



# **COLORADO**

## **Colorado Commission on Higher Education**

Department of Higher Education

### **CCHE AGENDA**

**July 29, 2022**

**Hybrid In-Person/Zoom Meeting  
University of Northern Colorado - Greeley**

**BUSINESS**

**MEETING 11:15am -  
12:15pm**

1600 Broadway, Suite 2200 • Denver, Colorado 80202 • (303) 862.3001

DR. ANGIE PACCIONE, EXECUTIVE DIRECTOR



**COLORADO**  
Colorado Commission on  
Higher Education  
Department of Higher Education

Sarah Kendall Hughes, Chair  
Josh Scott, Vice-Chair  
Berrick Abramson  
Lisandra Gonzalez  
Aaron Harber  
Teresa Kostenbauer  
Steven Meyer  
Ana Temu Otting  
Eric Tucker  
Jennifer Walmer  
Jim Wilson

## Colorado Commission on Higher Education

Friday, July 29, 2022

### Colorado Department of Higher Education

University of Northern Colorado  
Greeley, Colorado

11:15 – 12:15pm

## BUSINESS MEETING

### I. Opening Business (30 minutes)

- A. Attendance
- B. Approval of the Minutes for the June 3, 2022 Commission Meeting
- C. Reports
  - i. Chair
  - ii. Vice-Chair
  - iii. Commissioners
  - iv. Commission Standing Committees
    - Student Success & Workforce Alignment
    - Fiscal Affairs & Audit
    - Strategic Plan Revision Update
  - v. Advisors
- D. Executive Director Report
- E. Legislative Update
- F. Public Comment

### II. Consent Items (5 minutes)

- A. Degree Authorization – Recommendation of the Renewal of Full Authorization for University of Denver – *Heather DeLange*
- B. Degree Authorization – Recommendation of Authorization as a Place of Business for Aspen University – *Heather DeLange*
- C. Approve Policy on Allocation and Use of Funds for Non-Degree Credential Programs per SB22-192 – *Dr. Chris Rasmussen*
- D. Approve Policy on Allocation and Use of Funds for Student Educator Stipends and Educator Test Stipends per HB22-1220 – *Dr. Brittany Lane*



- E. Recommend Approval to Increase Spending and CCF Funds for Colorado Mesa University Performance Arts Expansion and Colorado State University – Pueblo Technology Building Renovation – *Mitchell Karstens*

**III. Action Items (25 minutes)**

- A. Repeal and Replace CCHE Policy Section I Part N (Service Areas of Colorado Public Institutions of Higher Education) – *Dr. Kim Poast*





**Minutes of the Colorado Commission on Higher Education (CCHE) Meeting  
Via ZOOM Teleconference and in-person  
June 3, 2022**

**BUSINESS MEETING**

Chair Vanecia Kerr called the business meeting to order at 1:01pm

**I. Opening Business**

**A. Attendance**

Commissioners attending: Chair Kerr, Vice Chair Hughes, Commissioners Abramson, Harber, Kostenbauer, Meyer, Scott, Temu Otting, Trujillo, Tucker, Wilson.

Advisors attending: Rep. Cathy Kipp, Daniel Casillas, Mark Cavanaugh, Donnis Hurd, Colleen O'Neil, Dr. Melinda Piket-May, Dr. Landon Pirius

**B. Minutes**

Commissioner Harber moved to approve the May 3, 2022, meeting minutes. Seconded by Commissioner Abramson, the motion passed by consent.

**C. Chair, Vice-Chair, Commissioners and Advisors Reports**

**Chair Report** – Chair Kerr thanked Student Advisor Daniel Casillas for his service on the Advisory Committee for the past year. His term expires at the end of June. She also recognized CFO Advisor Brad Baca who has stepped down from the committee to become president of Western Colorado University. She welcomed Steve Schwartz from Ft. Lewis College who will finish out Mr. Baca's term. Chair Kerr recognized Jonathan Liebert who is a Governor's Fellow listening in on the call.

**Vice Chair Report** – Vice Chair Hughes thanked staff for their efforts to get the legislative bills related to HB21-1330 across the finish line during this legislative session.

**Commissioner Reports** – Commissioner Kostenbauer reported that she attended MSU's governing board meeting and reported on the commission's work. She thanked staff for providing her with the talking points for that meeting. Commissioner Harber reported that he attended the MSU commencement at Denver Coliseum on May 13<sup>th</sup>. He also attended commencement ceremonies for Adams State University with Dr. Paccione. He encouraged other commissioners to participate in these events whenever possible.



**Student Success & Workforce Alignment Committee** – Commissioner Abramson reported that the committee met and reviewed several programs that will come before the commission today. Education Preparation was also discussed. The topic of Service Areas was discussed at length and will hopefully be on the July business meeting agenda. He thanked the department, Michael Vente, Commissioners, and Commissioner Scott for their work in getting HB22-1349 passed.

**Fiscal Affairs & Audit Committee** – Commissioner Tucker reported that the committee has five items on the consent agenda for today’s meeting. The committee is currently reviewing funding formula recommendations with more to come as discussions continue.

**Ad Hoc Strategic Planning Revision** – Commissioner Scott reported that this committee has an action item on this agenda to be addressed later in the meeting.

**Advisor Reports** – Advisor Cavanaugh reported that the federal government is moving forward with public service loan forgiveness measures. Advisor Picket-May reported that she is hearing from faculty about the amplified role they are having to take in the classroom to address student mental health issues in this post-Covid environment. This added burden is leading to burnout among faculty. She asked that there be a heightened level of awareness to not add to faculty workload whenever possible and increase the emphasis on wraparound support services.

#### **D. Executive Director Report**

Dr. Paccione was pleased to provide the commencement address to Adams State University and Pickens Technical College. Dr. Roberto Montoya gave the Colorado Mountain College Days keynote address at their annual event, and also the commencement address at his alma mater, Colorado Mesa University.

May marked the end of the 2022 legislative session. The Colorado General Assembly invested approximately \$315.7 million for higher education this year. That includes operating support, financial aid, and all of the federal investments. The department succeeded in passing all its legislative priorities including but not limited to:

- Improving Higher Education for Students with a Disability ([HB22-1255](#)) charges the Department to create a task force to provide recommendations to the Commission, the General Assembly, and institutions of higher education on how to best serve postsecondary students with disabilities.
- Higher Education Support for Foster Youth ([SB22-008](#)) provides free cost of attendance for Colorado resident students who have been in foster care.
- Economic Mobility Program ([SB22-182](#)), allows the Department to cover the statewide licensing costs of Single Stop.
- Several pieces of legislation built on [HB 21-1330](#) and the work of this Commission’s task force, including:



- Improving Students' Postsecondary Options ([HB22-1366](#)) supports recommendations from the Financial Aid Working Group, as convened by the Department, and focuses on increased FAFSA/CASFA completion rates.
- Regional Collaborative Grants Program ([HB22-1350](#)) establishes the regional talent development initiative grant program with OEDIT to fund initiatives that meet regional workforce development needs as they recover from the negative economic impacts of the COVID-19 pandemic.
- Opportunities for Credential Attainment ([SB22-192](#)) tasks the department in consultation with the IHEs to develop and implement a process to identify stackable credential pathways.
- Postsecondary Student Success Data System ([HB22-1349](#)) requires the department to create and maintain a statewide student success data system that includes institution-specific interfaces and a public interface.

Two other key bills address the needs of healthcare workers and teachers and provide \$113 million in federal aid. Dr. Paccione expressed appreciation for the hard work this session of commissioners, department staff, and others – with a special recognition to Ms. Chloe Figg for her longstanding commitment and service to help ensure all efforts are coordinated and supported for success.

On May 24, the COSI board approved 66 proposals that provide nearly \$5 million in scholarships for Colorado students. This funding will serve approximately 2,900 students attending in-state public colleges and universities. The awards represent 54 counties and 12 institutions of higher education.

On May 19, Governor Polis, Dr. Paccione, and members of our senior leadership team enjoyed lunch with over 30 student leaders from across the state. Roundtable discussions covered everything from aligning degrees to a good paying job, concurrent enrollment, zero textbook degrees and student supports that put a degree or certificate within reach.

Colorado has been working to have the U.S. Space Command headquarters (USSPACECOM HQ) remain at Peterson Space Force Base (SFB) in Colorado Springs, Colorado. Colorado's congressional delegation has been hard at work on this issue, and we also appreciate the leadership of Governor Polis and Lt. Governor Primavera. As part of this effort, Dr. Paccione added her signature to a letter of 36 Colorado college and university chancellors, presidents and directors pledging our collective support to the Department of Defense and the US Air Force to provide our cutting-edge research, technology, and workforce training in this endeavor.



The Colorado Collegiate Apprenticeship Program is leveraging a \$12 million grant from the US Department of Labor (USDOL) and over \$5 million match from Colorado businesses to meet a goal of 5,000 adult healthcare apprenticeships and pre-apprenticeships before July 2023. This program is a partnership with DHE along with CDLE and CWDC, and our CCCS institutions, Emily Griffith Technical College, Aims Community College, and Colorado State University. Industry partners include Centura Health, Colorado Rural Health Center, HealthONE, Kaiser Permanente, National Healthcareer Association, and UC Health. For Quarter 1 of 2022, participants + apprentices increased by 30% for a total of 766. We appreciate the great work of Renee Welch to make this happen (and an assist to Beverly Jones for work with industry partnerships)

From May 22 – 28, StudyColorado partnered with WorldDenver to host a group of 7 Korean higher education professionals. The delegation was sponsored by the Fulbright Commission in Korea to provide the group with an overview of the American higher education system.

From May 28-June 3, StudyColorado and international institutional representatives participated in the annual NAFSA Conference at the Colorado Convention Center. As part of the conference, StudyColorado organized a booth in the exhibit hall to meet with current and potential partners in educational exchange and educational technology. StudyColorado also organized a conversation with Colorado presidents on the importance of a global education. Dr. Paccione facilitated the conversation among the presidents which included outside perspectives from representatives from the U.S. Department of State, American Council on Education and Universities Canada.

**E. Legislative Update** – Chloe Figg reported that she is currently focused on implementation of new legislation and will be reporting on that at a future meeting.

**F. Public Comment-** There was no public comment.

## **II. Consent Items**

- A.** Arapahoe Community College Capital Supplemental Request  
– *Mitch Karstens*
- B.** Teacher Ed Loan Forgiveness process approval  
– *Mitch Karstens*
- C.** Temporary Teacher Ed Loan Forgiveness process approval  
– *Mitch Karstens*
- D.** Fiscal Year 2022-23 Financial Aid Allocation Approval  
– *Lauren Gilliland*



- E. Recommend Approval of Dance Education program at CSU  
– *Dr. Brittany Lane*
- F. Funding Formula Recommendation to the Joint Budget Committee  
– *Lauren Gilliland*

Commissioner Harber moved to approve Consent items A-F. Seconded by Commissioner Tucker, the motion passed by consent.

### III. Action Items (25 minutes)

- A. Strategic Plan Revision/Development – *Commissioner Josh Scott*  
This agenda item was not an action item, but instead an information item, so no vote was required.
- B. Degree Authorization: Recommendation for Probationary Authorization of Aspen University – *Heather DeLange*  
**Executive session: To obtain legal advice on specific legal questions concerning potential action by the Commission on Aspen University's state authorization pursuant to C.R.S. sec. 24-6-402(3)(a)(II).**

### IV. Discussion Items (15 minutes)

- A. Service Area Policy Revision Update - *Dr. Kim Poast*  
Dr. Kim Poast provided an update on the revisions to the service area policy. The Commission discussed the policy at its May meeting and intend to take action at the July meeting. Dr. Poast noted that since the May meeting, the department has received written feedback from both the area technical colleges and Colorado Mountain College. Summaries were included in the agenda item. In addition, several institutions have recommended that a right of first refusal or primary responsibility be included in the policy. However, the SS&WA committee has indicated a preference for removing references to such boundaries and instead seek a general recognition that institutions do still have a special place and unique role in their local communities, and other institutions wishing to offer academic programs within other communities have a collegial responsibility to contact the local institution and explore opportunities for collaboration. In cases where it is assessed that the community or regional education demand is not being met, the Commission shall invite institutions to propose educational program for that region. If that appears unsuccessful, the Commission shall assign an institution to provide the needed educational programming.

### V. Information Items (20 minutes)

- A. Educator Preparation and the Workforce  
– *Dr. Brittany Lane, and Dr. Colleen O'Neil, Associate Commissioner of Educator*  
Dr. Lane and Dr. O'Neil provided an overview of educator preparation at Institutions of Higher Education in Colorado and the current and urgent needs of the teaching workforce. Dr. O'Neil spoke of Education being the fourth largest industry in Colorado and supports over 9000,000 public school students. Dr. Lane





noted the priorities of having affordable pathways for pre-teachers into and through high-quality preparation programs. She discussed leveraging initiatives that focus on high quality preparation that also help offset the cost. Commissioners discussed lessons learned from existing pathways and programs to advocate for routes that are less expensive and time intensive. Commissioner Abramson called on the Commission to think more about its role in producing a highly qualified, respected, and diverse educator workforce that in turn prepares K-12 students for post-secondary education.

## **VI. Closing**

### **A. Passing of the Gavel to Chair Elect Hughes**

*-Chair Kerr*

The conclusion of the June meeting marked the end of Chair Kerr's service to the Commission. Time was taken for the "passing of the gavel" from Chair Kerr to Chair-elect Hughes. Chair Kerr offered a few final, gracious remarks. These included expression of gratitude to Governor Hickenlooper and Governor Polis for the opportunity to serve on the Commission. She also thanked Vice Chair Hughes and Committee chairs Abramson and Tucker for their service and dedication to Colorado's communities, learners, and their families – helping to position all for the best opportunity for success. She noted that over the past eight years, she has had the privilege to serve with some of the best leaders in Colorado in the commission and the department, and she has been constantly impressed by the many wonderful ideas offered by the incredibly bright people. She expressed special thanks to Executive Director Paccione, Dr. Boggs, and Ms. Weitzel and all the staff at the department – and deeply appreciates the support given to so many initiatives of the commission. She noted that many ideas went beyond ensuring Coloradans had access to postsecondary education, but would actually graduate, leading to more economic security and mobility for Coloradans and Colorado. She also thanked the Commission Advisors and elected officials who participated in these many meetings. The insights expressed were vital and valuable to the discussions and decisions. These have led to the systemic changes we all want to see. She also thanked the institutions and their presidents and governing boards for their service, leadership, and vision. She noted that the right people in the right positions to help make tremendous change in the state, and the time is right to embrace new ideas. She is excited about the leadership of Chair Hughes and Vice Chair Scott, who are positioned to take the commission to higher heights. With thanks, she deferred to Chair Hughes.

