

Minutes of the Colorado Commission on Higher Education Meeting

December 6, 2007

Chairman Raymond Baker called the meeting to order at 10:05 am.

Commissioners Raymond Baker, Larry Beckner, Jill Brake, Patricia Pacey, Michael Plachy, James Polsfut, Edward Robinson, Joel Rosenstein, James Stewart and Greg Stevinson were in attendance. Commissioner Rick Ramirez attended via conference call. Also in attendance were Advisory Committee members Mark Malone and Robert Applegate.

Barbara McDonnell, Interim President of Community College of Denver, welcomed the Commission to the Auraria Campus and gave the Commissioners a brief overview of the college and campus. She said she expected a new president to be named in early January 2008.

Commissioner Robinson moved to approve the minutes of the November 1, 2007 meeting. The motion was seconded and unanimously passed.

Commissioner Stewart noted he would be attending the Governor's Dropout Summit, December 6th and 7th, and will provide a summary to the Commissioners at the January 18th meeting.

Advisory Committee member Robert Applegate noted the meeting was the last of his tenure and introduced the nominee to replace him, Jack Wylie, member of the Association of Colorado Students and President of the Metropolitan State College of Denver Student Government Assembly.

Executive Director Report: Executive Director David Skaggs noted that along with Mr. Wylie, Dr. Toni Larson, Executive Director of Independent Higher Education of Colorado, had been nominated to become an Advisory Committee member. Mr. Skaggs asked for a formal action by the Commission to approve the nominations of Mr. Wylie and Dr. Larson in order to assume their Advisory Committee positions with full authority at the January 18, 2008 CCHE meeting.

Commissioner Brake moved to approve the two nominations. The motion was seconded and unanimously passed.

Executive Director Skaggs informed the Commission that the Higher Education Economic Impact Study by Dr. Tucker Hart Adams would be released at a press conference on Monday, December 10, 2007.

ACTION ITEMS

Regional Education Provider Policy – Change in Adams State College's Region – Matt McKeever, Academic Policy Officer, reported that in 2003 the Commission passed the Regional Education Provider Policy. The policy included defined geographic regions for the four institutions that are designated as regional education providers. The region for Adams State College includes Pueblo County. Both CSU–Pueblo and Adams State College have requested that Pueblo County be removed from Adams State College's region. This change will not affect

any programs offered by Adams State College in Pueblo County, but will remove the unnecessary burden from CSU-Pueblo to inform Adams State College of any new programs they will provide.

Commissioner Rosenstein moved to approve the removal of Pueblo County from Adams State College's region. The motion was seconded by Commissioner Robinson and unanimously passed.

State Guaranteed General Education Courses, Review Cycle VI, Round I – Vicki Leal, Academic Policy Officer, reported that 62 courses nominated by institutions had been reviewed and recommended by faculty, for the statewide guaranteed general education transfer program, gtPathways, effective August 2008.

Faculty review committees from all five content areas participated in the November 9, 2007 review. Faculty from Arts and Humanities, Mathematics, Communication, Natural and Physical Sciences and Social and Behavioral Sciences reviewed the courses and took one of two actions: recommended a course for inclusion in the statewide program; or deferred a course for later review. Staff communicated all of the faculty recommendations to institutions, including justifications for those courses receiving the “deferred” designation by faculty review committees. Adoption of the course list will continue the implementation of Colorado's statewide guaranteed general education transfer program.

Commissioner Stevinson moved to approve the recommended courses. The motion was seconded by Commissioner Brake and unanimously passed.

ITEM FOR DISCUSSION

Degree Authorization Act – Proposed Legislation – Matt McKeever, Academic Policy Officer, reported that staff had been reviewing the Degree Authorization Act (DAA) procedures for several months and asked for discussion about the Commission's role in authorizing private degree granting institutions to guide staff regarding legislative changes to the Degree Authorization Act.

The current process for authorization relies heavily on the accrediting process. Staff review took into account several states' policies, rules of the division of private occupational schools, information from national organizations and changes in the regional accrediting agency's eligibility process. The accrediting agency, the North Central Association's Higher Learning Commission, requires student enrollment prior to recognizing an institution but CCHE policy requires recognition from an accrediting agency prior to allowing enrollment, creating a “Catch-22” problem for institutions newly opening in Colorado.

Staff identified three issues in the current administration of the DAA: reliance on the accrediting agencies; lack of funds to administer the program; and limited student protection. Proposed solutions are legislative: a requirement for the Department of Higher Education to evaluate a new institution for preliminary authorization to operate; require a renewal process for existing institutions; authorize the Department to collect fees; define wrongful practices and authorize

the Department to investigate student complaints of wrongful practices; and authorize the Commission to act on complaints.

Commissioner Stevinson inquired about the number of serious compliance violations annually. Mr. McKeever responded that the norm is three to five per year. He will provide the Commission with a more comprehensive list by the end of the year.

Commissioner Polsfut suggested that the reauthorization process could be a tool to provide more recourse when there is deceptive practice or serious complaints. For example, authorization could be suspended until the problem is corrected. Otherwise, the reauthorization could be perfunctory, except in cases where there are complaints or situations developing that require more examination and staff time.

Commissioner Stevinson inquired about the cost of the authorization to the institution and if the proposed fee is to be set at a break-even amount for the department. One of the suggested legislative changes would be to charge enough for the authorization and renewal fees to cover a staff position. A suggestion to charge per student complaint was discussed and may be considered in the future.

Executive Director Skaggs underscored the fact that the department's authority is limited in terms of its ability to take action on outright fraud, thus putting Mr. McKeever in the position of mediator, or in egregious cases, referring the case to the Attorney General's Office or the Civil Rights Commission.

Staff agreed to present an updated version of the authorization process to the Commissioners at the January 2008 CCHE meeting.

CONSENT ITEM

Additional Cash-Funded Capital Construction Requests FY08-09 – Andrew Carlson, Director of Capital Assets, presented three plans staff had reviewed and recommended for approval since the November 1, 2007 CCHE meeting: Colorado State University Painter Center; Colorado School of Mines CTLM-3 addition; and Colorado Northwestern Community College Career and Technical Center.

Commissioner Stevinson moved to approve the program plans for cash-funded capital projects. The motion was seconded by Commissioner Plachy and unanimously passed.

Mr. Carlson additionally reported that he, Executive Director Skaggs and Chairman Baker testified before the Capital Development Committee (CDC) regarding how higher education's priority list was developed and reiterated that the total capital need over the next five years is estimated at \$1.7 billion in state funds and \$2 billion in cash funds and regarding the proposed legislation that would change how cash-funded projects are reviewed to address concerns with construction inflation.

INFORMATION ITEMS

The 2007 Report on the Status of Performance Contracts – Vicki Leal, Academic Policy Officer, gave a report on the status of compliance by Colorado's public institutions with specific

requirements in their respective performance contracts, including a description of the current and future performance contract requirements for the institution.

2007 Legislative Report on Teacher's Education – Dr. Julie Carnahan, Chief Academic Officer, presented the annual report to the Governor and the Education Committees of the General Assembly on teacher education programs at Colorado's public and private colleges and universities. This report includes an overview of the enrollment levels in approved teacher education preparation programs, plans for the teacher education program reauthorization processes, and a list of approved educator preparation program by institution.

Chairman Baker moved to adjourn. The meeting was adjourned at 11:55am.