



COLORADO

**Colorado Commission on
Higher Education**

Department of Higher Education

CCHE AGENDA

August 8, 2017 - 1:00pm

Colorado Mesa University

University Center - Room UC 213

1100 North Ave,

Grand Junction, CO 81501

CALL-IN NUMBER: 1-877-820-7831
PARTICIPANT CODE: 128479#

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DR. KIM HUNTER REED, EXECUTIVE DIRECTOR



Colorado Commission on Higher Education

August 8, 2017

Colorado Mesa University
University Center - Room UC 213
1100 North Ave,
Grand Junction, CO 81501

1:00pm

I. Opening Business – (10 minutes)

- A. Attendance
- B. Approval of the Minutes for the June 1, 2017 Commission Meeting
- C. Public Comment

II. Consent Items (5 minutes)

- A. Degree Authorization Act: Liberty University – Request for Field Experience Authorization (*Heather DeLange*)

III. Discussion Items

- A. Degree Authorization Act – Update On Accreditation Status For William Loveland College (*Heather DeLange*)
- B. Degree Authorization Act – Update On American Pathways University (*Heather DeLange*)



**Minutes of the Colorado Commission on Higher Education (CCHE) Meeting
Arapahoe Community College
June 1, 2017**

I. OPENING BUSINESS

Chairman Luis Colon called the business meeting to order at 1:05pm.

A. Attendance

Chairman Luis Colon, Vice Chairman Renny Fagan, Commissioners John Anderson, Maia Babbs, Jeanette Garcia, Vanecia Kerr, Tom McGimpsey, Monte Moses and Paula Sandoval attended the meeting. Commissioner Mary Beth Buescher attended the meeting via conference call.

Also in attendance were CCHE Advisory Committee members Wayne Artis, Steve Kreidler, Misti Ruthven and Melissa Wagner. Dr. Barbara Morris attended the meeting via conference call.

B. Passing the Gavel

Dr. Kim Hunter Reed presented outgoing Chairman Monte Moses with a plaque and listed the accomplishments of the Commission under his chairmanship.

C. Welcome

Dr. Diane Hegeman, Vice President of Instruction and Provost of Arapahoe Community College (ACC), welcomed the Commissioners to the campus and gave a presentation on the Arapahoe Community College's Castle Rock Collaboration Campus.

She informed the Commission that Arapahoe Community College's Castle Rock Collaboration Campus will be a new campus for ACC in downtown Castle Rock. The construction of the campus will occur in two phases. The project is a partnership with Colorado State University (CSU), Douglas County School District (DCSD) and the town of Castle Rock. The vision for a Collaboration Campus is the result of discussions between ACC, CSU, DCSD, and the Castle Rock Economic Development Council (CREDC) and represents a model for progressive educational delivery from high school through a four year degree, while involving the business and/or service community in the region.

D. Minutes

Commissioner Anderson moved to approve the minutes of the May 5, 2017 CCHE meeting. The motion was seconded by Commissioner McGimpsey and passed unanimously.

E. Chair, Vice Chair, Commissioners and Advisors Reports

- Chairman Colon reported that he participated in the Western Pathways Conference in May noting there were many exciting ideas for addressing issues such as skills gaps and strengthening connections between business and education. The Chairman also attended a dinner with representatives from the Lumina Foundation, where the topic of discussion was the Talent, Innovation and Equity (TIE) Initiative. This new grant program will be by invitation and Colorado is one of the states under consideration. Commissioner Kerr and Katy Anthes, Commissioner of the Colorado Department of Education were also in attendance.
- Parent Representative, Melissa Wagner, thanked the Commission for the opportunity to serve in an advisory role for the last four years, noting this was her last meeting.

F. Executive Director Report

- Dr. Reed reported on several significant meetings and events, including:
 - Roles and Responsibilities in Responding to and Preparing for Institutional Closures. SHEEO convened a meeting of five SHEEOs from across the country, including Colorado, along with national and regional accreditors, and the U.S. Department of Education to discuss, among other topics, the high-profile closings of several institutions. The group focused on students, specifically ideas to ensure quality experiences and student protections.
 - Annual WICHE meeting in Idaho. There were extensive conversations about campus climate, Title IX and sexual assault, WICHE's *Knocking on College Door* report, and how to move high school students forward to college completion
- Dr. Reed announced that the department's CollegeInvest team is hard at work on the ABLE program. This is a 529 program for individuals with disabilities.
- Dr. Reed announced the Colorado Women's Leadership Forum has invited former First Lady, Michelle Obama, to be their keynote speaker this summer. They would like to present her with a T-shirt from every Colorado college to support Mrs. Obama's Reach Higher and Better initiative.
- She reported on the impending departures of Dr. Tim Flanagan, Chief Student Success and Academic Affairs Officer and Dr. Robert Mitchell, Director of Educator Preparation.
- Dr. Reed also shared an article from the Boulder County News about CCHE's Student Representative, Audy Leggere-Hickey, and Audy's return to college.