### **B. Recognition of Former Chair Vanecia Kerr**

*-Chair Hughes*

Chair Hughes offered gracious remarks in acceptance. She thanked former Chair Kerr for her work in her professional and personal life that goes beyond the commission, fighting the good fight for Colorado's families and students, learners



and earners. On behalf of Executive Director Paccione, the department staff and fellow commissioners and advisors, she read a Resolution of Tribute to Vanecia Kerr. It was noted that a framed print of the resolution would be delivered to Ms. Kerr's home. Upon completion of reading the resolution, Chair Hughes noted that former Chair Kerr has been gracious at every turn and a thought partner and friend at critical moments. She has served as a kind of moral compass and thought leader on equity and the spirit of why we do what we do.

Time was taken for individual commissioners and advisors to offer statements of appreciation to the former chair. Executive Director Paccione added her appreciation for the support and service provided to her, the commission, and the entire department. All concluded with best wishes and continued success.

Meeting adjourned at 4:12pm.



**TOPIC:** DEGREE AUTHORIZATION ACT - RECOMMENDATION OF APPROVAL FOR RENEWAL OF AUTHORIZATION FOR UNIVERSITY OF DENVER

**PREPARED BY:** HEATHER DELANGE, OFFICE OF PRIVATE POSTSECONDARY EDUCATION

## **I. SUMMARY**

This consent item recommends the renewal of Full Authorization for the University of Denver pursuant to the Degree Authorization Act (§23-2-101 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 articulates 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 Coloradans. 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.

Pursuant to statute and policy, all authorized institutions under the DAA must renew authorization periodically. The renewal period varies by the type of authorization that the institution holds from the CCHE. A private college or university that has full authorization "shall apply for renewal of authorization in accordance with the schedule for institutional reaccreditation by its accrediting body or every three years, whichever is longer." The University of Denver recently went through its reaffirmation of accreditation

The University of Denver is a private, not-for-profit college located in Denver and has been operating in Colorado as an accredited institution since 1914. The University is approved to offer 79 Baccalaureate Degrees, 86 Master's Degrees, One (1) Specialist Degree, 30 Doctoral Degrees, and 47 Certificate programs.

## **III. STAFF ANALYSIS**

The University of Denver recently completed its Reaffirmation of Accreditation with the Higher Learning Commission (HLC). The next reaffirmation is scheduled for 2030-31. In taking this action, the HLC considered materials from the most recent evaluation and the institutional response, if applicable, to the evaluation findings.

With the reaffirmation of accreditation by the HLC, the University of Denver applied to the Department for renewal of Full Authorization in accordance with the schedule for reaccreditation by its accrediting body.

In addition to maintaining its accreditation, the University of Denver continues to meet and comply with all authorization requirements for authorization to operate in Colorado.

#### **IV. STAFF RECOMMENDATION**

**Staff recommend approval of the renewal of Full Authorization for the University of Denver.**

#### **STATUTORY AUTHORITY**

C.R.S §23-2-103.3(5) A private college or university that has authorization from the commission pursuant to this section and maintains its accreditation shall apply to the department for reauthorization in accordance with the schedule for reaccreditation by its accrediting body or every three years, whichever is longer. A seminary or religious training institution shall apply for reauthorization every three years. A private college or university or seminary or religious training institution that seeks reauthorization shall submit an application in accordance with the procedures and policies adopted by the commission and shall pay the reauthorization fee established by the commission pursuant to section 23-2-104.5.

**TOPIC:** DEGREE AUTHORIZATION: RECOMMENDATION OF  
AUTHORIZATION AS A PLACE OF BUSINESS FOR ASPEN  
UNIVERSITY

**PREPARED BY:** HEATHER DELANGE, OFFICE OF PRIVATE POSTSECONDARY  
EDUCATION

## **I. SUMMARY**

This consent item recommends authorization as a Place of Business (with no instruction) for Aspen University under 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 (DAA). The Act articulates 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.

Pursuant to statute and policy, all authorized institutions under the DAA must renew authorization periodically. The renewal period varies by the type of authorization the institution holds from the CCHE. A private college or university that has authorization as a Place of Business by the CCHE shall annually renew its authorization.

The Place of Business (with no instruction) authorization is defined as an accredited institution having a place of business within Colorado, such as an administrative office, but does not provide the authorization for the institution to offer instruction in the state. These institutions are subject to the deceptive trade practice provisions in §23-2-104, C.R.S.

Aspen University began operating in Colorado in 1994 under the name International School of Information Management. In 2003, the Commission approved the name change to Aspen University as the university continued to be accredited by a U.S. Department of Education recognized accrediting agency. The university has always provided its instruction via distance education, varying in the technology utilized.

In 2012, Aspen University became a publicly traded postsecondary institution and began to expand its program offerings. In 2018, it established a campus in Chandler, Arizona, while keeping its main campus in Denver. During these past four years, an increasing amount of the university's administrative functions transitioned to the Arizona location. Aspen University now has two campuses in the greater Phoenix area while reducing the activity and function at the Denver location.

### **III. STAFF ANALYSIS**

In April 2021, Aspen's President, Provost, and DHE staff discussed possible scenarios of institutional transition from Full Authorization to a Place of Business. In May 2022, DHE staff provided guidelines by which Aspen could begin the process of authorization as a Place of Business to replace the Full Authorization Aspen previously had for its Colorado location.

Staff has reviewed the documents provided by Aspen for authorization as a Place of Business and is satisfied that Aspen continues to hold an administrative office in the state. There will be no instruction provided from or associated with the Colorado location. The Colorado office will serve as a location for its Denver-based administrative employees to gather as needed. The site is used by the Student Services department (Academic Advising) and the Registrar's Office, with a total of about 30 people. The university is accredited by the Distance Education Accrediting Commission (DEAC) and the accrediting agency lists the address of the Phoenix, Arizona, as the location of the main campus. As of March 2022, the U.S. Department of Education's Program Participation Agreement for Aspen University lists the Phoenix location as the main campus as well. Aspen University's current lease term for this administrative office is one year beginning May 1, 2022, through April 30, 2023.

Aspen University meets the requirements of the Place of Business (with no instruction) authorization.

### **IV. STAFF RECOMMENDATIONS**

**Staff recommend approval of Aspen University's authorization as a Place of Business (with no instruction).**

### **V. STATUTORY AUTHORITY**

C.R.S §23-2-103.3(5) A private college or university that has authorization from the commission pursuant to this section and maintains its accreditation shall apply to the department for reauthorization in accordance with the schedule for reaccreditation by its accrediting body or every three years, whichever is longer. A seminary or religious training institution shall apply for reauthorization every three years. A private college or university or seminary or religious training institution that seeks reauthorization shall submit an application in accordance with the procedures and policies adopted by the commission and shall pay the reauthorization fee established by the commission pursuant to section 23-2-104.5.

**TOPIC:** APPROVE POLICY ON ALLOCATION AND USE OF FUNDS FOR  
NON-DEGREE CREDENTIAL PROGRAMS PER SB22-192

**PREPARED BY:** DR. CHRIS RASMUSSEN, SENIOR DIRECTOR OF ACADEMIC  
PATHWAYS AND INNOVATION

**I. SUMMARY**

This consent item seeks approval of Commission policy on the allocation and use of funds appropriated through Senate Bill 22-192 to support students in obtaining non-degree credentials.

**II. BACKGROUND**

Senate Bill 22-192 is one of three bills from the 2022 legislative session that implement recommendations from the HB21-1330 task force on student success and workforce revitalization. The bill directs the Colorado Department of Higher Education to facilitate the creation of stackable credential pathways in high demand industries, and in that spirit appropriates \$1.8 million for students to earn non-degree credentials that are part of those pathways or another industry-aligned pathway. The bill directs the Colorado Commission on Higher Education to “allocate and disperse funds to community and technical colleges and local district colleges to fund student access to nondegree credential programs” and to “create a policy concerning the allocation and disbursement of funds.”

The bill defines “community and technical college” to include “institutions of higher education that offer career and technical education programs or associate degrees,” which includes the area technical colleges and the two-year divisions of Adams State and Colorado Mesa universities.

The appropriation is from the state’s general fund for the 2022-23 fiscal year. The bill allows the department to retain up to three percent of the appropriation for administrative costs.

**III. STAFF ANALYSIS**

SB22-192 lists criteria the Commission must prioritize in its policy regarding the allocation and disbursement of funds, including non-degree credential programs that:

- are part of an industry-aligned pathway;
- are associated with industries identified in the most recent Colorado Talent Pipeline Report;
- are stackable in alignment with section 23-5-145.6 of the bill; and
- address critical job shortages in Colorado.

Along with these provisions, Department staff recommend additional criteria for the disbursement of funds to comprise Commission policy:

- The department shall retain the allowed three percent of the appropriation to cover administrative costs (\$54,000), leaving \$1,746,000 to be allocated to institutions.
- The remaining amount of the appropriation (\$1,746,000) shall be allocated to eligible institutions on the basis of their student enrollment in associate degree and undergraduate certificate programs as a proportion of the total enrollment in said programs across eligible institutions, according to most recent data available to the Colorado Department of Higher Education. Eligible institutions include Colorado Community College System institutions, local district colleges, area technical colleges, and the two-year divisions of Adams State and Colorado Mesa universities.
- Funds shall be used to support students earning a wide variety of non-degree credentials as outlined in the legislation, including postsecondary certificates, apprenticeship certificates, professional licenses, or industry certifications. Postsecondary certificates do not include degrees and do not include post-baccalaureate certificates. Non-degree credentials may include adult high school diplomas provided they are paired with a career and technical education certification, an apprenticeship, an industry certification, or a professional license.
- All funds must be used for direct support of students earning non-degree credentials, either through reimbursement of student-incurred costs or through waiver of tuition and associated fees. Funds may be used to cover the costs of tuition, required fees, books and supplies, transportation, and certification and licensure examinations.
- To be eligible for funding, non-degree credential programs must be associated with industries identified in either the 2021 or 2022 edition of the Talent Pipeline Report.
- Since the pathways referenced in §23-5-145.6 are yet to be created, non-degree credentials must be part of an existing industry-aligned pathway, or a pathway created by the process outlined in §23-5-145.6.
- Institutions will be required to submit data to the Department of Higher Education as outlined in §23-5-145.7. Such data shall include, but shall not be limited to, the total number of non-degree credentials earned by students receiving funds and their subsequent placement in jobs that are responsive to workforce demands, and shall also include data on recipients' race, ethnicity, and gender.



#### **IV. STAFF RECOMMENDATION**

**Staff recommend approval of policy on the allocation and use of funds appropriated through Senate Bill 22-192 to support students in obtaining non-degree credentials as outlined in the Staff Analysis section of this document.**

#### **V. STATUTORY AUTHORITY**

**C.R.S. §23-5-145.7. Funding for nondegree credential programs - duty - policy - appropriation - report - definitions - repeal.**

...

(2) SUBJECT TO THE APPROPRIATION IN SUBSECTION (6) OF THIS SECTION, THE COMMISSION SHALL ALLOCATE AND DISBURSE FUNDS TO COMMUNITY AND TECHNICAL COLLEGES AND LOCAL DISTRICT COLLEGES TO FUND STUDENT ACCESS TO NONDEGREE CREDENTIAL PROGRAMS.

(3) THE COMMISSION SHALL CREATE A POLICY CONCERNING THE ALLOCATION AND DISBURSEMENT OF FUNDS.

...

(6) FOR THE 2022-23 STATE FISCAL YEAR, THE GENERAL ASSEMBLY SHALL APPROPRIATE ONE MILLION EIGHT HUNDRED THOUSAND DOLLARS TO THE DEPARTMENT FOR THE PURPOSES OF THIS SECTION. THE DEPARTMENT SHALL NOT USE MORE THAN THREE PERCENT OF THE APPROPRIATION TO ADMINISTER THE REQUIREMENTS OF THIS SECTION.

**TOPIC:** APPROVE POLICY ON ALLOCATION AND USE OF FUNDS FOR STUDENT EDUCATOR STIPENDS AND EDUCATOR TEST STIPENDS PER HB22-1220

**PREPARED BY:** DR. BRITTANY LANE, DIRECTOR OF EDUCATOR PREPARATION

**I. SUMMARY**

This item seeks approval of policy on allocation and use of appropriated funds for the Student Educator Stipend Program and the Educator Test Stipend Program created by House Bill 22-1220: *Concerning Removing Barriers in Educator Preparation to Support Educator Candidates Entering the Educator Workforce.*

**II. BACKGROUND**

This item creates policy for two new stipend programs created by House Bill 22-1220 to address statewide teacher shortages and declining educator preparation program completion due in part to the financial burden incurred by teacher candidates. HB22-1220 builds on HB17-1003, which required the Colorado Department of Higher Education (DHE) and the Colorado Department of Education (CDE) to develop a collaborative plan to resolve the state's then current and expected educator shortages. HB22-1220 requires CDHE to administer and report on the Student Educator Stipend and the Educator Test Stipend Programs. These programs are aligned with the plan derived from HB17-1003. The Colorado Commission on Higher Education (CCHE) is tasked with developing a policy for administering these programs.

Individuals wanting to serve as teachers enroll in one of Colorado's several approved preparation programs. Part of the future educator experience is to participate in clinical experiences in schools, which provides candidates with valuable work-based experience while also providing valuable services to the schools in which they teach. Many educator candidates struggle financially during their required clinical experience because they work without pay, creating financial barriers that could delay completion of their degrees or result in higher student loan or consumer debt. What's more, the assessments required for licensure are quite expensive and several endorsement areas require more than one assessment. These tests are often required to be taken at the same time, if not right before, candidates complete their unpaid clinical experiences, which exacerbates the financial hardships.

