$450,320	CFE	2,156	Utilities generation auxiliary funds; 2,156 net assignable square feet
<b>UNIVERSITY OF COLORADO SYSTEM TOTALS</b>				<b>\$97,752,728</b>		<b>766,838</b>	



**CCHE ACTIONS ON LEASES MARCH 16, 2004, TO SEPTEMBER 3, 2004**

<b>Institution</b>	<b>Lease Status</b>	<b>Date of Last Action</b>	<b>Address</b>	<b>Lease Description</b>	<b>Total Annual Cost</b>	<b>Square Footage</b>	<b>Cost Per Sq. Ft</b>	<b>Type of Lease</b>	<b>Date From</b>	<b>Date To</b>
CSU	Approved and Notification Sent	01-Jul-04	208 Santa Fe Ave, Suite 21 , La Junta, CO 81050	Office	\$9,177.96	1,250	7.34	New	01-Jul-04	30-Jun-06
CSU	Approved and Notification Sent	29-Apr-04	Boulder Ranger District, 3063 Sterling Circle, Suite 1, Boulder, CO 80301	Office	\$1,228.92	66	18.62	New	01-May-04	30-Sep-08
CSU	Approved and Notification Sent	29-Apr-04	South Platte Ranger District, 19316 Goddard Ranch Court, Morrison, CO 80465	Office	\$1,653.65	82	20.17	New	01-May-04	07-Jan-08
CSU	Approved and Notification Sent	21-Jun-04	215 N. Linden, Cortez, CO	Office	\$25,854.00	3,336	7.75	Renewal	01-Jul-04	30-Jun-05
CSU	Approved and Notification Sent	01-Jul-04	Grand Junction State Services Bldg., Suite 416, 222 South 6th St., Grand Junction CO 81501	Office	\$6,287.00	978	6.43	Renewal	01-Jul-04	30-Jun-05
CSU	Approved and Notification Sent	01-Jul-04	2764 Compass Dr., Suite 232 Grand Junction, CO 81506	Office	\$10,080.00	775	13.01	Renewal	01-Jul-04	30-Jun-05
CSU	Approved and Notification Sent	01-Jul-04	219 West Magnolia, Fort Collins, CO 80521	Office	\$9,123.21	607	15.03	New	01-Jul-04	30-Jun-05
CSU	Approved and Notification Sent	01-Jul-04	2860 Circle Drive South, Suite 2105, Colorado Springs, CO 80906	Office	\$5,418.96	448	12.10	Renewal	01-Jul-04	30-Jun-05
CSU	Approved and Notification Sent	01-Jul-04	102 Par Place, Montrose, CO 81401	Office	\$19,622.40	1,168	16.80	New	01-Jul-04	30-Jun-09
CSU	Approved and Notification Sent	01-Jul-04	6221 Downing Street - J, K, & L Comm. College of Denver-North Denver, CO 80216	Office	\$8,150.21	431	18.91	Renewal	01-Jul-04	30-Jun-05
CSU	Approved and Notification Sent	22-Jul-04	Suite 2100, 3300 Mitchell Lane Boulder, CO 80303	Office	\$32,230.00	1,172	27.50	Renewal	01-Oct-04	30-Sep-05
CSU	Approved and Notification Sent	25-Aug-04	1475 Pine Grove Road, Suite 202A, Pine Grove Office Building Steamboat Springs, CO 80477	Office	\$5,360.00	335	16.00	Renewal	10-Oct-04	30-Jun-05
CSU	Approved and Notification Sent	26-Jul-04	Trumbull Cabin No. 2 - 7940 & Trumbull No. 13 - 7986 S Hwy 67 Sedalia, CO 80135	Special Use	\$1.00	850	0.00	Renewal	01-Oct-04	30-Sep-05
CSU	Approved and Notification Sent	01-Jul-04	University Services Center (USC) 601 South Howes Street Fort Collins, CO 80521	General Use	\$1.00	89,583	0.00	New	01-Jul-04	30-Jun-09
CSU	Approved and Notification Sent	01-Jul-04	Apartment #1 , 8570 South Highway 67 Sedalia, CO 80135	Residential	\$10,260.00	1,200	8.55	New	15-May-04	30-Sep-04
CSU	Approved and Notification Sent	04-Jun-04	23932 Hwy 385, Hill City, SD 57445	Residential	\$6,300.00	1,000	6.30	New	01-Jun-04	31-Aug-04
CSU	Approved and Notification Sent	01-Jul-04	Bay Farm Parcel at Centre for Adv. Tech. CSU South Campus Fort Collins, CO 80521	Special Use	\$7,300.00	58	125.86	Renewal	01-Jul-04	30-Jun-05
CSU	Approved and Notification Sent	28-Apr-04	530 Harney St., Custer, SD 57730	Residential	\$6,000.00	1,200	5.00	New	01-May-04	31-Oct-04
<b>COLORADO STATE UNIVERSITY</b>										