G. Public Comment

Mr. Frank Waterous, senior policy analyst for the Bell Policy Center, highlighted positive and important components in the draft CCHE master plan: adult learners

and student debt. The Center urges the Commission to make student debt a priority for the upcoming year.

II. Consent Items

- A. Recommend Approval of Bachelor of Applied Science in Interdisciplinary Studies and Bachelor of Science in Radiologic Science at Colorado Mesa University – *Dr. Ian Macgillivray***
- B. Recommend Approval of Master of Science in Materials Science and Engineering, Doctor of Philosophy in Materials Science and Engineering, Doctor of Philosophy in Anthropology, and Bachelor of Arts in Women’s and Gender Studies at Colorado State University – *Dr. Ian Macgillivray***
- C. Recommend Approval of Bachelors of Applied Science in Emergency Service Administration at Arapahoe Community College – *Dr. Ian Macgillivray***
- D. Recommend Approval of Colorado State University – Fort Collins Two-Year Cash Funded Capital Program List Amendment – JBS Global Food Innovation Center Phase II- *Cat Olukotun***
- E. Recommend Approval of Program Plan Amendment for the University of Colorado Denver - Center for Personalized Medicine – *Cat Olukotun***
- F. Recommend Approval of Program Plan Amendment for the University of Colorado Boulder - Systems Biotechnology Building – *Cat Olukotun***
- G. Recommend Approval of Two-Year Cash Funded Capital Program List Amendment – Colorado School Of Mines - *Cat Olukotun***
- H. Recommend Approval of Authorization Change for Relay Graduate School of Education – *Heather DeLange***

Commissioner McGimpsey moved to approve consent items A through H. The motion was seconded by Commissioner Babbs and unanimously passed.

III. Action Items

A. CCHE Master Plan

Kachina Weaver, Chief Policy Officer, presented Commissioners with the pre-publication version of the updated master plan and explained that, if approved, the document would go through a formal professional editing process and then a professional design and printing. Commissioners engaged in discussion about the work and near final product. There was specific discussion about the name of the document and important messaging, as well.

Commissioner Babbs asked how the master plan metrics and indicators of progress will be reported upon and how often. Dr. Bean confirmed that the master plan metrics and indicators of progress will first be reported on November 1st of this year. Additionally, the Data and Research team are working on a dashboard that will monitor progress on the overall statewide goals, indicators of progress, and the performance of institutions.

Commissioner Moses moved to approve the pre-publication version of the updated master plan. The motion was seconded by Vice Chair Fagan and unanimously passed.

B. Fiscal Year 2017-18 Financial Aid Allocations

Andrew Rauch, Lead Financial Analyst, brought forward an action item seeking approval of the Fiscal Year 2017-18 Financial Aid Allocations for the State's undergraduate need, graduate need, work-study, merit, and career and technical education financial aid programs.

Mr. Rauch walked through each allocation method and the results and fielded questions about timeline, impact of aid, and where Colorado stands on the national landscape of financial aid.

Commissioner Sandoval moved to approve the financial aid allocations. The motion was seconded by Commissioner Babbs and unanimously passed with Commissioner Garcia abstaining.

C. Recommendation for the Revocation of Authorization for CollegeAmerica

Heather DeLange, Academic Policy Officer, presented an action item recommending the revocation of authorization for CollegeAmerica's baccalaureate level programs at the Denver, Colorado campus, except for purposes of fulfilling the teach-out agreements for current students as mandated by the accrediting agency. The recommendation is due to the loss of approval to offer its baccalaureate degrees pursuant to §23-2-101, et seq., C.R.S. The accreditor, Accrediting Commission for Career Schools and Colleges (ACCSC), sent communication to the institution citing compliance with standards and requirements on a continuous basis as the main reason for the revocation. In order to minimize the disruption to currently enrolled students, the affected programs will remain accredited for the purpose of the teach-out plan only.

Additionally, Ms. DeLange recommended probationary authorization for the CollegeAmerica – Fort Collins and Colorado Springs campuses. The recommendation is based upon the Warning Order issued by the ACCSC for the Denver campus. Because the Denver campus is the main campus with Fort Collins and Colorado Springs as branch campuses, the branches are under the same warning order until the main campus addresses the compliance issues.