The Student Educator Stipend Program specifies that eligible candidates may receive up to \$11,000 for a traditional 16-week student teaching clinical experience, while candidates completing a 32-week long clinical residency can receive up to \$22,000.

The policy adopted by the Commission will ensure that the program directives outlined in the authorizing statute are met. In accordance with the approved policy, CDHE will create a set of guidelines, a funding distribution plan, and a comprehensive informational web page, which will include a series of Frequently Asked Questions and other resources useful to candidates and educator preparation providers. HB22-1220 also requires the Commission to prepare an annual report for the General Assembly with information

concerning the student educators served, their service placements and retention as Colorado educators, and their perceptions of the financial burdens associated with educator preparation.

### **III. STAFF ANALYSIS**

In addition to the plan developed through HB17-1003, these programs build on a legacy of legislative action to address educator shortages including the Educator Loan Forgiveness Program (extended by HB22-1220), Rural Alternate Licensure Stipend (SB 18-085), Teacher Fellowship Program (HB 18-1002), Grow Your Own Educator Program (HB 18-1309), Teacher Preparation Support (SB 19-190), Professional Training for Educators (SB20-158), and Educator Workforce (SB21-185).

Funding for the stipend programs comes from the American Rescue Plan Act for the first two fiscal years and will require appropriations from the Colorado General Assembly afterward. Specific data will be required of educator preparation programs for evaluation and required federal stimulus funds reporting.

The proposed stipend programs include the following components:

- Funds will be available beginning with the 2022-23 academic year.
- Educators eligible for selection will be those enrolled in an approved Colorado preparation program whose expected family contribution (using FAFSA calculations) does not exceed 200% of the maximum for Pell.
- Recipients will be student educators that are preparing for initial licensure as teachers or school counselors.
- Examination fees will be covered for eligible educators in endorsement areas for which licensure exams are required: elementary education, special education, early childhood education, early childhood special education, and school counseling.
- Funds will be sent to the institutions from CDHE to disperse to eligible students; providers are eligible to retain a portion of the allocated funds to help cover administrative costs.

Department staff will present a report to the Commission in June 2023 detailing the selection and payment processes implemented in the first full year of the program's existence.

### **IV. STAFF RECOMMENDATIONS**

**Staff recommend approval of the policy in Attachment A regarding allocation and use of appropriated funds for the Student Educator Stipend Program and the Educator Test Stipend Program created by House Bill 22-1220.**

### **V. STATUTORY AUTHORITY**

**§23-3.9-302. Student educator stipend program - created - guidelines - definition.**

(1)(a) THERE IS CREATED IN THE DEPARTMENT THE STUDENT EDUCATOR STIPEND PROGRAM, REFERRED TO IN THIS SECTION AS THE "STIPEND PROGRAM". THE PURPOSE OF THE STIPEND PROGRAM IS TO AWARD STIPEND MONEY TO AN ELIGIBLE STUDENT

TO REDUCE THE FINANCIAL BARRIERS TO ENTERING THE EDUCATOR WORKFORCE WHILE THE STUDENT IS A STUDENT EDUCATOR.

(b) THE COMMISSION SHALL ADOPT ANY NECESSARY POLICIES AND THE DEPARTMENT SHALL ADOPT ANY NECESSARY GUIDELINES TO IMPLEMENT AND ADMINISTER THE STIPEND PROGRAM. THE DEPARTMENT SHALL COLLECT DATA TO MEASURE THE EFFECTIVENESS OF THE STIPEND PROGRAM...

...

(2)(b)(I) NO LATER THAN AUGUST 1, 2022, AND NO LATER THAN AUGUST 1 EACH YEAR THEREAFTER, THE DEPARTMENT, SUBJECT TO AVAILABLE APPROPRIATIONS, SHALL DISBURSE TO EACH APPROVED PROGRAM OF PREPARATION MONEY TO DISTRIBUTE AS STIPEND MONEY TO EACH ELIGIBLE STUDENT, PLUS ADDITIONAL MONEY TO PAY THE DIRECT COSTS OF OPERATING THE STIPEND PROGRAM. THE APPROVED PROGRAM OF PREPARATION SHALL DISTRIBUTE STIPEND MONEY, USING THE STANDARD METHODS FOR ALLOCATING STATE-BASED FINANCIAL AID OR AS WAGES FOR EMPLOYMENT, TO EACH ELIGIBLE STUDENT IN MONTHLY INSTALLMENTS.

...

**§23-3.9-303. Educator test stipend program - created - guidelines.**

(1)(a) THERE IS CREATED IN THE DEPARTMENT THE EDUCATOR TEST STIPEND PROGRAM, REFERRED TO IN THIS SECTION AS THE "STIPEND PROGRAM". THE PURPOSE OF THE STIPEND PROGRAM IS TO AWARD STIPEND MONEY TO AN APPROVED PROGRAM OF PREPARATION TO REDUCE FINANCIAL BARRIERS FOR ELIGIBLE STUDENTS BY PAYING THE FEES AND COSTS, WHICH MAY INCLUDE TRAVEL AND LODGING COSTS, ASSOCIATED WITH THE ASSESSMENT OF PROFESSIONAL COMPETENCIES REQUIRED FOR LICENSURE AND REQUIRED ENDORSEMENTS PURSUANT TO SECTIONS 22-60.5-203 AND 22-60.5-212.

(b)(I) THE COMMISSION SHALL ADOPT ANY NECESSARY POLICIES AND THE DEPARTMENT SHALL ADOPT ANY NECESSARY GUIDELINES TO IMPLEMENT AND ADMINISTER THE STIPEND PROGRAM.

(II) IN ITS ADOPTION OF ANY NECESSARY POLICIES PURSUANT TO SUBSECTION (1)(b)(I) OF THIS SECTION, THE COMMISSION SHALL CREATE A FORMULA FOR CALCULATING THE AMOUNT OF STIPEND MONEY AWARDED TO EACH APPROVED PROGRAM OF PREPARATION BASED ON THE TOTAL NUMBER OF ELIGIBLE STUDENTS IN AN APPROVED PROGRAM OF PREPARATION AND THE AMOUNT REQUIRED TO PAY THE FEES AND COSTS ASSOCIATED WITH THE ASSESSMENT OF PROFESSIONAL COMPETENCIES FOR LICENSURE AND THE REQUIRED ENDORSEMENT FOR EACH ELIGIBLE STUDENT.

...

(2)(a) TO QUALIFY TO PARTICIPATE IN THE STIPEND PROGRAM, A STUDENT MUST BE AN ELIGIBLE STUDENT. NO LATER THAN JULY 1, 2022, AND NO LATER THAN JULY 1 EACH YEAR THEREAFTER, EACH APPROVED PROGRAM OF PREPARATION SHALL NOTIFY THE DEPARTMENT OF THE NUMBER OF ELIGIBLE STUDENTS WHO QUALIFY FOR THE STIPEND PROGRAM.

(b)(I) NO LATER THAN AUGUST 1, 2022, AND NO LATER THAN AUGUST 1 EACH YEAR THEREAFTER, THE DEPARTMENT, SUBJECT TO AVAILABLE

APPROPRIATIONS, SHALL DISBURSE TO EACH APPROVED PROGRAM OF PREPARATION STIPEND MONEY, PLUS ADDITIONAL MONEY TO PAY THE DIRECT COSTS OF OPERATING THE STIPEND PROGRAM. THE APPROVED PROGRAM OF PREPARATION SHALL DISTRIBUTE THE STIPEND MONEY TO EACH ELIGIBLE STUDENT TO PAY THE FEES AND COSTS ASSOCIATED WITH THE ASSESSMENT OF PROFESSIONAL COMPETENCIES FOR LICENSURE AND THE REQUIRED ENDORSEMENT.

...

**VI. ATTACHMENTS**

Attachment A: Educator Preparation Stipend Program Policy

## ATTACHMENT A

### CCHE POLICY ON ALLOCATION AND USE OF FUNDS FOR STUDENT EDUCATOR STIPENDS AND EDUCATOR TEST STIPENDS PER HB22-1220

#### **1.00 Introduction**

This policy describes the goals, program, procedures, and eligibility criteria for the Student Educator Stipend Program and the Educator Test Stipend Program authorized by House Bill 22-1220. Hereinafter the two programs are referred to the Educator Preparation Stipend Programs, Stipend Programs, or Program(s).

#### **2.00 Statutory Authority**

Statutory authority for the Student Educator Stipend Program is contained in §23-3.9-302, Colorado Revised Statutes; statutory authority for the Educator Test Stipend Program is contained in §23-3.9-303.

#### **2.01 Program Funding**

- a. The General Assembly has authorized the Educator Preparation Stipend Programs for the 2022-2023 academic year. Funding in future years is subject to available appropriations.
- a. Subject to available appropriations, the CDHE shall annually allocate funding to each Educator Preparation Program provider for eligible students for the program. The program is designed to make one payment per year to EPPs to administer and disperse payments to or on behalf of eligible students. Subject to available appropriations, one payment will be made per academic year to institutions for qualified students.
- b. Initial student eligibility will be determined by Educator Preparation Programs based on the number of eligible students.
- c. Continued EPP eligibility will be confirmed on an annual basis.
- d. The Educator Preparation Stipend Programs fund consists of all money appropriated to the fund by the General Assembly for the programs. At the end of any fiscal year (with the exception of FY23), all unexpended and unencumbered money in the fund remains in the fund and is not credited or transferred to the general fund or any other fund; for FY23, CDHE shall spend or obligate any money received pursuant to §24-25-228 by December 30, 2024. Any money obligated by December 31, 2024 must be expended by December 31, 2026.

- e. The total number of program awards is subject to available appropriations. If the amount appropriated in a state fiscal year is insufficient to fully fund the stipends for the total number of eligible students for that state fiscal year, CDHE shall reduce the amount to each EPP by the same percentage that the deficit bears to the amount required to fully fund the total number of eligible students who qualify for the stipend programs.

### 3.00 Goals, Principles, and Terminology

#### 3.01 Policy Goals for Educator Preparation Stipend Programs

CCHE's Educator Preparation Stipend Programs Policy is designed to help reduce the financial burdens associated with completing an educator preparation program.

#### 3.02 Principles

The Educator Preparation Stipend Programs is a way of delivering financial support to aspiring educators so that they may remain in their programs, be paid for their service in required clinical placements, and to reduce the costs and fees associated with the exams required for licensure.

#### 3.03 Terminology

- a. **Academic Residency:** a 16-week to 32-week intentional clinical experience for student educators who are placed in a school- or community-based setting for their culminating clinical experience. The student teacher/resident cannot be the teacher of record in the classroom.
- b. **Approved Program of Preparation:** an Educator Preparation Program (EPP) at a public, private, or proprietary postsecondary institution authorized by the Colorado Commission of Higher Education per §23-1-121(1)(a) or an alternative teacher program as defined in section §22-60.5-102(5).
- c. **Eligible Student:** a student educator who is:
  - i. enrolled in an approved program of preparation
  - ii. eligible for financial assistance because the student's expected family contribution does not exceed 200% of the maximum for federal Pell grant eligibility.
- d. **Eligible Provider:** those that are approved to offer Educator Preparation programs per §23-1-121(1)(a) or §22-60.5-102(5).

- e. **Student Educator** – an educator candidate who is participating in an academic residency to earn initial licensure as a teacher or a school counselor.

## **5.00 Program Procedures**

### **5.01 Educator Preparation Program Procedures**

- a. By July 1 of a given year, each EPP shall notify CDHE of the number of eligible students who qualify for the stipend programs.
- b. EPPs are required to provide data to CDHE for the requirements outlined in §23-3.9-302 through §23-3.9-304.
- c. EPPs must use the FAFSA (Free Application for Federal Student Aid) or the CASFA (Colorado Application for Student Financial Aid) to demonstrate that a student meets the eligibility criteria in that the student's expected family contribution does not exceed 200% of the maximum required to demonstrate federal Pell grant eligibility.
- d. Eligibility must be determined each year a candidate is to receive funds.

### **5.02 CDHE Procedures**

- a. No later than August 1, 2022, and no later than August 1 each year thereafter and subject to available appropriations, CDHE shall allocate to each EPP funds to distribute as stipends for eligible students plus additional funds to help cover the direct costs of operating the Student Educator Stipend Program using the standard methods for allocating state-based financial aid or as wages for employment, to each eligible student in monthly installments.
- b. No later than August 1, 2022, and no later than August 1 each year thereafter and subject to available appropriations, CDHE shall allocate to each EPP funds to pay for the fees and costs associated with the assessment of professional competencies required for licensure pursuant to §22-60.5-203 and §22-60.5-212 for eligible students.
- c. For both programs, CDHE shall develop a funding formula to determine the allocations per EPP based on available appropriations and inflation rates each year.



**TOPIC:** RECOMMEND APPROVAL TO INCREASE SPENDING AND CCF FUNDS FOR COLORADO MESA UNIVERSITY PERFORMANCE ARTS EXPANSION AND COLORADO STATE UNIVERSITY-PUEBLO TECHNOLOGY BUILDING RENOVATION

**PREPARED BY:** MITCHELL KARSTENS, CHIEF FINANCIAL OFFICER

## **I. SUMMARY**

This consent item seeks approval of the increase to the Capital Construction Fund and Cash Funded Capital project of the Performance Arts Expansion and Renovation for Colorado Mesa University. The amended adds spending authority of \$11,443,745 of which \$1,144,375 will be cash funds and \$10,299,371 will be a request for additional CCF to the project to cover project inflation and prevailing wage requirements.

This item also seeks approval of the increase to the Capital Construction Fund and Cash Funded Capital project of the Technology Building Renovation and Addition for Colorado State University-Pueblo. The amended adds spending authority of \$7,047,134 will be a request for additional CCF to the project to cover project inflation and prevailing wage requirements.

## **II. BACKGROUND**

Under C.R.S. 23-1-106, the Colorado Commission on Higher Education (CCHE) must provide the legislative Capital Development Committee (CDC) with either their approval or commentary on amendments to capital project cash requests by public institutions of higher education. Capital construction projects or acquisition of real property less than or equal to \$2 million that are exclusively cash funded, and projects not for new construction less than or equal to \$10 million that are exclusively cash funded are exempted from this process.