CCD	Approved and Notification Sent	21-Apr-04	3001 S. Federal Boulevard, Denver, CO 80236	Classrooms	\$0.00	29,000	0.00	New	01-Jan-05	30-Jun-05
FRCC-L	Approved and Notification Sent	28-Jul-04	800 South Taft Avenue Loveland, Colorado 80537	Classrooms	\$35,000.00	3,500	10.00	New	01-Aug-04	31-May-05
FRCC-L	Approved and Notification Sent	18-Aug-04	Fossil Ridge High School 5400 Ziegler Road, Ft. Collins, CO 80528	Classrooms	\$14,250.00	2,300	6.20	New	24-Aug-04	09-May-05
MCC	Approved and Notification Sent	28-Jun-04	280 Colfax, Bennett, CO	Office	\$7,200.00	642	11.21	Renewal	01-Jul-04	30-Jun-05
MCC	Approved and Notification Sent	01-Jul-04	940 2nd Street, Limon, CO 80828	Classrooms	\$1,272.00	822	1.55	Renewal	01-Jul-04	30-Jun-06
MCC	Approved and Notification Sent	28-Jun-04	117 Main Street, Fort Morgan, CO	Classrooms	\$73,500.00	10,000	7.35	Renewal	01-Jul-04	30-Jun-05
MCC	Approved and Notification Sent	28-Jun-04	2400 E. Bijou Avenue, Fort Morgan, CO 80701	Labs	\$14,400.00	2,500	5.76	Renewal	01-Jul-04	30-Jun-05
MCC	Approved and Notification Sent	28-Jun-04	215 S Main, Yuma, CO 80759	Office	\$1,200.00	462	2.60	Renewal	01-Jul-04	30-Jun-05
NJC	Approved and Notification Sent	18-May-04	Hoffman House, 302 Cleveland, Sterling, CO 80751	Residential	\$27,000.00	3,132	8.62	Renewal	01-Jul-04	30-Jun-05
NJC	Approved and Notification Sent	02-Jun-04	Broadway Plaza Shopping Center - Parking Lot, Sterling, CO 80751	Support	\$4,800.00	14,400	0.33	Renewal	01-Jul-04	30-Jun-09
PPCC-C	Approved and Notification Sent	01-Sep-04	3459 Astrozon Court, Colorado Springs, CO	Classrooms	\$41,281.00	5,600	7.37	Renewal	01-Aug-04	31-Jul-07

