## TOPIC: UPDATE ON PROPOSED REVISIONS TO CCHE POLICY SECTION I, PART N (SERVICE AREAS)

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1. **SUMMARY**

This discussion item concerns the current progress toward the update of Commission Policy I, N: Service Areas of Colorado Public Institutions of Higher Education revisions, as recommended by the Student Success & Workforce Revitalization Task Force in its report published in December, 2021.

## BACKGROUND

Colorado Revised Statutes §23-1-109(2) requires the Colorado Commission on Higher Education to define, after consultation with the governing boards of institutions, the geographic and programmatic service areas for Colorado public institutions of higher education for providing off-campus instruction.

The current service area policy provides precise narrative descriptions of the geographic service areas for all 13 institutions in the Colorado Community College System, the two local district colleges (Aims Community College and Colorado Mountain College), the three area technical colleges, and the two public four-year universities with a two-year statutory role and mission (Adams State University and Colorado Mesa University). For all institutions with a four-year statutory role and mission, the service area is the entire state of Colorado.

In 2021, HB 21-1330 directed the Commission to convene a task force to, in part,

*Review the role and mission and service area of each state institution of higher education, each local district college, and each area technical college, including all instruction offered by whatever means outside the geographic boundaries of a campus … to determine whether the availability of and access to postsecondary credential programs is sufficient throughout the state without undue overlap and to ensure the most efficient use of resources;*

And

*Review the history, purpose, effect, and continuing benefit of service areas and the commission’s policy concerning service areas, based on the degree to which service areas should continue and whether the service areas should be redrawn.*

The task force authorized by HB 21-1330 addressed service areas during its work and recommended that the CCHE “include the service area policy update in its 2022 agenda, with a commitment to convene stakeholders to further address the current service area policy and make recommendations for change by July 1, 2022.”

1. **STAFF ANALYSIS**

Following is the consolidation of feedback from institutions of higher education during its stakeholder process. Substantive changes appear in YELLOW in text of draft document, while minor changes appear in text tracking.

* The Area Technical Colleges (Emily Griffith, Pickens and Technical College of the Rockies) and Colorado Mountain College submitted written feedback to the Department (attached).
  + The Area Technical Colleges noted funding potential unintended impacts of the current revision to include concerns over funding structure for programs and concurrent enrollment programs, governing board focus of school boards and legislative scope of services/ educational programs. ATC’s recommend the inclusion of a right of first refusal and primary responsibility be included, particularly for CTE programming.
  + Colorado Mountain College advocates for a statewide service area to be instituted for all public institutions of higher education with a focus on defining expectations for governing boards. Those expectations should include acknowledging the SBCCOE and its role for managing colleges within its system (and CTE programs), recognizing the distinct political boundaries established for local district colleges, establishing the primacy of physical locations, and elimination of ‘4-year’ vs. ‘2-year’ distinctions in policy.
* Several institutions have recommended that a Right of First Refusal & Primary Responsibility clause be re-included in the policy (this feedback was submitted in writing by the ATC’s and in verbal form from Ft. Lewis College, Colorado Mesa University and Western Colorado University). That language appears in yellow in section 2.0.
* CCCS has affirmed the process in the most recent draft that outlines the process for Perkins’ authorization/ USDOL funding eligibility for CTE programs in section 3.01.
* CU System requests that the statewide designation of ‘institutions with a 4-year role and mission’ be re-inserted into the policy draft. That language appears in yellow in section 3.02.
* CMC requested that language be inserted to invite IHE’s to provide educational services prior assignment by the CCHE/CDHE. That language has been updated in yellow in section 3.03.
* CCHE members requested simplification of the concurrent enrollment language in section 5 (now renumbered to section 4).

1. **STAFF RECOMMENDATIONS**

**Discussion Item.** Updated edited version of policy attached for discussion, with feedback incorporated. It is expected that the CCHE will adopt final changes to the policy at its June, 2022 meeting.

1. **STATUTORY AUTHORITY**

**§23-1-109 -** **Duties and powers of the commission with regard to off-campus instruction.**

(1) The general assembly declares its intent that the state-supported institutions of higher education may engage in instruction off the geographic boundaries of their campuses.

(2) The commission shall define, after consultation with the governing boards of institutions, the geographic and programmatic service areas for each state-supported institution of higher education. No such institution shall provide instruction off-campus in programs or in geographic areas or at sites not approved by the commission, unless otherwise provided by law.

**ATTACHMENTS:**

* Letter to Commission/ CDHE from Colorado Mountain College
* Letter to Commission/ CDHE from the Area Technical Colleges
* Track changes revision to CCHE Policy I, N (May, 2022)