## **III. STAFF ANALYSIS**

### **Colorado Mesa University Performing Arts Expansion and Renovation:**

**Table 1:** Summary of Changes of Funding

Through FY 2023-24 List			
	Initial Request	Modified Request	Change
<b>Cash Funds</b>	\$4,432,562	\$5,576,937	\$1,144,375
<b>Capital Construction Funds</b>	\$39,454,194	\$49,753,565	\$10,299,371
<b>Total Funds</b>	<b>\$43,886,756</b>	<b>\$55,330,501</b>	<b>\$11,443,745</b>

**Project Description:** Colorado Mesa University requested state capital funds (CCFE) and cash spending authority to support the replacement of Robinson Theatre. Robinson Theatre is over 50 years old, meaning it predated CMU's offering of four-year degrees, making it the oldest un-renovated building on the campus. This creates many issues for students and patrons alike. In addition, the Robinson Theatre becomes a barrier to recruitment of performing arts students as many targeted high schools have newer, larger and more sophisticated venues. Moreover, there is an official concert hall in Grand Junction, making CMU's Robinson Theatre the epicenter of western Colorado, albeit not a very appealing one in its current condition. This project has tremendous potential to not only enhance educational offerings at CMU, but also to become a beacon for performing arts and corresponding economic development opportunities throughout the region. The project is currently on hold, until additional spending authority and capital construction funds are provided to cover the existing budget shortfall, or CMU decides to significantly reduce the scope of work to bring the project in line with current funding. Cutting ±\$10.4 million from the program plan proposed in the prior funding request, would require CMU to reduce both the size of the new theater and amount of the existing building planned for renovation by as much as 40 percent.

**Colorado State University -Pueblo Expansion and Renovation:**

**Table 2:** Summary of Changes of Funding

Through FY 2023-24 List			
	Initial Request	Modified Request	Change
<b>Cash Funds</b>	\$165,830	\$165,830	\$0
<b>Capital Construction Funds</b>	\$16,952,654	\$23,999,788	\$7,047,134
<b>Total Funds</b>	<b>\$17,118,484</b>	<b>\$24,165,618</b>	<b>\$7,047,134</b>

**Project Description:** Completed in 1981, the existing CSU Pueblo Technology Building is 57,700 square feet. The facility is no longer capable of supporting the academic programs due to technological and space inadequacies and poor building conditions.

To remedy existing space and building condition deficiencies, a major renovation and new addition of 20,000 square feet to the Technology Building is included. These improvements are paramount to ensure continued safety and provide an effective learning environment for students. Academic demands, current condition, and health and safety concerns have made the Technology Building Renovation and Addition a top priority.

**IV. STAFF RECOMMENDATIONS**

**Staff recommend approval of the additional spending authority and request for additional CCF for Colorado Mesa University Performing Arts Expansion and Renovation as well as the Colorado State university- Pueblo Technology Building Expansion and Renovation, and its forwarding to the Capital Development Committee and the Office of State Planning and Budgeting.**

**V. STATUTORY AUTHORITY**

C.R.S. 23-1-106(1) Except as permitted by subsection (9) of this section, it is declared to be the policy of the general assembly not to authorize any activity requiring capital construction or capital renewal for state institutions of higher education unless approved by the commission.

(5) (a) The commission shall approve plans for any capital construction or capital renewal project at any state institution of higher education regardless of the source of funds; except that the commission need not approve plans for any capital construction or capital renewal project at a local district college or area technical college or for any capital construction or capital renewal project described in subsection (9) of this section.

(b) The commission may except from the requirements for program and physical planning any project that requires two million dollars or less if the capital construction project is for new construction and funded solely from cash funds held by the institution or the project is funded through the higher education revenue bond intercept program established pursuant to section 23-5-139, or ten million dollars or less if the project is not for new construction and is funded solely from cash funds held by the institution.

(B) A state institution of higher education may submit to the staff of the capital development committee, the commission, and the office of state planning and budgeting an amendment to its approved two-year projection. The capital development committee shall conduct a hearing on the amendment within thirty days after submission during a regular legislative session of the general assembly or within forty-five days after submission during any period that the general assembly is not in regular legislative session. The capital development committee shall either approve the projections or return the projections to the state institution of higher education for modification. The commission and the office of state planning and budgeting shall provide the capital development committee with comments concerning each amendment.

(10)(b) For any project subject to subsection (9) of this section, the governing board may enhance the project in an amount not to exceed fifteen percent of the original estimate of the cost of the project without the approval of the commission, the office of state planning and budgeting, the capital development committee, or the joint budget committee so long as the governing board notifies the commission, the office of state planning and budgeting, the capital development committee, and the joint budget committee in writing, explaining how the project has been enhanced and the source of the moneys for the enhancement.

**ATTACHMENTS:**

**ATTACHMENT A: Colorado Mesa University Supplemental Narrative**

**ATTACHMENT B: Colorado Mesa University Supplemental Cost Summary**

**ATTACHMENT C: Colorado State University- Pueblo Narrative**

**ATTACHMENT D: Colorado State University- Pueblo Cost Summary**



FY 2023-24 SUPPLEMENTAL CAPITAL CONSTRUCTION/CAPITAL RENEWAL REQUEST- <i>NARRATIVE (S CC_CR-N)</i>		
Capital Construction Fund Amount (CCF):	\$49,753,565	
Cash Fund Amount (CF):	\$5,576,937	
Intercept Program Request? (Yes/No):	No	
Supplemental Type (Supplemental/ 1331 Supplemental)	1331 Emergency Supplemental	
Institution Name:	Colorado Mesa University	
Project Title:	Performing Arts Expansion and Renovation	
Project Phase (Phase _of_):	Phase 1 of 1	
State Controller Project Number (if continuation):		
Project Type:	CC	Capital Construction (CC)
		Capital Renewal (CR)
Original Appropriation Year:	FY22-23	
Fiscal Year to be Modified:	FY22-23	
Name & Title of Preparer:	Kent W. Marsh, VP Capital Planning, Sustainability & Campus Operations	
E-mail of Preparer:	Kmarsh3@coloradomesa.edu	
Institution Signature Approval:		Date
CDHE Signature Approval:		Date
Revision (Yes/No)		
Submittal Date:		Date

**A. SUPPLEMENTAL CRITERIA:**

This request meets the 1331 Emergency Supplemental criteria because the current budget shortfall will continue to grow for an additional six-month period between the date CMU will award construction contracts for the project, November 2022, and the deadline for submitting a non-emergency supplemental requests during the FY24-25 Capital Construction, Capital Renewal and Capital IT request cycle.

**B. SUPPLEMENTAL JUSTIFICATION:**

Colorado Mesa University finds itself in a unique position, wherein the original capital construction request for this project didn't include an estimate of the amount of construction inflation we would normally have expected between the date the submittal was sent to the CDHE in May of 2021, and the midpoint of construction, January 2023; something that is normally required of all Capital Construction, Capital Renewal and Capital IT requests. In addition, the true amount of construction inflation over the prior 12-month period between May, 2021 and May, 2022, and for the intervening 8-month period from May 2022 until January 2023, has far exceeded any prior educated guess that CMU should have included in its original FY 22-23 request.

Many, including Engineering News Record and Rider Levitt Bucknall were anticipating construction inflation for calendar years 21 and 22, to be in the 8%-10% when the front range and western slope

of Colorado saw inflation between 15% and 20%. Said increase in the cost of construction has resulted in a budget shortfall of ±\$11.4M for the Performing Arts Expansion and Renovation project.

#### **C. PROJECT SUMMARY/STATUS:**

Colorado Mesa University requested state capital funds (CCFE) and cash spending authority to support the replacement of Robinson Theatre. Robinson Theatre is over 50 years old, meaning it pre-dated CMU's offering of four-year degrees, making it the oldest un-renovated building on the entire campus. Said reality creates many issues for students and patrons alike. In addition, the Robinson Theatre becomes a barrier to recruitment, when considering many high schools where CMU recruits' performing arts students have newer, larger and more sophisticated venues than ours. Moreover, there is an official concert hall in Grand Junction, making CMU's Robinson Theatre the epicenter of western Colorado, albeit not a very appealing epicenter in its current condition. This project has tremendous potential to not only enhance educational offerings at CMU; done right this project will become a beacon for performing arts and corresponding economic development opportunities throughout the region.

The project is currently on hold, until additional spending authority and capital construction funds are provided to cover the existing budget shortfall, or CMU decides to cut large amounts of scope to bring the project in line with current funding. Cutting ±\$10.4M from the scope of work anticipated in the program plan and proposed in the prior funding request, would require CMU to reduce the scope of the project, both the size of the new theater and amount of the existing building planned for renovation, by as much as 40%.

#### **D. SUMMARY OF FUNDING CHANGE:**

Fiscal Year to be Modified	Total Funds	Capital Construction Fund (CCF)	Cash Funds (CF)
FY 2022-23	\$55,330,051	\$49,753,565	\$5,576,937

#### **E. ASSUMPTIONS FOR CALCULATIONS:**

Colorado Mesa University is at the point in the design of the project where sufficient detail is available for our construction manager/general contractor, Shaw Construction, to provide detailed cost estimates for the project.

Said cost increases are reflected in the proposed cost for new construction, renovation, code review and inspection, Art in Public Places, and construction contingency for new and renovated space. Further detail is provided in the CC-C form attached with this submittal.

#### **F. CONSEQUENCES IF NOT FUNDED:**

Choosing to not provide the additional funding needed to cover the budget shortfall that results from never before seen inflation in the United States, would require CMU to either shelve the project until additional funds are raised through donations, gifts, etc., or reduce the scope of work by as much as 40% to bring the scope of the project in line with available funding.

Reducing the scope of work by as much as 40% would require CMU to greatly reduce the size of the future theater, remove many, if not all, new offices and classroom spaces anticipated in the program plan. Another option could include constructing building foundations, framing, roofing and exterior skin of the building CMU needs, while leaving much of the interior space unfished until additional funding is provided for the project.

**G. ADDITIONAL REQUEST INFORMATION:**

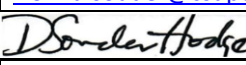
*Provide any additional information necessary to fully explain the supplemental request. See instructions for further detail.*

<b>Additional Request Information</b>	<b>Yes</b>	<b>No</b>	<b>Additional Information</b>
Is this request driven by a new statutory mandate?	<b>X</b>		<b>Additional funding will be needed if the project is required to abide by Davis-Bacon</b>
Will this request require a statutory change?		<b>X</b>	
Is this a one-time request?	<b>X</b>		
Will this request involve any IT components?		<b>X</b>	



SUPPLEMENTAL CAPITAL CONSTRUCTION/CAPITAL RENEWAL REQUEST - COST SUMMARY (S CC_CR-C)						
(A)	(1) Funding Type:	State Funded		(2) Supplemental Type:	1331 Emergency	
(B)	(1) Institution:	Colorado Mesa University		(2) Name of Preparer:	Kent W. Marsh	
(C)	(1) Project Title:	Performing Arts Expansion & Renovation		(2) Email of Preparer:	<a href="mailto:kmarsh3@coloradomesa.edu">kmarsh3@coloradomesa.edu</a>	
(D)	(1) Project Phase ( __ of __ ):	Phase 1 of 1		(2) State Controller Project # (if continuation):	N/A	
(E)	(1) Project Type:	Capital Construction (CC)		(2) Institution Signature Approval:	Date	
(F)	(1) Original Appropriation Year:	FY22-23		(2) CDHE Signature Approval:	Date	
(G)	(1) Intercept Program?:	No		(2) Revision? If yes, previous submittal date:	Yes	5/1/2021
(1)		(a) New Total Project Cost	(b) Total Prior-Year Appropriation(s) Excluding Modified FY	(c) Appropriation for the Modified Fiscal Year	(d) Supplemental Request For Modified Fiscal Year	(e) New Modified FY Total Request
<b>Land /Building Acquisition</b>						
(2)	Land Acquisition	\$ -	\$ -	\$ -	\$ -	\$ -
(3)	Building Acquisition	\$ -	\$ -	\$ -	\$ -	\$ -
(4)	<b>Total Acquisition Costs</b>	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Professional Services</b>						
(5)	Planning Documentation	\$ 21,382	\$ 21,382	\$ -	\$ -	\$ -
(6)	Site Surveys, Investigations, Reports	\$ 177,343	\$ 177,343	\$ -	\$ -	\$ -
(7)	Architectural/Engineering/ Basic Services	\$ 3,546,861	\$ 3,546,861	\$ -	\$ -	\$ -
(8)	Code Review/Inspection	\$ 229,914	\$ 212,812	\$ -	\$ 17,102	\$ 17,102
(9)	Construction Management	\$ 354,686	\$ 354,686	\$ -	\$ -	\$ -
(10)	Advertisements	\$ 4,000	\$ 4,000	\$ -	\$ -	\$ -
(11)	Other (Specify)	\$ -	\$ -	\$ -	\$ -	\$ -
(12)	Inflation Cost for Professional Services	\$ -	\$ -	\$ -	\$ -	\$ -
(13)	Inflation Percentage Applied		0.00%	0.00%	0.00%	0.00%
(14)	<b>Total Professional Services</b>	\$ 4,334,186	\$ 4,317,084	\$ -	\$ 17,102	\$ 17,102
<b>Construction or Improvement</b>						
(15)	Infrastructure Service/Utilities	\$ 314,535	\$ 314,535	\$ -	\$ -	\$ -
(16)	Infrastructure Site Improvements	\$ 2,343,636	\$ 2,343,636	\$ -	\$ -	\$ -
(17)	Structure/Systems/ Components					
(18)	Cost for New (GSF):	\$ 31,042,040	\$ 31,042,040	\$ -	\$ -	\$ -
(19)	New at \$ _____ X _____ GSF					
(20)	Cost for Renovation (GSF):	\$ 1,768,400	\$ 1,768,400	\$ -	\$ -	\$ -
(21)	Renovation at \$ _____ X _____ GSF					
(22)	Cost for Capital Renewal (GSF):	\$ -	\$ -	\$ -	\$ -	\$ -
(23)	Renewal at \$ _____ X _____ GSF					
(24)	Other (Specify)	\$ -	\$ -	\$ -	\$ -	\$ -
(25)	High Performance Certification Program	\$ 251,000	\$ 251,000	\$ -	\$ -	\$ -
(26)	Inflation for Construction	\$ 10,689,051	\$ -	\$ -	\$ 10,689,051	\$ 10,689,051
(27)	Inflation Percentage Applied		0.00%	0.00%	17.04%	0.00%
(28)	<b>Total Construction Costs</b>	\$ 46,408,662	\$ 35,719,611	\$ -	\$ 10,689,051	\$ 10,689,051
<b>Equipment and Furnishings</b>						
(29)	Equipment	\$ 900,000	\$ 900,000	\$ -	\$ -	\$ -
(30)	Furnishings	\$ 300,000	\$ 300,000	\$ -	\$ -	\$ -
(31)	Communications	\$ 600,000	\$ 600,000	\$ -	\$ -	\$ -
(32)	Inflation for Equipment & Furnishings	\$ -	\$ -	\$ -	\$ -	\$ -
(33)	Inflation Percentage Applied		0.00%	0.00%	0.00%	0.00%
(34)	<b>Total Equipment &amp; Furnishings Cost</b>	\$ 1,800,000	\$ 1,800,000	\$ -	\$ -	\$ -
<b>Miscellaneous</b>						
(35)	Art in Public Places	\$ 497,535	\$ 321,119	\$ -	\$ 176,416	\$ 176,416
(36)	Relocation Costs	\$ -	\$ -	\$ -	\$ -	\$ -
(37)	Other Costs [specify]	\$ -	\$ -	\$ -	\$ -	\$ -
(38)	Other Costs [specify]	\$ -	\$ -	\$ -	\$ -	\$ -
(39)	Other Costs [specify]	\$ -	\$ -	\$ -	\$ -	\$ -
(40)	Other Costs [specify]	\$ -	\$ -	\$ -	\$ -	\$ -
(41)	<b>Total Misc. Costs</b>	\$ 497,535	\$ 321,119	\$ -	\$ 176,416	\$ 176,416
<b>Total Project Costs</b>						
(42)	<b>Total Project Costs</b>	\$ 53,040,384	\$ 42,157,814	\$ -	\$ 10,882,570	\$ 10,882,570
<b>Project Contingency</b>						
(43)	5% for New	\$ 2,059,832	\$ 1,552,102	\$ -	\$ 507,730	\$ 507,730
(44)	10% for Renovation	\$ 230,285	\$ 176,840	\$ -	\$ 53,445	\$ 53,445
(45)	<b>Total Contingency</b>	\$ 2,290,117	\$ 1,728,942	\$ -	\$ 561,175	\$ 561,175
<b>Total Budget Request</b>						
(46)	<b>Total Budget Request</b>	\$ 66,774,246	\$ 43,886,756	\$ -	\$ 11,443,745	\$ 11,443,745
<b>Funding Source</b>						
(47)	Capital Construction Fund (CCF)	\$ 49,753,565	\$ 39,454,194	\$ -	\$ 10,299,371	\$ 10,299,371
(48)	Cash Funds (CF)	\$ 5,576,937	\$ 4,432,562	\$ -	\$ 1,144,375	\$ 1,144,375
(49)	Reappropriated Funds (RF)	\$ -	\$ -	\$ -	\$ -	\$ -
(50)	Federal Funds (FF)	\$ -	\$ -	\$ -	\$ -	\$ -
<b>TOTAL</b>		\$ 55,330,501	\$43,886,756	\$0	\$11,443,745	\$11,443,745



