

**MINUTES OF THE MEETING OF THE COLORADO COMMISSION  
ON HIGHER EDUCATION  
AUGUST 14, 2007**

Chairman Raymond Baker called the meeting to order at 10:15am.

Commissioners Raymond Baker, Jill Brake, Patricia Pacey, Michael Plachy, James Polsfut, Edward Robinson, and Joel Rosenstein were present. Commissioners Greg Stevinson and James Stewart were excused. Commissioner Richard Ramirez was absent.

Commissioner Brake moved to approve the July 10, 2007 minutes with a second by Commissioner Robinson. The motion passed unanimously.

**Chair Report:** Chairman Baker reported Commissioner Plachy disclosed that his law firm, Rothgerber Johnson and Lyons, is counsel for Colorado Christian University in litigation against CCHE and certain Commissioners. Mr. Plachy is not personally involved as counsel in that litigation and will recuse himself from any decisions CCHE makes regarding the litigation. In addition, Mr. Plachy will not participate in any privileged communications between CCHE and its counsel regarding the litigation. All Commissioners were instructed to have no communications with, and to not disclose the substance of any privileged communications between CCHE and its counsel with Mr. Plachy regarding the litigation.

Chairman Baker also reported he and Executive Director Skaggs met with Senators Josh Penry, Chris Romer and Representative Randy Fischer to discuss funding mechanisms for capital construction.

**Executive Director Report:** Executive Director Skaggs reported on the pending Attorney General's decision dealing with the tuition status on students who are U.S. citizens as well as Colorado residents but whose parents may be undocumented aliens.

There were no Commissioner or Advisory Committee reports.

**Public Comment:** Mr. George Walker, of Denver, expressed his opinion that it is disingenuous to raise admissions standards without raising public funding for higher education. He also quoted an article in the Denver Post, dated November 22, 2006, wherein the University of Colorado, Boulder received the grade of F from a higher education association in recruiting black, Hispanic and Native American students and questioned the performance records of CU's Vice Chancellor for Diversity.

**ACTION ITEMS**

**Reapproval for Participation in State Financial Aid Programs – Rocky Mountain College of Art & Design:** David Skaggs presented Diane Lindner's item. Under CCHE policy, when there is a change in ownership of a private school, the school must again file and be reapproved

by the Commission to be eligible to participate in student aid programs. In the case, of Rocky Mountain College of Art & Design (RMCAD), a controlling interest has been sold but there has not been a complete change of ownership or operational management. After review of RMCAD's application, staff concludes that they continue to meet the criteria for participation in the student aid programs.

Commissioner Robinson moved to reapprove RMCAD for participation in state-funded financial aid programs. Commissioner Brake seconded the motion. The motion passed unanimously.

**2008 Higher Education Admission Requirements (HEAR): Review and Proposed Recommendations for Implementation:** Dr. Julie Carnahan presented this item. Due to the likely high number of high school students who may not meet Phase I of the Higher Education Admission Requirements (HEAR 2008), DHE staff recommends that during the implementation of HEAR 2008 the Commission revise the 2008 HEAR requirements to exempt students whose index numbers exceed the minimum institutional admissions index number by more than 10 points and for Metropolitan State College of Denver by more than 15 points and that the portion of the statewide 20% exemption "window" presently unallocated to institutions under their separate window allowances be pooled and made available to institutions especially impacted by HEAR 2008 under terms to be developed by DHE staff in consultation with institutions' academic staff.

Dr. Geri Anderson, Assistant Vice President and Provost for the Colorado Community College System; Dr. Linda Curran, Acting Associate Vice President of Academic Affairs for Metropolitan State College of Denver; Dr. John Sowell, Associate Vice President of Academic Affairs for Western State College; and Dr. Alan Lamborn, Vice Provost for Undergraduate Affairs for Colorado State University were in favor of this recommendation.

Commissioner Pacey moved to pass the recommendation as proposed. Commissioner Plachy seconded the motion. The motion passed unanimously.

Chairman Baker moved to elect Commissioner Jim Polsfut as the Vice Chairman of the Commission. Commissioner Robinson seconded the motion. Commissioner Polsfut was elected to the position of Vice Chairman unanimously.

**Commissioner Robinson moved to adjourn. The meeting was adjourned at 11:45am.**