CollegeAmerica representative Rozann Kunstle was in attendance and responded to questions from the Commissioners.

Commissioner Anderson moved to revoke authorization for CollegeAmerica's baccalaureate level programs at the Denver, Colorado campus, as well as changing the authorization of CollegeAmerica-Colorado Springs and CollegeAmerica-Fort Collins to probationary authorization. The motion was seconded by Commissioner McGimpsey and unanimously passed.

IV. Presentation

A. Student Capstone Research On Master Plan Goals

Michael Vente, Research and Information Policy Officer, worked with Sophia Laderman and Melanie DeHerrera (both University of Colorado – Denver Master of Public Administration students) on their capstone projects, which were presented at the meeting. The topics of each capstone project provide added insight into topics related to the CCHE Master Plan goals; specifically, adult learners in Colorado and erasing equity completion gaps.

V. Discussion Item

A. 2017 Session Legislative Wrap Up

Kachina Weaver provided an overview of the 2017 legislative session and discussed large interim projects the Department will be working on as a result of enacted legislation. In addition, Ms. Weaver provided information on the proposed federal budget and upcoming visits for Dr. Reed to meet with the Colorado Congressional delegation in Washington, DC.

There being no further business, the meeting was adjourned at 4:30pm

TOPIC: DEGREE AUTHORIZATION ACT: LIBERTY UNIVERSITY –
REQUEST FOR FIELD EXPERIENCE AUTHORIZATION

PREPARED BY: HEATHER DELANGE, ACADEMIC POLICY OFFICER

I. SUMMARY

This consent item recommends Field Experience authorization (with no instruction in Colorado) for Liberty University (LU) to provide a site within Colorado at which students can complete hands on, experiential learning that is part of the students' degree program pursuant to the Degree Authorization Act.

II. BACKGROUND

The Colorado Commission on Higher Education (CCHE) has statutory responsibility for administration of Title 23, Article 2 of the Colorado Revised Statutes, commonly referred to as the Degree Authorization Act. The Act sets out the terms by which the Commission may authorize properly accredited private colleges and universities, out-of-state public colleges and universities, and seminaries and bible colleges to offer degrees or degree credits in Colorado. Persons or organizations that violate the provisions of the statute are subject to legal penalties. These institutions must receive authorization by the Commission prior to offering any program of instruction, academic credits, or degrees; opening a place of business; soliciting students or enrollees; or offering educational support services. Pursuant to state law, a private college or university requires institutional accreditation on the basis of an on-site review in Colorado by a nationally recognized regional or national accrediting association.

Pursuant to CCHE policy, Section I, Part J, the Field Experience Authorization (with no instruction) permits institutions to place students at an experiential site. The institution is still subject to the deceptive trade practices provision (C.R.S. §23-2-104). Such an institution with Field Experience authorization may be exempt from administrative procedures regarding accreditation and financial integrity.

II. STAFF ANALYSIS

Liberty University is a private, not-for-profit postsecondary institution located in Lynchburg, Virginia. Liberty is applying for Field Experience authorization; specifically, Liberty University partners with McAir Aviation to provide the required experiential learning for the program's curriculum requirements. The Southern Association of Colleges and Schools, one of the six regional accreditors recognized by the U.S. Department of Education, accredited the university in 1980 and it remains accredited by that agency.

As required by the Degree Authorization Act, Liberty University submitted information regarding the activities that will occur in its experiential site office located within Colorado. Based on the information, staff determined that the activities that Liberty describes for the Colorado site do not necessitate the need for full authorization. Rather, the proposed activities meet the definition for the field experience authorization.

Liberty University is working in partnership with McAir Aviation in Broomfield, Colorado at Rocky Mountain Airport for its students completing the Bachelor of Science in Aeronautics. The partnership provides Liberty University's online students who reside in Colorado the opportunity to complete the experiential learning portion of the degree program within the state.

The only activity occurring at the Colorado site for the Liberty University B.S. in Aeronautics program is Federal Aviation Administration (FAA) approved flight training which consists of flight instruction, ground instruction and simulator training. The program is solely online but for the required aviation training. Routine compliance site visits will occur annually.

IV. STAFF RECOMMENDATION

Staff recommends that the Commission approve Field Experience authorization for Liberty University.

STATUTORY AUTHORITY

§23-2-103.3. Authorization to operate in Colorado - renewal

(1) (a) To operate in Colorado, a private college or university shall apply for and receive authorization from the commission. A private college or university shall obtain a separate authorization for each campus, branch, or site that is separately accredited. A private, nonprofit college or university shall submit with its application verification of nonprofit status, including a copy of the institution's tax-exempt certificate issued by the Colorado department of revenue.