FY 2023-24 SUPPLEMENTAL CAPITAL CONSTRUCTION/CAPITAL RENEWAL REQUEST- NARRATIVE (S CC_CR-N)		
Capital Construction Fund Amount (CCF):	\$7,047,134	
Cash Fund Amount (CF):		
Intercept Program Request? (Yes/No):		
Supplemental Type (Supplemental/ 1331 Supplemental)	1331 Supplemental	
Institution Name:	Colorado State University Pueblo	
Project Title:	Technology Building Renovation and Addition	
Project Phase (Phase _of_):	1 of 1	
State Controller Project Number (if continuation):	2008-093P21	
Project Type:	X	Capital Construction (CC)
		Capital Renewal (CR)
Original Appropriation Year:	FY 2020-21	
Fiscal Year to be Modified:		
Name & Title of Preparer:	Dr. Donna Souder Hodge, VP Operations and Advancement	
E-mail of Preparer:	<a href="mailto:Donna.souder@csupueblo.edu">Donna.souder@csupueblo.edu</a>	
Institution Signature Approval:		7/21/2022 Date
CDHE Signature Approval:		Date
Revision (Yes/No)		
Submittal Date:		Date

**A. SUPPLEMENTAL CRITERIA:**

*This supplemental request is based on unforeseen inflation rates and substantial increases in building material and labor costs since the original appropriation.*

**B. SUPPLEMENTAL JUSTIFICATION:**

*Construction inflation and supply chain issues have led to cost increases across the industry, and this project is not immune to these challenges.*

**C. PROJECT SUMMARY/STATUS:**

*The existing CSU Pueblo Technology Building is 57,700 square feet and construction was completed in 1981. The facility is no longer capable of supporting the academic programs due to technological and space inadequacies and poor building conditions.*

*In order to remedy existing space and building condition deficiencies, a major renovation and new addition of 20,000 square feet to the Technology Building is included. These improvements are paramount to ensure continued safety and provide an effective learning environment for students. The academic demands of the building, the current condition, and health and safety concerns have made the Technology Building Renovation and Addition a top priority.*

*The Technology Building was funded in May of 2021 and is currently in early stages of construction.*



**D. SUMMARY OF FUNDING CHANGE:**

Fiscal Year to be Modified	Total Funds	Capital Construction Fund (CCF)	Cash Funds (CF)
FY2021 - 2022	\$7,047,134	\$7,047,134	\$

**E. ASSUMPTIONS FOR CALCULATIONS:**

- Increased Inflation for all Professional Services =  $10\% \times \$2,392,647 = \$239,265$
- Total for New Construction =  $(26,460 \text{ sf} \times \$249/\text{sf}) = \$6,578,570$
- Total for Renovation =  $(45,987 \text{ sf} \times \$176/\text{sf}) = \$8,082,575$
- Increased Inflation for all Construction =  $15\% \times \$12,085,754 = \$1,812,863$
- Increased Inflation for Equipment and Furnishings =  $15\% \times \$869,885 = \$130,483$
- Increased Misc. Costs =  $10\% \times \$489,385 = \$48,939$
- Additional Contingency of \$343,300

**F. CONSEQUENCES IF NOT FUNDED:**

Currently, the building does not meet the programmatic needs and the building systems are nearing the end of useful life. Without the renovation and addition, faculty will be at an instructional disadvantage to other technological advanced learning environments and students will not be provided the best possible education. Without the supplemental funding, these needs will not be able to be met and significant scope changes will be required which will significantly reduce impact of initial state funding.

**G. ADDITIONAL REQUEST INFORMATION:**

Additional Request Information	Yes	No	Additional Information
Is this request driven by a new statutory mandate?		X	
Will this request require a statutory change?		X	
Is this a one-time request?	X		
Will this request involve any IT components?		X	



SUPPLEMENTAL CAPITAL CONSTRUCTION/CAPITAL RENEWAL REQUEST - COST SUMMARY (S CC_CR-C)						
(A)	(1) Funding Type:	State Funded	(2) Supplemental Type:	Regular		
(B)	(1) Institution:	Colorado State University - Pueblo	(2) Name of Preparer:	Dr. Donna Souder Hodge		
(C)	(1) Project Title:	Technology Building Renovation and	(2) Email of Preparer:	<a href="mailto:donna.souder@csupueblo.edu">donna.souder@csupueblo.edu</a>		
(D)	(1) Project Phase ( _ of _ ):	1 of 1	(2) State Controller Project # (if continuation):	2008-093P21		
(E)	(1) Project Type:	Capital Construction (CC)	(2) Institution Signature Approval:	<i>Donna Souder Hodge</i> 7/21/22	Date	
(F)	(1) Original Appropriation Year:	FY 21-22	(2) CDHE Signature Approval:		Date	
(G)	(1) Intercept Program?:		(2) Revision? If yes, previous submittal date:		Date	
(1)		(a) New Total Project Cost	(b) Total Prior-Year Appropriation(s) Excluding Modified FY	(c) Appropriation for the Modified Fiscal Year	(d) Supplemental Request For Modified Fiscal Year	(e) New Modified FY Total Request
<b>Land /Building Acquisition</b>						
(2)	Land Acquisition	\$ -	\$ -	\$ -	\$ -	\$ -
(3)	Building Acquisition	\$ -	\$ -	\$ -	\$ -	\$ -
(4)	<b>Total Acquisition Costs</b>	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Professional Services</b>						
(5)	Planning Documentation	\$ -	\$ -	\$ -	\$ -	\$ -
(6)	Site Surveys, Investigations, Reports	\$ 80,000	\$ 80,000	\$ -	\$ -	\$ -
(7)	Architectural/Engineering/ Basic Services	\$ 1,282,660	\$ 1,282,660	\$ -	\$ -	\$ -
(8)	Code Review/Inspection	\$ 20,000	\$ 20,000	\$ -	\$ -	\$ -
(9)	Construction Management	\$ 427,555	\$ 427,555	\$ -	\$ -	\$ -
(10)	Advertisements	\$ 5,000	\$ 5,000	\$ -	\$ -	\$ -
(11)	Other (Specify)	\$ 320,685	\$ 320,685	\$ -	\$ -	\$ -
(12)	Inflation Cost for Professional Services	\$ 496,012	\$ 256,747	\$ -	\$ 239,265	\$ 239,265
(13)	Inflation Percentage Applied		0.00%	0.00%	10.00%	0.00%
(14)	<b>Total Professional Services</b>	\$ 2,631,912	\$ 2,392,647	\$ -	\$ 239,265	\$ 239,265
<b>Construction or Improvement</b>						
(15)	Infrastructure Service/Utilities	\$ 250,000	\$ 250,000	\$ -	\$ -	\$ -
(16)	Infrastructure Site Improvements	\$ 250,000	\$ 250,000	\$ -	\$ -	\$ -
(17)	Structure/Systems/ Components					
(18)	Cost for New (GSF):	\$ 6,578,570	\$ 4,500,000	\$ -	\$ 2,078,570	\$ 2,078,570
(19)	New at \$ X GSF					
(20)	Cost for Renovation (GSF):	\$ 8,082,575	\$ 5,688,860	\$ -	\$ 2,393,715	\$ 2,393,715
(21)	Renovation at \$ X GSF					
(22)	Cost for Capital Renewal (GSF):	\$ -	\$ -	\$ -	\$ -	\$ -
(23)	Renewal at \$ X GSF					
(24)	Other (Specify)	\$ -	\$ -	\$ -	\$ -	\$ -
(25)	High Performance Certification Program	\$ 100,000	\$ 100,000	\$ -	\$ -	\$ -
(26)	Inflation for Construction	\$ 3,109,757	\$ 1,296,894	\$ -	\$ 1,812,863	\$ 1,812,863
(27)	Inflation Percentage Applied		0.00%	0.00%	15.00%	0.00%
(28)	<b>Total Construction Costs</b>	\$ 18,370,902	\$ 12,085,754	\$ -	\$ 6,285,148	\$ 6,285,148
<b>Equipment and Furnishings</b>						
(29)	Equipment	\$ 776,540	\$ 776,540	\$ -	\$ -	\$ -
(30)	Furnishings	\$ -	\$ -	\$ -	\$ -	\$ -
(31)	Communications	\$ -	\$ -	\$ -	\$ -	\$ -
(32)	Inflation for Equipment & Furnishings	\$ 223,828	\$ 93,345	\$ -	\$ 130,483	\$ 130,483
(33)	Inflation Percentage Applied		0.00%	0.00%	15.00%	0.00%
(34)	<b>Total Equipment &amp; Furnishings Cost</b>	\$ 1,000,368	\$ 869,885	\$ -	\$ 130,483	\$ 130,483
<b>Miscellaneous</b>						
(35)	Art in Public Places	\$ 117,579	\$ 106,890	\$ -	\$ 10,689	\$ 10,689
(36)	Relocation Costs	\$ 275,000	\$ 250,000	\$ -	\$ 25,000	\$ 25,000
(37)	Accessibility	\$ 145,745	\$ 132,495	\$ -	\$ 13,250	\$ 13,250
(38)	Other Costs [specify]	\$ -	\$ -	\$ -	\$ -	\$ -
(39)	Other Costs [specify]	\$ -	\$ -	\$ -	\$ -	\$ -
(40)	Other Costs [specify]	\$ -	\$ -	\$ -	\$ -	\$ -
(41)	<b>Total Misc. Costs</b>	\$ 538,324	\$ 489,385	\$ -	\$ 48,939	\$ 48,939
<b>Total Project Costs</b>						
(42)	<b>Total Project Costs</b>	\$ 22,541,505	\$ 15,837,671	\$ -	\$ 6,703,834	\$ 6,703,834
<b>Project Contingency</b>						
(43)	5% for New	\$ 551,602	\$ 447,673	\$ -	\$ 103,929	\$ 103,929
(44)	10% for Renovation	\$ 537,048	\$ 297,676	\$ -	\$ 239,372	\$ 239,372
(45)	<b>Total Contingency</b>	\$ 1,088,649	\$ 745,349	\$ -	\$ 343,300	\$ 343,300
<b>Total Budget Request</b>						
(46)	<b>Total Budget Request</b>	\$ 23,630,154	\$ 16,583,020	\$ -	\$ 7,047,134	\$ 7,047,134
<b>Funding Source</b>						
(47)	Capital Construction Fund (CCF)	\$ 23,999,788	\$ 16,952,654	\$ -	\$ 7,047,134	\$ 7,047,134
(48)	Cash Funds (CF)	\$ 165,830	\$ 165,830	\$ -	\$ -	\$ -
(49)	Reappropriated Funds (RF)	\$ -	\$ -	\$ -	\$ -	\$ -
(50)	Federal Funds (FF)	\$ -	\$ -	\$ -	\$ -	\$ -
<b>TOTAL</b>		\$24,165,618	\$17,118,484	\$0	\$7,047,134	\$7,047,134

**TOPIC:** REPEAL AND REPLACE CCHE POLICY SECTION I, PART N,  
(SERVICE AREAS OF COLORADO PUBLIC INSTITUTIONS OF  
HIGHER EDUCATION)

**PREPARED BY:** DR. KIM POAST, CHIEF STUDENT SUCCESS & ACADEMIC  
AFFAIRS OFFICER

**I. SUMMARY**

This is an action item regarding repeal of existing Commission Policy Section I, Part N: Service Areas of Colorado Public Institutions of Higher Education, and replacement with a substantially simplified policy. This action follows a recommendation by the HB21-1330 Student Success & Workforce Revitalization Task Force in its report published in December 2021.