COLORADO COMMUNITY COLLEGES SYSTEM										
UCD	Approved and Notification Sent	27-Jul-04	1250 14th Street, Denver, CO 80202	Office	\$805,336.26	149,900	5.37	Renewal	01-Jul-04	31-Aug-21
UCD	Approved and Notification Sent	27-Jul-04	1380 Lawrence Street, Denver, CO 80204	Office	\$1,546,574.00	172,978	8.94	Renewal	01-Aug-04	01-Feb-29
UCHSC-9th_Co	Approved and Notification Sent	25-Aug-04	3814-18 W. Princeton Circle, Denver, CO 80236	Residential	\$23,373.00	7,950	2.94	New	01-Oct-04	30-Sep-09
UCHSC-9th_Co	Approved and Notification Sent	11-May-04	1122 Albion St., Denver	Support	\$24,308.00	11,244	2.16	Renewal	01-Jul-04	30-Jun-05
UCHSC-9th_Co	Approved and Notification Sent	11-May-04	1145 Albion St., Denver	Support	\$18,952.00	6,630	2.86	Renewal	01-Jul-04	30-Jun-05
UCHSC-9th_Co	Approved and Notification Sent	11-May-04	4300 East 8th Ave., Denver	Support	\$19,158.50	5,950	3.22	Renewal	01-Jul-04	30-Jun-05
UCHSC-9th_Co	Approved and Notification Sent	28-Jun-04	1825 Marion Street	Office	\$483,110.00	31,249	15.46	Renewal	01-Jul-04	30-Jun-07
UCHSC-9th_Co	Approved and Notification Sent	28-Jun-04	1600 Downing St, Denver	Office	\$23,220.00	1,920	12.09	New	01-Jul-04	30-Sep-05
UCHSC-9th_Co	Approved and Notification Sent	23-Jun-04	4100 East 8th Ave Stes. 4100, 4116, 4118, Denver	Office	\$76,838.00	4,552	16.88	Renewal	01-Jul-04	31-Dec-04
UCHSC-9th_Co	Approved and Notification Sent	23-Jun-04	204 Carson Street, Alamosa, CO	Office	\$45,366.00	4,852	9.35	New	01-Jul-04	31-Aug-08
UCHSC-9th_Co	Approved and Notification Sent	01-Jul-04	2222 E. 18th Avenue, Denver	Office	\$44,297.00	4,027	11.00	Renewal	16-Jul-04	30-Sep-06
UCHSC-9th_Co	Approved and Notification Sent	25-Aug-04	1827 Gaylord St., Denver	Special Use	\$45,876.00	4,830	9.50	Renewal	01-Sep-04	30-Sep-09
UCHSC-9th_Co	Approved and Notification Sent	25-Aug-04	2121 E. 18th Ave., Denver	Special Use	\$50,700.00	3,900	13.00	Renewal	01-Sep-04	30-Sep-09
UCHSC-Fitz	Additional Information Requested from Institution	15-Jun-04	12635 E. Montview Boulevard, Suites 220, 222, 224, and 129, Aurora	Labs	\$145,644.00	5,188	28.07	Renewal	01-Jun-03	31-May-04
UCHSC-Fitz	Approved and Notification Sent	28-Jun-04	12635 E. Montview Boulevard, Stes 222, 223, 224, 133, Aurora	Labs	\$145,644.00	5,188	28.07	Renewal	01-Jul-04	31-Dec-04
UNIVERSITY OF COLORADO SYSTEM										

**TOPIC: FTE – SERVICE AREA EXEMPTIONS**

**PREPARED BY: ARNE ARNESEN**

**I. SUMMARY**

This agenda item presents approved service area exemptions that allow community colleges, local district colleges, and area vocational schools to provide short-term access to a certificate or degree program not available in another institution’s defined service area. The FTE can be claim for state support.

C.R.S. 23-1-109 limits state support eligibility to credit hours offered within the geographic boundaries of the campus. The geographic service areas for community colleges are defined in CCHE policy Section I, Part N - *Service Areas of Colorado Public Institutions of Higher Education* apply to two-year colleges, area vocational schools (AVS), Adams State College (ASC), and Mesa State College (MSC).

The Commission recognizes that the FTE Policy may not address every possible circumstance. Institutions may request an exemption from the Commission when encountering a circumstance that the policy does not explicitly address (e.g., no other institution is approved to offer this degree within the service area). Exemptions approved by CCHE staff and entered into the public record do not alter or establish the state policy, but only apply to the applying institution for the particular circumstance for a specified period of time.

CCHE staff approved the following service area exemptions. No further action is needed.