(b) After receiving an application, the department shall review the application to determine whether the private college or university is institutionally accredited by a regional or national accrediting body recognized by the United States department of education. The department shall not recommend and the commission shall not approve an application from a private college or university that, in the two years preceding submission of the application, has had its accreditation suspended or withdrawn or has been prohibited from operating in another state or that has substantially the same owners, governing board, or principal officers as a private college or university that, in the two years preceding submission of the application, has had its accreditation suspended or withdrawn or has been prohibited from operating in another state.

TOPIC: DEGREE AUTHORIZATION ACT – UPDATE ON ACCREDITATION STATUS FOR WILLIAM LOVELAND COLLEGE

PREPARED BY: HEATHER DELANGE, ACADEMIC POLICY OFFICER

I. SUMMARY

This discussion item provides information to the Commission on the accreditation status of William Loveland College pursuant to §23-2-101, et seq., C.R.S.

II. BACKGROUND

The Colorado Commission on Higher Education (CCHE) has statutory responsibility for administration of Title 23, Article 2 of the Colorado Revised Statutes, commonly referred to as the Degree Authorization Act (DAA). The Act sets out the terms by which the Commission may authorize accredited private colleges and universities, out-of-state public colleges and universities, and seminaries and bible colleges to operate in Colorado.

The DAA outlines the Department’s jurisdiction over private education programs available to the residents of the state of Colorado. The DAA establishes standards to (1) prevent misrepresentation, fraud, and collusion in offering educational programs to the public and (2) protect, preserve, foster, and encourage the educational programs offered by private educational institutions, which meet generally recognized criteria of quality and effectiveness as determined through voluntary accreditation.

Full Authorization is awarded to institutions that meet all requirements for authorization including an accreditation site visit. An institution, that is nearing its end of the accreditation award, must apply for reaccreditation which includes an accreditation site visit.

The Commission may revoke authorization for a college or university that has lost its accreditation.

III. STAFF ANALYSIS

William Loveland College (the College) is a private, not-for profit, 501(c)3 institution that received full authorization from the CCHE on October 29, 2015. Full authorization is based upon several criteria including ongoing compliance with the institution’s accreditor in the form of reaffirmation of accreditation awards. William Loveland College has been accredited by the Distance Education Accrediting Commission (DEAC), a U.S. Department of Education recognized accrediting agency.

The DEAC conducted a reaccreditation site visit at William Loveland College on October 28, 2016. Upon consideration of the evaluation Chair’s report and the College’s response to that

report, the DEAC voted to direct the College to show cause why its accreditation should not be withdrawn. The DEAC directed the institution to take action with respect to compliance with DEAC standards and provide the on-site evaluation team with evidence that the institution is in compliance with every DEAC standard.

According to the February 27, 2017 letter for show cause, the DEAC directed the institution to focus on several areas of non-compliance, including but not limited to: Institutional Effectiveness Planning, Strategic Planning, and Policy around Satisfactory Student Progress, Succession Plan, and Approved Enrollment Agreements. William Loveland College had 12 months within which to show compliance in these areas.

In order to reestablish an accredited status in good standing, the College was required to submit a new application by July 25, 2017. The College did not submit information by that date and on July 28, DEAC notified the Department that this failure to submit results in an accreditation lapse. Therefore, the school is no longer accredited.

An institution that is not accredited does not meet Colorado's standards for authorization. Counsel has recommended that the Commission direct staff to notify the institution of the Commission's intent to take action to revoke authorization at its September meeting. In the meantime, staff will confirm the number of students enrolled at the College and will be working with the College and the accreditor to develop and implement a teach-out plan.

IV. STAFF RECOMMENDATION

Staff recommends the Commission direct staff to notify the institution of the Commission's intent to take action to revoke authorization at the September meeting.

STATUTORY AUTHORITY

§23-2-103.4 Colorado Revised Statutes

(2) With regard to the authorization of a private college or university, the commission may:

(a) Revoke the private college's or university's authorization or place the institution on probationary status if the private college or university:

(I) Fails to meet any of the minimum standards set forth in this article or in the commission's policies or rules adopted to implement this article;

(II) Fails to substantially comply with the applicable laws or rules adopted or implemented by other state-level boards or agencies that have jurisdiction over the institution.