**II. 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.”

### **III. STAFF ANALYSIS**

Over the past six months, staff have engaged Commission and institutional representatives to revise and refine the service area policy. There is consensus among stakeholders on the current draft policy, which incorporates the consolidation of feedback. The current draft is ready for Commission review and action. Areas where changes were made since the last CCHE meeting are noted in YELLOW highlight and red text of the draft document, and are listed below:

#### **Section 3.02: inserts clarification of operating within statutory role and mission**

*For all institutions with a four-year and graduate-level statutory role and mission, the service area for baccalaureate and graduate programs is the entire state of Colorado, as long as a program is within an institution's statutory role and mission.*

#### **Section 3.03: inserts clarification of operating within statutory role and mission**

*In cases where it is assessed that community or regional educational demand is not being met (including serving local education providers for concurrent enrollment programs, associate degree educational offerings and CTE programs), the CCHE shall invite institutions of higher education to propose educational programming in that region, that aligns with the institution's statutory role and mission. If the institution(s) chooses not to respond or the invitation is otherwise unsuccessful, the CCHE shall assign an institution of higher education to provide educational programming in that region.*

#### **Section 3.04: Inserts clarification of statutory role and mission, and process for resolving disputes through dispute resolution policy.**

*Similarly, institutions who wish to offer programs in areas of the state that traditionally and historically have been served by a local college or university have a primary obligation to explore opportunities for collaboration with that college or university. If collaboration is determined by the two institutions to be impractical or not feasible, the institution wishing to offer programs within its statutory role and mission may move forward. Institutions who are unable to resolve disputes over provision of educational programming may utilize CCHE Policy I-K (Policies and Procedures for Resolution of Disputes Among Public Institutions of Higher Education).*

Since the last revision at the June, 2022 CCHE meeting, staff have received written support from Colorado Mountain College and the Colorado Community College System (attached).

#### **IV. STAFF RECOMMENDATION**

Staff recommend repeal of the existing CCHE Policy Section I, Part N (Service Areas), and approval of the replacement policy as presented.

#### **V. 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:**

- Attachment A: Replacement CCHE Policy I, N
- Attachment B: Existing CCHE Policy I, N
- Attachment C: Email support from Colorado Mountain College
- Attachment D: Letter to Commission from CCCS

7/29/2022 Final Draft

## SECTION I

### PART N SERVICE AREA DESIGNATIONS FOR COLORADO PUBLIC INSTITUTIONS OF HIGHER EDUCATION

#### 1.00 INTRODUCTION AND STATUTORY AUTHORITY

C.R.S. §23-1-109(2) requires the Colorado Commission on Higher Education (CCHE) to define the geographic and programmatic service areas for Colorado public institutions of higher education:

*“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.”*

#### 2.00 GENERAL PROVISIONS

**Commission Intent.** The Commission is committed to ensuring maximum opportunities for institutions of higher education to address workforce demands, serve local needs, and provide innovative approaches to educating Colorado's students. Additionally, the Commission expects institutions of higher education will work collaboratively to ensure the needs of the state and its students are met.

**Role and Mission.** Institutions of higher education shall operate educational programs pursuant to their statutory role and mission, as described in C.R.S. §23, Articles 20-71.

**Alignment with state, local, and federal policies.** Institutions of higher education shall be subject to CCHE, state, local and federal policies regarding tuition setting and state allocation of general fund resources. This is inclusive of capital resources, College Opportunity Fund eligibility, state financial aid allocation, concurrent enrollment programs, and ordinances that establish local taxing districts.

**Transmittal of Collaborative Partnerships to the Department.** Institutions of higher education that have established or create cooperative agreements, or enter into memoranda of understanding for a collaborative approach to addressing student opportunity or regional needs, shall transmit copies of those agreements to the Department of Higher Education within 30 days of execution, or 30 days following CCHE approval of this policy, whichever is sooner.

#### 3.00 SERVICE AREA DESIGNATIONS

To the extent practical, service area designations shall be determined by the local or system governing board of the institution(s), as long as the institution(s) are operating within their statutory role and mission pursuant to C.R.S. §23. Disputes over the provision of educational programming shall be resolved at the institution or governing board level; if resolution cannot be reached, institutions shall defer to CCHE Policy I-K (Policies and Procedures for Resolution of Disputes Among Public Institutions of Higher Education).

- 3.01** For institutions offering Career and Technical Education (CTE) programs, using Perkins dollars, or otherwise subject to federal rules, authorization for service shall continue to be managed through the State Board for Community Colleges and Occupational Education (SBCCOE), which shall consider duplication of programs, market demand and alignment with USDOL requirements.
- 3.02** For all institutions with a four-year and graduate-level statutory role and mission, the service area for baccalaureate and graduate programs is the entire state of Colorado, as long as a program is within an institution's statutory role and mission.
- 3.03** In cases where it is assessed that community or regional educational demand is not being met (including serving local education providers for concurrent enrollment programs, associate degree educational offerings and CTE programs), the CCHE shall invite institutions of higher education to propose educational programming in that region, that aligns with the institution's statutory role and mission. If the institution(s) chooses not to respond or the invitation is otherwise unsuccessful, the CCHE shall assign an institution of higher education to provide educational programming in that region.
- 3.04** Similarly, institutions who wish to offer programs in areas of the state that traditionally and historically have been served by a local college or university have a primary obligation to explore opportunities for collaboration with that college or university. If collaboration is determined by the two institutions to be impractical or not feasible, the institution wishing to offer programs within its statutory role and mission may move forward. Institutions who are unable to resolve disputes over provision of educational programming may utilize CCHE Policy I-K (Policies and Procedures for Resolution of Disputes Among Public Institutions of Higher Education).

#### **4.00**

#### **CONCURRENT ENROLLMENT PROGRAMS**

House Bill 18-1052 established a process (C.R.S §23-1-109(6)) to facilitate local education provider participation in a Concurrent Enrollment course or program, pursuant to §22-35-101, C.R.S., with an institution of higher education. The Department, in collaboration with the Department of Education, will maintain, and

annually update, a list of local educational providers and institutional primary partnerships, as provided through the annual submission of cooperative agreements.

The Department shall publish a process through which a local education provider and an institution can resolve conflicts in or seek exceptions to the provision of concurrent enrollment programs or courses.

HISTORY: January 1986; May 1987; March 1988; December 1992; September 1994; May 1995; CCHE Agenda 10/5/95 Item III, D; CCHE Agenda 9/12/17 Item IV, A; CCHE Agenda 10/23/17 Item V, D; CCHE Agenda 10/22/2018 Item V, A; CCHE Agenda 9/5/2019 Item IV, F; CCHE Agenda 7/29/2022 Item III, A





## SECTION I

### PART N SERVICE AREAS OF COLORADO PUBLIC INSTITUTIONS OF HIGHER EDUCATION

#### 1.00 Introduction

C.R.S. §23-1-109(2) requires the Colorado Commission on Higher Education to define the geographic and programmatic service areas for Colorado public institutions of higher education:

*“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.”*

This policy provides precise narrative descriptions of the geographic service areas for all Colorado universities with a two-year statutory role and mission, community colleges, local district colleges, and area technical colleges.

See Section 4.00 below for all four-year institutions.

When discussing the service areas of community college, local district colleges, area technical colleges, and universities delivering educational services through their two-year statutory role and mission the precise narrative descriptions contained herein should be referenced. These narrative descriptions should also be used or referenced in planning documents concerning community college, local district colleges, and area technical colleges.

These institutions' service areas are the geographic areas in which these institutions may offer their programs.

## **2.00 Geographic Service Areas for Universities with a Two-Year Statutory Role and Mission, Community Colleges, Local District Colleges, and Area Technical Colleges**

### **2.01 Adams State University**

- Adams State University (ASU) has both a two- and four-year statutory role and mission and may provide Resident Instruction, two-year academic programs in Saguache, Mineral, Rio Grande, Alamosa, Conejos, and Costilla counties.
- Adams State University shall cooperate with Colorado Mesa University in providing any necessary two-year academic programs in Gunnison and Hinsdale counties.

### **2.02 Aims Community College**

Aims Community College serves Larimer and Weld counties. Its service area for career and technical education programs is the same and is shared with Front Range Community College.

### **2.03 Arapahoe Community College**

Arapahoe Community College (ACC) serves the area defined by the boundaries below and all of Douglas County. Its service area for career and technical education programs is the same.

Western Boundary (from north to south): U.S. Highway 285 intersect at the western border of Jefferson County; and Jefferson County border south, encompassing all of south Jefferson County.

Northern Boundary (from west to east): U.S. Highway 85 to West Quincy Avenue; east on Quincy to South Irving; north on Irving to West Oxford; west on Oxford, following the Fort Logan Mental Health Center boundaries, to South Lowell; north on Lowell to West Hampden Avenue (U.S. 285); east on Hampden to South Federal Boulevard; north on Federal to West Dartmouth Avenue; east on Dartmouth to South Tejon; north on Tejon to Yale Avenue; east on Yale to University Boulevard; south on University to East Hampden Avenue; east on Hampden to I-25, south on I-25 to I-225; northeast on I-225 to South Yosemite Street; south on Yosemite to the intersect of I-25, which approaches Arapahoe Road; and east on Arapahoe Road to Boxelder Creek.

Eastern Boundary (from north to south): Intersect of East Hampden Avenue and I-25; I-25 southeast to I-225; I-225 northeast to South Yosemite; Yosemite south to I-25 intersect, approaching Arapahoe Road; Arapahoe Road east to Boxelder Creek; Boxelder Creek south through Arapahoe County to the Elbert County

border; northern Elbert County border west to Douglas County border; and Douglas County border south encompassing all of Douglas County.

Southern Boundary (from west to east): Southern borders of Jefferson and Douglas counties.

#### 2.04 Colorado Mesa University

- Colorado Mesa University (CMU) has both a two- and four-year statutory role and mission and may provide Resident Instruction, two-year academic programs in Mesa, Delta, Montrose, San Miguel and Ouray counties.
- It shall cooperate with Adams State University in providing any needed two-year academic programs in Gunnison and Hinsdale counties. CMU's service area for career and technical education programs is Mesa County.

#### 2.05 Colorado Mountain College

- Colorado Mountain College (CMC) serves Garfield, Eagle, Summit, Pitkin, Lake, Chaffee, Grand, and Jackson counties; the portion of Salida school district R-32-J located in Fremont County; and Routt County school district RE 2. (The section of Routt County school district RE 3 that extends into Eagle County is within the service area of Colorado Northwestern Community College.)
- CMC's service area for career and technical education programs is the same.

#### 2.06 Colorado Northwestern Community College

Colorado Northwestern Community College (CNCC) serves Moffat and Rio Blanco counties and Routt County school districts RE 1 and RE 3 (the latter extending into a small part of Eagle County). CNCC's service area for career and technical education programs is the same.

#### 2.07 Community College of Aurora

Community College of Aurora (CCA) serves an area defined by the boundaries described below. Its service area for career and technical education programs is the same.

Western Boundary (from north to south): Quebec Street south to Hampden Avenue; west on Hampden to I-25; south on I-25 to I-225; northeast on I-225 to South Yosemite Street; south on Yosemite to the I-225 intersect, which approaches Arapahoe Road.

Northern Boundary: Highway 2 from Quebec Street northeast to the Adams County line and along that line to Boxelder Creek.

Eastern Boundary (from north to south): From Adams County line to Boxelder Creek; south on Boxelder Creek to a point equivalent to Arapahoe Road as it extends east through Arapahoe County to Boxelder Creek.

Southern Boundary (from west to east): Arapahoe Road and a line extending east from Arapahoe Road to Boxelder Creek.

## 2.08 Community College of Denver

Community College of Denver (CCD) serves an area defined by the boundaries described below. CCD's service area for career and technical education programs is the same.

Western Boundary: Sheridan Boulevard.

Northern Boundary: Interstate 70.

Eastern Boundary: Quebec Street.

Southern Boundary (from west to east): West Quincy Avenue from Sheridan intersect to South Irving Street; north on Irving to west Oxford; west on Oxford, following Fort Logan Mental Health Center boundaries to South Lowell Boulevard; north on Lowell to U.S. 285 (Hampden); east on U.S. 285 to South Federal Boulevard; north on Federal to West Dartmouth; east on Dartmouth to South Tejon; north on Tejon to Yale Avenue; east on Yale to University Boulevard; south on University to East Hampden Avenue, and east on Hampden to the intersect of Quebec Street. The southern boundary of CCD coincides with the northern boundary of Arapahoe Community College.

## 2.09 Emily Griffith Technical College

Emily Griffith Technical College serves the city and county of Denver.

## 2.10 Front Range Community College

Front Range Community College (FRCC) serves an area defined by the boundaries described below and all of Larimer County, Broomfield County, Brighton and Commerce City. Its service area for career and technical education programs is the same. Front Range Community College also holds a service area assignment in Larimer County. Front Range Community College shares Larimer and Weld counties with Aims Community College for career and technical education programs.

Western Boundary (from north to south): Western borders of Boulder and Jefferson counties; Jefferson County border south to a point equivalent to 80th Avenue as it extends west to the border; 80th Avenue line east to Wadsworth Boulevard; Wadsworth south to West 66th Avenue; 66th Avenue east to Sheridan Avenue; and Sheridan south to I 70 intersect.

Northern Boundary (from west to east): Boulder County border to Adams County border and north Adams County border to I 76 intersect, reaching the intersection of Adams County border and I 76.