GUEST INSTITUTION	HOST INSTITUTION	PROGRAM	FTE	TIME PERIOD
ACC	FRCC	MAN288-Project Management Practicum	19.8	02/01/04 to 06/01/04
LCC	TSJC	ACC/CIS/ENG/HIS/MAT/PED/PHI	1	FY 2005
LCC	TSJC	GenEd Distance Learning for Dual Cr.	1	FY 2005
OJC	TSJC	Early Childhood Education	10-15	FY 2005
OJC	TSJC	Computer Networking Cisco Associate & Professional with IT Essentials	10-15	FY 2005
OJC	PCC	Agri-Business Management	20-30	FY 2005

GUEST INSTITUTION	HOST INSTITUTION	PROGRAM	FTE	TIME PERIOD
OJC	PCC	Early Childhood Education	10-15	FY 2005
OJC	PCC	Computer Networking Cisco Associate & Professional with IT Essentials	10-15	FY 2005
OJC	LCC	Computer Networking Cisco Associate & Professional with IT Essentials	10-15	FY 2005
OJC	LCC	Early Childhood Education	10-15	FY 2005
SJB AVS	D-M AVS	Ag Business Management	25	7/1/04 – 6/30/05
SJB AVS	D-M AVS	Colorado Symposium on Emergency Care	18	5/30/05 – 6/5/05
SJB AVS	D-M AVS	Colorado Fire Fighters Academy	15	10/11/04-10/17/04
SJB AVS	D-M AVS	Young Farmers	3	7/1/04 – 6/30/05
EGOS	Mesa State	Electrician	15	6/15/04 – 06/14/05
EGOS	Mesa State	Plumber/Pipefitter	15	6/15/04 – 06/14/05
EGOS	PCC	Electrician	15	6/15/04 – 06/14/05
EGOS	PCC	Plumber/Pipefitter	15	6/15/04 – 06/14/05

**TOPIC:                   REPORT ON OUT-OF-STATE INSTRUCTION**

**PREPARED BY:       ARNE ARNESEN**

**I.       SUMMARY**

The Commission holds statutory responsibility to approve instruction offered out-of-state beyond the seven contiguous states. By action of the Commission in 1986 the Executive Director may act for the Commission to approve or deny requests from governing boards for approval of courses and programs to be offered by their institutions. This agenda item includes instruction that the Executive Director has certified as meeting the criteria for out-of-state delivery. These programs are sponsored by the Board of Trustees of Adams State College and the Board of Regents of the University of Colorado.

**II.      BACKGROUND**

Prior to 1983, instruction out-of-state was offered at will by Colorado institutions, primarily through the Extended Studies Program, but an Attorney General opinion of July 3, 1980, concluded that there was no authorizing legislation and out-of-state programs were discontinued. In 1983, the General Assembly enacted legislation that authorized non-state-funded out-of-state instruction but also required governing board approval. When the instruction is beyond the contiguous states, Commission approval is required as well.

At its meeting of May 2, 1986, the Commission delegated authority to the Executive Director to determine when out-of-state instruction beyond the contiguous states complies with statutory requirements. In June 1986, the Commission received the first notification of out-of-state instruction certified by the Executive Director. Additional approved out-of-state instruction is reported to the Commission as it is received and reviewed.

**III.     ACTION**

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

The Board of Trustees of Adams State College has submitted a request for an out-of-state instructional program to be delivered by Adams State College in **San Antonio, Texas and Westfield, New Jersey.**

- **ED 589: Standards-Based Assessment & Instruction in Math**

The dates for this course are June 17-18, 2004 (Texas) and June 29-30, 2004 (New Jersey).

The Board of Regents of University of Colorado has submitted a request for an out-of-state instructional program to be delivered by University of Colorado Health Sciences Center.

- **“Analgesic Options for the Guided Self-Management of Mild-to-Moderate Pain Symposium,”** to be presented October 28, 2004 in Boston, Massachusetts.
- **“Bronchio-Alveolar Carcinoma Symposium,”** to be presented November 4-6, 2004 in New York, New York.
- **“Mountain Plains AIDS Education and Training Center Faculty Development Conference,”** to be presented August 5-7, 2004 in Park City, Utah.
- **“Western States Rhinology Course,”** to be presented October 21-23, 2004 in Sonoma, California.
- **“New Concepts and Directions in Thyroidology Conference,”** to be presented September 28-29, 2004, in Vancouver, British Columbia, Canada.

## Appendix A

### STATUTORY AUTHORITY

The Commission is given responsibility for approval of out-of-state instruction beyond the contiguous states in C.R.S. 23-5-116.