TOPIC: DEGREE AUTHORIZATION ACT – UPDATE ON AMERICAN PATHWAYS UNIVERSITY

PREPARED BY: HEATHER DELANGE, ACADEMIC POLICY OFFICER

I. SUMMARY

This discussion item provides an update to the Commission on the accreditation progress of American Pathways University as an institution with Probationary Authorization pursuant to §23-2-101, et seq., C.R.S.

II. BACKGROUND

The Colorado Commission on Higher Education (CCHE) has statutory responsibility for the administration of Title 23, Article 2 of the Colorado Revised Statutes, commonly referred to as the Degree Authorization Act, which sets the terms under which private, not-for-profit and certain other types of institutions may offer degrees or degree credits.

American Pathways University (the University), located in Denver, is a not-for-profit postsecondary institution that offers baccalaureate and master's degree programs in career-oriented studies, including business, counseling, leadership and management, ministerial studies, and psychology.

American Pathways University received initial authorization from the CCHE in 2004. In 2010, the University received accreditation from the American Academy of Liberal Education (AALE), an accrediting body then recognized by the U.S. Department of Education. In December 2010 the U.S. Department of Education ceased its recognition of AALE, leaving AALE accredited institutions 18 months to obtain accreditation through another accreditor in order to maintain participation in the Federal Student Aid program. In 2011, the University began the accreditation process with the Higher Learning Commission but then withdrew its application in 2013. At its April 5, 2013 meeting, the CCHE placed the University on Probationary Authorization due to the institution's accreditor losing its recognition with the U.S. Department of Education. The CCHE required that the institution make satisfactory progress toward accreditation with another recognized accrediting agency. The University did so by beginning the accreditation process with the Accrediting Commission for Career Schools and Colleges (ACCSC). Since that time and until October 2016, the University maintained satisfactory progress toward accreditation by following the accreditor's timeline.

In October 2016, the ACCSC sent an evaluation team to conduct a mandatory site visit, which Department staff attended and observed. The site visit team noted several areas of noncompliance with the ACCSC accreditation standards and allowed the institution to submit a response. The areas of non-compliance include administrative capacity, student achievement outcomes, engagement in ongoing institutional assessment and improvement activities, admission policies and practices, student satisfactory progress, appropriate coursework for

Master level degree programs, and meeting accrediting standards in the area of faculty administration and qualifications. As is the case for all institutions seeking accreditation, the onus is on the institution to demonstrate compliance with the published Standards of Accreditation.

At its most recent Commission meeting in June 2017, the ACCSC deferred action on the accreditation for the University until its November meeting; meaning, the institution has until that time to sufficiently demonstrate compliance with the accreditation standards. If by the November meeting the institution does not meet or exceed ACCSC criteria, the ACCSC may vote to defer action or deny accreditation. If the ACCSC denies accreditation, the institution may file intent to appeal within 10 days which will necessitate an appeals panel.

III. STAFF ANALYSIS

American Pathways University has been in the accreditation process with the ACCSC since 2013. As noted above, until the 2016 site visit by ACCSC, staff believed that the University was consistently making progress toward accreditation. Probationary authorization requires institutions to provide documentation annually that demonstrates the progress toward accreditation; APU complied with that requirement. Additionally, department staff periodically followed up with the ACCSC to ensure the institution was progressing toward accreditation.

After the June decision by the ACCSC to defer action until November, staff tried repeatedly to contact the University for an update and only recently received a response on July 27. The University claims it is moving forward with ACCSC, and at the same time has begun the accreditation process with yet a different accrediting agency. While the university has until the end of September to provide a response to ACCSC and that accreditor has said it will make a decision in November, it is staff's opinion that this University does not meet the requirement of making satisfactory progress toward accreditation.

Staff learned that the institution has 8 students enrolled in the summer term.

The Commission has the authority to revoke authorization at any time based on the length of time that the University has been on probation or to maintain probationary authorization until a final accreditation decision is made in November. Based on the amount of time this institution has been on probation, staff will recommend revocation of authorization at the September meeting. Based on legal counsel's advice, she recommends staff send a notice of the intent to revoke authorization to the University allowing them an opportunity to appear before the Commission at the September meeting.

IV. STAFF RECOMMENDATIONS

Staff recommends the Commission direct staff to notify the institution of the Commission's intent to take action to revoke authorization at the September meeting.

V. STATUTORY AUTHORITY

§ 23-2-103.4. Authorization - revocation - probationary status

(2) With regard to the authorization of a private college or university, the commission may:

(a) Revoke the private college's or university's authorization or place the institution on probationary status if the private college or university:

(I) Fails to meet any of the minimum standards set forth in this article or in the commission's policies or rules adopted to implement this article.