Eastern Boundary (from south to north): Quebec Street from I 70 to Highway 2; northeast on Highway 2 to the Adams County border.

Southern Boundary: Interstate 70.

#### 2.11 Lamar Community College

Lamar Community College (LCC) serves Cheyenne, Kiowa, Prowers, and Baca counties. Its service area for career and technical education programs is the same.

#### 2.12 Morgan Community College

Morgan Community College (MCC) serves Morgan, Kit Carson, and Lincoln counties. It will share responsibility for serving Washington and Yuma counties with Northeastern Junior College. Morgan Community College's service area also includes eastern Adams and Arapahoe counties extending to Boxelder Creek on the west and encompasses, among others, the communities of Bennett, Strasburg, Byers, and Deer Trail. MCC's service area for career and technical education programs is the same.

#### 2.13 Northeastern Junior College

Northeastern Junior College (NJC) serves Logan, Sedgwick, and Phillips counties exclusively and shall share the responsibility for serving Washington and Yuma counties with Morgan Community College. Its service area for career and technical education programs is the same.

#### 2.14 Otero Junior College

Otero Junior College (OJC) serves Crowley, Otero, and Bent counties. Its service area for career and technical education programs is the same.

## 2.15 Pikes Peak Community College

Pikes Peak Community College (PPCC) serves Teller, El Paso, and Elbert counties. Its service area for career and technical education programs includes Teller, El Paso, and Elbert counties and Kit Carson County School District RE 4J.

## 2.16 Pueblo Community College

Pueblo Community College (PCC) serves Pueblo, Fremont, Custer, Dolores, Montezuma, La Plata, San Juan, and Archuleta counties. Its service area for career and technical education programs is the same.

## 2.17 Red Rocks Community College

Red Rocks Community College (RRCC) serves an area defined by the boundaries described below. Its service area for career and technical education programs is the same.

Western Boundary: Western borders of Gilpin, Clear Creek, and Park counties.

Northern Boundary (from west to east): Northern border of Gilpin County; Highway 72 south to a point equivalent to 80th Avenue; 80th Avenue extending east to Wadsworth Boulevard; Wadsworth south to 66th Avenue; and 66th Avenue east to Sheridan Boulevard.

Eastern Boundary (from north to south): Eastern border of Gilpin County to a point equivalent to 80th Avenue; 80th Avenue east to Wadsworth Boulevard; Wadsworth south to 66th Avenue; 66th east to South Sheridan Boulevard; and Sheridan south to West Quincy Avenue.

Southern Boundary (from west to east): U.S. 285 from Jefferson County border to West Quincy Avenue east to Sheridan Boulevard.

## 2.18 Pickens Technical College

Pickens Technical College serves the area defined by the boundaries described below.

Western Boundary (from north to south): Quebec Street south to Hampden Avenue; west on Hampden to I-25; south on I-25 to I-225; northeast on I-225 to South Yosemite Street; south on Yosemite to the I-225 intersect, which approaches Arapahoe Road.

Northern Boundary: Highway 2 from Quebec Street northeast to the Adams County line and along that line to Boxelder Creek.

Eastern Boundary (from north to south): From Adams County line to Boxelder Creek; south on Boxelder Creek to a point equivalent to Arapahoe Road as it extends east through Arapahoe County to Boxelder Creek.

Southern Boundary (from west to east): Arapahoe Road and a line extending east from Arapahoe Road to Boxelder Creek.

#### 2.19 Technical College of the Rockies

Technical College of the Rockies (previously Delta-Montrose Technical College) serves Delta, Gunnison, Ouray, Montrose, and San Miguel counties, Hinsdale school district RE 1, and Gunnison Watershed School District RE 1J in Saguache County.

#### 2.20 Trinidad State Junior College

Trinidad State Junior College (TSJC) serves Las Animas and Huerfano counties with both academic and career and technical education programs. Trinidad State Junior College also serves Conejos, Costilla, Alamosa, Rio Grande, Mineral, and Saguache counties with career and technical education programs. Academic courses required in the career and technical education certificate and degree programs in those six counties shall be provided by Adams State University. Trinidad State Junior College may offer other courses in those six counties that are not clearly either academic or career and technical education with the agreement of Adams State University.

In cooperation with the State Board for Community Colleges and Occupational Education and the Colorado Commission on Higher Education, the college may continue to extend educational opportunities to northern New Mexico through formal reciprocity arrangements.

### **3.00 Programmatic Distinctions Recognized By the Commission**

Two-year lower division programs currently approved for Colorado Mesa University and Adams State University may be delivered as part of these institutions' resident instruction programs within service areas designated. Career and technical education instruction and academic instruction at the lower division level shall be offered in separate and distinct service areas.

### **4.00 Geographic Service Area for Four-Year Institutions**

For all institutions with a four-year statutory role and mission, the service area is the entire state of Colorado, except that the geographic service area for four-year institutions delivering services through a two-year statutory role and mission shall be as is described in Sections 2.00 and 3.00.

## 5.00

### Process to Seek a Concurrent Enrollment Exception

House Bill 18-1052 established a process (C.R.S §23-1-109(6)) to facilitate local education provider participation in a Concurrent Enrollment course or program, pursuant to §22-35-112, C.R.S., with an institution of higher education that is outside of the institution's geographic service area in which the local education provider is located. This policy shall apply when the local education provider requests, in writing, a Concurrent Enrollment course or program from an institution of higher education within which geographic service area the local education provider resides. The institution may decline, in writing, to provide the requested Concurrent Enrollment course or program. If the institution fails to respond to the local education provider within 45 days of the request, the institution shall be deemed to have declined to provide the requested Concurrent Enrollment course or program.

- 5.01 If an institution in the local education provider's Commission-approved geographic service areas declines or is deemed to have declined to provide a requested Concurrent Enrollment course or program, the local education provider may then partner with an institution of higher education outside of the Commission-approved geographic service area where the local education provider is located to provide the requested Concurrent Enrollment programs or courses. After a local education provider reaches an agreement with an institution outside the Commission-approved geographic service area, the local education provider must provide the Department with the following:
- i. A dated copy of the request made in writing to the institution in the local education provider's geographic service area and an explanation of the institution's response and/or decision to decline to offer the requested Concurrent Enrollment course or program;
  - ii. A detailed account of the specific Concurrent Enrollment academic programs or courses;
  - iii. Identification of which institution(s) outside of the geographic service area the local education provider plans to partner with to offer the requested Concurrent Enrollment programs or courses; and
  - iv. The length of time of the agreement
- 5.02 If an institution is deemed to have declined because they do not respond to the Local Education Provider's request within 45 days then the concurrent enrollment service area exception will, by default, last two years unless a shorter time is requested by the Local Education Provider. If both parties agree in writing to the exception then the concurrent enrollment service area exception can last up to five years. Once a concurrent enrollment service area exception has expired then the local education provider must submit another request. However, requests may be submitted on a yearly basis.



- 5.03 When an institution of higher education provides a Concurrent Enrollment course or program outside of its service area pursuant to this policy, it shall be funded in the same manner as Concurrent Enrollment courses and programs offered within the institution's service area and shall be treated as on-campus instruction.

HISTORY: January 1986; May 1987; March 1988; December 1992; September 1994; May 1995; CCHE Agenda 10/5/95 Item III, D; CCHE Agenda 9/12/17 Item IV, A; CCHE Agenda 10/23/17 Item V, D; CCHE Agenda 10/22/2018 Item V, A; CCHE Agenda 9/5/2019 Item IV, F.



June 21, 2022

Colorado Department of Higher Education  
1600 Broadway, Suite 2200  
Denver, CO 80202  
Attn: Colorado Commission on Higher Education

Dear Commissioners:

I am writing to express support for the proposed revisions to the Colorado Department of Higher Education (CDHE) policy section I, Part N (Service Areas).

Dr. Landon Pirius, Vice Chancellor for Academic and Student Affairs, represents our system of 13 colleges on the Academic Council, and has worked closely with CDHE staff and his peers on the proposed revisions. We concur with eliminating in CDHE policy the precise narrative descriptions of the geographic service areas for all 13 colleges in the Colorado Community College System (CCCS). The revised policy appropriately prioritizes access and opportunities for all students and lessens the focus on arbitrary geographical boundaries for institutions. Importantly, elimination of precise narrative descriptions will help to level the playing field between institutions with broad four-year degree granting authority and those institutions with more limited authority degree granting authority, and will allow students to access a wider variety of education and training programs, often at lower cost.

Although we are supportive of a more open market for educational services, the State Board of Community Colleges and Occupational Education (SBCCOE) is committed to assuring that all students have access to postsecondary credential programs while also ensuring the most efficient use of limited resources. I, along with the Presidents of our 13 colleges, will work closely together as well as with our colleagues across all higher education institutions to ensure that all students have access to postsecondary learning opportunities, including Concurrent Enrollment, while endeavoring to avoid unnecessary or costly duplication of services and programs. We believe that we should work together to protect students, by offering them a wide variety of institutional, programmatic, and cost effective education and training options, *rather than protect institutions* by strictly limiting competition and seeking to protect market share.

I want to commend the Commission and the Colorado Department of Higher Education (CDHE), especially Dr. Kim Poast, for the collaborative approach taken to develop these policy revisions.

If you have any questions or would like to discuss this issue or any other, please don't hesitate to call me.

Thank you for your service to advancing postsecondary education and talent development in Colorado.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Garcia", written over a white background.

Joseph A. Garcia

**Re: [External] Re: Feedback on the Service Area Policy**

Gianneschi, Matthew <mgianneschi@coloradomtn.edu>

Thu 6/23/2022 8:51 PM

To: Kim Poast <Kim.Poast@dhe.state.co.us>

Cc: Carrie Besnette Hauser <cbhauser@coloradomtn.edu>

Terrific. That was my interpretation as well. Thanks so much for confirming it.

CMC is very supportive of the policy. Would it be helpful to you and the team if we attended the next meeting in person to convey our opinions? Let us know. Thanks.

Matt Gianneschi  
Chief Operating Officer and Chief of Staff  
Colorado Mountain College  
Mgianneschi@coloradomtn.edu

On Jun 23, 2022, at 5:51 PM, Kim Poast <Kim.Poast@dhe.state.co.us> wrote:

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi matt (and Carrie). If you have a 4 year designation you are covered here. We make no distinction between types of 4 year programs.

You would need to consider your local taxing district for tuition setting purposes however. But you know that.

Kim

Kim Poast, PhD  
Chief Student Success & Academic Affairs Officer  
Colorado Department of Higher Education  
303.319.6023 (cell)

To schedule an appointment please use this link- <https://calendly.com/kim-poast>

Sent from my iPhone

On Jun 23, 2022, at 5:39 PM, Gianneschi, Matthew <[mgianneschi@coloradomtn.edu](mailto:mgianneschi@coloradomtn.edu)> wrote:

Hi Kim,

Carrie and I have reviewed the proposed draft of the service area policy. Overall, it's quite good and we are prepared to endorse it (and praise the department's good work). One little question remains: in the draft, it states that "4-year" institutions would have statewide service area. Of course, CMC has little interest in serving areas of the state outside of the mountain region, but, nonetheless, we interpret this paragraph to mean that CMC is also among the "4-year" college referenced, as that is how we are designated by our accreditors and the U.S. Department of Education. Technically, of course, we are a "dual mission institution," with both a 2-year and 4-year missions. The policy doesn't reference us in this way explicitly, hence our assumption regarding the "4-year" designation in policy.

If our assumption is consistent with the DHE's intent, all is well. If it is inconsistent, we'd like to request a meeting to sort through it before the CCHE takes final action.

Thank you.

-Matt



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**MATT GIANNESCHI**

*Chief Operating Officer & Chief of Staff*

970.947.8321 / [mgianneschi@coloradomtn.edu](mailto:mgianneschi@coloradomtn.edu)

**Colorado Mountain College**

802 Grand Avenue / Glenwood Springs, CO 81601  
[ColoradoMtn.edu](https://coloradomtn.edu) ▶ **do something MAJOR**

## COLORADO COMMISSION ON HIGHER EDUCATION - BYLAWS

### **Section 1. Organization and Meetings**

- 1.1 Organization: Pursuant to C.R.S. §23-1-102, 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: Pursuant to C.R.S. §23-1-110, the officers of the Commission shall be the Chair and Vice Chair. The Secretary shall be the Executive Director of the Commission and the Department and is a non-voting member of the Commission. The Governor appoints, with the consent of the Senate, the Executive Director to serve as the executive officer of the Commission and the Department.
- 1.3 All officers shall be elected at the May 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. Any member may nominate themselves or another member to be chair or vice-chair. Members will vote on each position; if there is more than one nomination the vote will be conducted by private ballot to be counted by the Secretary. Officers shall be limited to two consecutive terms, unless an exception is approved by a vote of more than 60 percent of the Commission. When possible, a Commissioner is encouraged to serve as vice-chair prior to becoming chair.
- 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 calendar year.
- 1.3 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 Department of Higher Education located at 1560 Broadway, Suite 1600, Denver, Colorado 80202 and on the Colorado Department of Higher Education website. 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.
- 1.4 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 and on the website of the Colorado

Department of Higher Education no less than two days prior to the meeting date.

- 1.5 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.
- 1.6 Attendance at Meetings: The term of any member of the Commission who misses more than two consecutive regular Commission meetings without good cause, as determined by the Chair, shall be terminated and his successor appointed in the manner provided for appointments under C.R.S. §23-1-102.
- 1.7 Preparation of Agenda: Meeting agendas shall be prepared by the Executive Director of the Department. A monthly agenda call will be scheduled with the Chair, Vice Chair, and Executive Director, or his or her designee, to discuss and approve the proposed agenda. 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.
- 1.8 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 constitute a permanent record. After the minutes of each meeting are completed they shall be reviewed by the Commission and, after approval, posted on the CCHE website and made available to the public for inspection upon written request.
- 1.9 Standing Committees: The Commission may create standing or ad hoc committees comprised of Commissioners to research and make recommendations on specific issues for the full Commission to consider and act on.

## **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.
- 2.2 Vice Chair of the Commission: The Vice Chair shall perform all duties of the Chair in the Chair's absence.
- 2.3 The Secretary/Executive Director of the Commission: In addition to performing those duties established by law, the Executive Director of the Commission and Department 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 pursuant to C.R.S. §23-1- 103).

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 one of who shall be from the minority party appointed by the Minority Leader of the Senate, and three representatives, two of whom shall be from the majority party, appointed by the Speaker of the House of Representatives and one of who shall be from the minority party appointed by the Minority Leader 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, as recommended by the Colorado Faculty Advisory Council, to represent the faculty in the state;

(c) One member shall be selected and designated by the Commission, as recommended by the Student Affairs Council, to represent the students in the state for a term of one year, commencing on July 1 of the year appointed;

(d) One member shall be selected and designated by the Commission who is a parent of a student enrolled in a state supported institution of higher education in Colorado to represent the parents of students for a term of two years, commencing on July 1 of the year appointed.

(e) Not more than four additional members representing educational or other groups may be selected and designated by the Commission to serve on the advisory committee.

The Commission has designated the four additional advisory committee members to represent:

- Chief Academic Officers of Colorado's state supported institutions of higher education, as recommended by the Colorado Academic Council;
- Chief Financial Officers of Colorado's state supported institutions of higher education, as recommended by the, as recommended by the Chief Financial Officers group;



- Independent Higher Education Institutions in Colorado (Colorado College, Regis, and Denver University), as recommended by the Independent Higher Education Council; and,
- The K-12 system, as recommended by the Colorado Department of Education.

All such appointments shall be for a term of two years, commencing on July 1 of the year appointed.

- 3.2 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.
- 3.3 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 in Section 1.5 Notice of Meetings. Bylaw changes must be approved by a majority of the Commission.

<p>HISTORY: Adopted on September 10, 1965. Amended January 14, 1966; February 25, 1972; June 1, 1978; July 1, 1993; October 7, 2004; May 6, 2011; CCHE Agenda March 3, 2017 Item V; April 5, 2019</p>
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**COLORADO**  
**Colorado Commission on**  
**Higher Education**  
Department of Higher Education

Sarah Kendall Hughes, Chair  
Josh Scott, Vice-Chair  
Berrick Abramson  
Lisandra Gonzalez  
Aaron Harber  
Teresa Kostenbauer  
Steven Meyer  
Ana Temu Otting  
Eric Tucker  
Jennifer Walmer  
Jim Wilson

## COLORADO COMMISSION ON HIGHER EDUCATION

- Chair Sarah Kendall Hughes (D-3rd Congressional District) 1st term ends July 2023
- Vice Chair Josh Scott (D-1st Congressional District) 1st term ends July 2025
- Commissioner Paul Berrick Abramson (*U-7<sup>th</sup> Congressional District*) 1<sup>st</sup> term ends July 2023
- Commissioner Lisandra Gonzalez (*U-8th Congressional District*) 1st term ends July 2023
- Commissioner Aaron Harber (*D-2nd Congressional District*) 1st term ends July 2025
- Commissioner Teresa Kostenbauer (*U-4<sup>th</sup> Congressional District*) 1<sup>st</sup> term ends July 2024
- Commissioner Steven Meyer (*U-3<sup>rd</sup> Congressional District*) 1<sup>st</sup> term ends July 2024
- Commissioner Ana Temu Otting (*D-2nd Congressional District*) 1st term ends July 2025
- Commissioner Eric Tucker (*U-5<sup>th</sup> Congressional District*) 1<sup>st</sup> term ends July 2023
- Commissioner Jennifer Walmer (*D-6th Congressionsl District*) 1st term ends July 2026
- Commissioner Jim Wilson (*R-5th Congressional District*) 1st term ends July 2025

## ADVISORY COMMITTEE

### Legislative Advisors

- Representative Julie McCluskie, *House Majority Appointment*
- Representative Cathy Kipp, *House Majority Appointment*
- Representative Tonya Van Beber, *House Minority Appointment*
- Senator Rachel Zenzinger, *Senate Majority Appointment*
- Senator Tammy Story, *Senate Majority Appointment*
- Senator Kevin Priola, *Senate Minority Appointment*

### Subject Matter Advisors

- Mr. Steve Schwartz, *Institutional Finance Representative*
- Mr. Federico Chavez, *Student Representative*
- Mr. Mark Cavanaugh, *IHEC Representative*
- Ms. Donnis Hurd, *Parent Representative*
- Ms. Colleen O'Neil, *K-12 Representative*
- Dr. Melinda Piket-May, *Faculty Representative*
- Dr. Landon Pirius, *Academic Council Representative*

Governor Jared Polis    Dr. Angie Paccione, Executive Director

1600 Broadway, Suite 2200, Denver, CO 80202    P 303.862.3001    F 303.996.1329    [higher.ed.colorado.gov](http://higher.ed.colorado.gov)





## INSTITUTION AND SYSTEM LEADERS

<b><u>INSTITUTION</u></b>	<b><u>CEO</u></b>	<b><u>LOCATION</u></b>
<b>Adams State University</b>	David Tandberg, Interim President	Alamosa
<b>Aims Community College</b>	Dr. Leah Bornstein, President	Greeley
<b>Community College System</b>	Joe Garcia, Chancellor	Denver
Arapahoe CC	President Dr. Stephanie Fujii,	Littleton
Colorado Northwestern CC	President Dr. Lisa Jones	Rangely
CC of Aurora	President Mordecai Brownlee,	Aurora
CC of Denver	President Marielena DeSanctis	Denver
Front Range CC	President Andy Dorsey	Westminster
Lamar CC	President Dr. Linda Lujan	Lamar
Morgan CC	President Dr. Curt Freed	Ft. Morgan
Northeastern JC	President Michael White	Sterling
Otero JC	President Dr. Timothy Alvarez	La Junta
Pikes Peak CC	President Dr. Lance Bolton	Colorado Springs
Pueblo CC	President Dr. Patty Erjavec	Pueblo
Red Rocks CC	President Dr. Michele Haney	Lakewood
Trinidad State JC	President Dr. Rhonda Epper	Trinidad
<b>Colorado Mesa University</b>	President John Marshall	Grand Junction
<b>Colorado Mountain College</b>	President Dr. Carrie Besnette Hauser	Glenwood Springs
<b>Colorado School of Mines</b>	President Paul Johnson	Golden
<b>Colorado State System</b>	Dr. Tony Frank, Chancellor	Denver
CSU-Ft Collins	Interim President Rick Miranda	Fort Collins
CSU-Pueblo	President Dr. Timothy Mottet	Pueblo
CSU-Global Campus	President Pamela Toney	Aurora
<b>CU System</b>	Interim President Todd Saliman	Denver
CU – Boulder	Chancellor Dr. Philip DiStefano	Boulder
UCCS	Chancellor Dr. Venkat Reddy	Colorado Springs
UCD	Chancellor Dr. Michelle Marks	Denver
UC-Anschutz	Chancellor Don Elliman	Aurora
<b>Emily Griffith Technical College</b>	Randy Johnson, Executive Director	Denver
<b>Ft. Lewis College</b>	President Dr. Tom Stritikus	Durango
<b>Metropolitan State University of Denver</b>	President Janine Davidson	Denver



<b>Pickens Technical College</b>	Dr. Teina McConnell, Executive	Aurora
<b>Technical College of the Rockies</b>	Allen Golden, Director	Delta
<b>University of Northern Colorado</b>	Dr. Andy Feinstein, President	Greeley
<b>Western State Colorado University</b>	Brad Baca, President	Gunnison

# Higher Education Glossary

**529 Savings Plan** - 529 plans are more than just savings accounts. These state-sponsored college savings plans were established by the federal government in Section 529 of the Internal Revenue Code to encourage families to save more for college. They offer unique state and federal tax benefits you can't get from other ways to save, making them one of the best ways to save for college.

**Accuplacer** - A suite of computer-adaptive placement tests that are used as assessment tools at institutions to evaluate the level of course work for a student. Students measured as needing additional course work will be assigned to remediation.

**Admission Standard** - includes both Freshman and Transfer standard. 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. The transfer standard applies to all degree-seeking undergraduate transfer applicants with more than 12 college credit hours who do not meet one of the exemptions

**Admission Window** - Defined in Admission policy, "The maximum allowable percentage of admitted students who are not required to meet the CCHE admission standards within a specific fiscal year is referred to as the admissions window. Separate windows exist for the freshmen and transfer standards. The allowable percentage is determined by the Commission." The percentages vary by institution.

**CAP4K** - SB08-212, Preschool to Postsecondary Education Alignment Act; Colorado Achievement Plan for Kids.

**CHEA** - Council for Higher Education Accreditation. As described on their website, CHEA is "A national advocate and institutional voice for self-regulation of academic quality through accreditation, CHEA is an association of 3,000 degree-granting colleges and universities and recognizes 60 institutional and programmatic accrediting organizations."

**CIP** - Classification of Instructional Program; The purpose of which is to provide a taxonomic scheme that will support the accurate tracking, assessment, and reporting of fields of study and program completions activity. (Relevant in Role & Mission)

**CLEP** - College Level Examination Program; Earn college credit for passing a subject specific examination.

**COA** - Cost of Attendance; in the context of financial aid, it is an estimate of what it will reasonably cost the student to attend a given institution for a given period of time.

**Concurrent Enrollment** – A high school student enrolled for one or more classes at a college or university in addition to high school courses.

**Dually Enrolled** - A student enrolled at two institutions at the same time. This may affect enrollment reports when both institutions count that student as enrolled.

**EFC** - Expected Family Contribution; in the context of financial aid, it is calculated by a federally-approved formula that accounts for income, assets, number of family members attending college, and other information.

**FAFSA** - Free Application for Federal Student Aid. This is a free service provided by the Federal government under the Department of Education and students are not charged to complete/file the FAFSA.

**FAP** – Financial Aid Plan (HESP specific)

**FERPA** - Family Educational Rights and Privacy Act, view federal website. The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

**FFS** – Fee-For-Service Contracts; A portion of the College Opportunity Fund program in addition to COF stipends, this contract provides funding to certain higher education institutions to supplement high cost programs and purchase additional services (such as graduate programs).

**Floor** - In reference to the admission window, the floor is the minimum requirements for admission without requiring an exception of some kind. This usually coincides with the Index score.

**FTE** - Full-time Equivalent; a way to measure a student's academic enrollment activity at an educational institution. An FTE of 1.0 means that the student is equivalent to full-time enrollment, or 30 credit hours per academic year for an undergraduate student.

**GEARUP** - Gaining Early Awareness and Readiness for Undergraduate Programs; A Federal discretionary grant program designed to increase the number of low-income students who are prepared to enter and succeed in postsecondary education.

**Guaranteed Transfer, GT Pathways** - gtPATHWAYS applies to all Colorado public institutions of higher education, and there are more than 900 lower-division general education courses in 20 subject areas approved for guaranteed transfer. Courses are approved at least twice per academic and calendar year and apply the next semester immediately following their approval.

**HB 1023** - In most cases, refers to HB 06S-1023, which declares "It is the public policy of the state of Colorado that all persons eighteen years of age or older shall provide proof that they are lawfully present in the United States prior to receipt of certain public benefits."

**HB 1024** - In most cases, refers to HB 06-1024, which declares "On or before September 1, 2006, each governing board of a state institution of higher education shall submit to the Colorado commission on higher education and the education committees of the senate and the house of representatives, or any successor committees, a report regarding underserved students".

**HB 1057** - In most cases, refers to HB 05-1057, which declares "a college preparation program operating within the school district that the college preparation program shall provide to the Colorado commission on higher education, on or before December 31 of each school year, a report specifying each student, by unique identifying number."

**HEAR** - Higher Education Admission Requirements, 2008-2010.

**Index, Index Score** - This index score is a quantitative evaluation that is part of a larger student application evaluation. The score is generated from academic achievement (GPA or High School Rank) and college placement tests (ACT or SAT). You can calculate your index score online. Index varies by institution depending on that institutions selection criteria.

**IPEDS** - Integrated Postsecondary Education Data System; Run by NCES, this system collects statistical data and information on postsecondary institutions. The Colorado Department of Higher Education submits aggregated data on public institutions to IPEDS.

**Need** - In the context of student financial aid, Need is calculated by the difference between the COA (Cost of Attendance) and the EFC (Expected Family Contribution)

**NCATE** - National Council for Accreditation of Teacher Education; NCATE is the profession's mechanism to help establish high quality teacher preparation.

**NCLB** - No Child Left Behind; The No Child Left Behind Act of 2001 (NCLB) reauthorized the Elementary and Secondary Education Act (ESEA) -- the main federal law affecting education from kindergarten through high school.

**PSEO** - Post Secondary Enrollment Option; A program that offers concurrent enrollment in college courses while in high school.

**PWR** - Postsecondary and Workforce Readiness; Definition was created during the SB08-212 CAP4K meetings.

**QIS** - Quality Indicator System; Implemented in HB96-1219, the specific quality indicators involved in QIS are similar to those used in the variety of quality indicator systems found in other states: graduation rates, freshmen retention and persistence rates, passing scores or rates on tests and licensure examinations, undergraduate class size, faculty teaching workload rates, and institutional support/administrative expenditures.

**REP** - Regional Education Provider; Colorado Statute authorizes Adams State College, Fort Lewis College, Mesa State College and Western State College to function as regional

educational providers and “have as their primary goal the assessment of regional educational needs...”  
Regional education providers focus their attention on a certain geographical area.

**SB 3** – In most cases refers to SB10-003, the Higher Education Flexibility Bill.

**SB 212** - In most cases, refers to HB 08-212, the CAP4K legislation.

**SBE** - State Board of Education; As described on their website, "Members of the Colorado State Board of Education are charged by the Colorado Constitution with the general supervision of the public schools. They have numerous powers and duties specified in state law. Individuals are elected on a partisan basis to serve six-year terms without pay."

**SFSF** – State Fiscal Stabilization Fund; A component of the ARRA legislation and funding.

**SURDS** - Student Unit Record Data System

**WICHE** - Western Interstate Commission for Higher Education; A regional research and policy organization that assists students, policymakers, educators, and institutional, business and community leaders. WICHE states include: Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming.

**WUE** - Western Undergraduate Exchange Program, managed by WICHE