



CO L O R A D O

**Colorado Commission on
Higher Education**

Department of Higher Education

CCHE AGENDA

May 6, 2022

**Hybrid In-Person/Zoom Meeting
Colorado Department of Higher Education**

BUSINESS MEETING

1:00pm - 4:00pm

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

DR. ANGIE PACCIONE, EXECUTIVE DIRECTOR



Colorado Commission on Higher Education

Friday, May 6, 2022

Colorado Department of Higher Education
Denver, Colorado

11:30am -12:30pm

COMMISSIONER & ADVISOR WORK SESSION

CDHE Data Measures and Drivers – *Michael Vente, Chief Performance Officer*

1:00 – 4:00pm

BUSINESS MEETING

I. Opening Business (30 minutes)

- A. Attendance
- B. Approval of the Minutes for the April 1, 2022 Commission Meeting
- C. Reports
 - i. Chair
 - ii. Vice-Chair
 - iii. Commissioners
 - iv. Commission Standing Committees
 - Student Success & Workforce Alignment
 - Fiscal Affairs & Audit
 - Ad Hoc Strategic Plan Revision
 - v. Advisors
- D. Executive Director Report
- E. Legislative Update
- F. Election of Chair and Vice Chair
- G. Public Comment

II. Consent Items (5 minutes)

- A. Educator Preparation – Recommend Approval Of Principal Endorsement At Colorado State University Pueblo – *Dr. Brittany Lane*
- B. Educator Preparation – Recommend Approval of Culturally and Linguistically Diverse Bilingual Endorsement at University of Northern Colorado – *Dr. Brittany Lane*
- C. Educator Preparation – Recommend Approval of Special Education Endorsement at Adams State University – *Dr. Brittany Lane*



- D. Degree Authorization – Recommendation of Approval for the Renewal of Full Authorization: Colorado Christian University – *Heather DeLange*
- E. Degree Authorization – Recommendation of Amendment to CCHE Policy Section I, Part J – *Heather DeLange*
- F. Recommendation of Approval of Supplemental for Colorado School of Mines – *Lauren Gilliland*

III. Discussion Items (80 minutes)

- A. Update on Proposed Revisions to CCHE Policy Section I, Part N (Service Regions) – *Dr. Kim Poast*
- B. Ad Hoc Strategic Plan Revision
- C. Presentation: Postsecondary Access and Success For Colorado’s High School Graduates 2022 Report – *Carl Einhaus*
 - 1. *Preview Video Presentation (click here)*
 - 2. *Preview Video Presentation (click here)*
- D. Potential New Graduation Rate Metric in the Higher Education Funding Formula – *Lauren Gilliland, Mitch Karstens*

IV. Action Items (10 minutes)

- A. Financial Aid Allocation Methodology Approval – *Lauren Gilliland*
- B. Degree Authorization – Recommendation of Probation Authorization for Aspen University – *Heather DeLange*





**Minutes of the Colorado Commission on Higher Education (CCHE) Meeting
Via ZOOM Teleconference
April 1, 2022**

BUSINESS MEETING

Chair Vanecia Kerr called the business meeting to order at 1:00pm

I. Opening Business

A. Attendance

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

Advisors attending: Brad Baca, Mark Cavanaugh, Colleen O'Neil, Dr. Melinda Piket-May, Dr. Landon Pirius

B. Minutes

Commissioner Harber moved to approve the March 4, 2022, meeting minutes. Seconded by Commissioner Abramson, the motion passed by consent.

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

Chair Report – Chair Kerr congratulated Advisor Baca on his appointment as President of Western Colorado University. She announced that nominations for Chair and Vice Chair of the Commission are being accepted until April 25th. Voting will take place during the May 6th meeting. The May 6th meeting will be a hybrid meeting and more details will be forthcoming. Chair Kerr's last meeting will be June 3rd. At the end of the meeting, the newly elected Chair will take the gavel. She thanked everyone for a wonderful experience serving on the commission and as Chair.

Vice Chair Report – Vice Chair Hughes thanked legislators for the initial drafts of bills related to HB 1330. She also thanked staff who have been pivotal in helping move this legislation along.

Commissioner Reports – Commissioner Harber thanked Vice Chair Hughes and Commissioner Abramson for their work on HB1330 and acknowledged that it will have a huge impact. He also stated that he was honored to be confirmed by the Senate as a commissioner alongside Commissioner Wilson last week.



Fiscal Affairs & Audit Committee – Commissioner Tucker reported that the committee had a productive discussion on policy versus statute in terms of capital adjustments and they are looking for more details on that topic as they go forward.

Student Success & Workforce Alignment Committee – Commissioner Abramson reported that the committee discussed several teacher prep and teacher pipeline related issues at its last meeting. There also was discussion about some programs that have come for authorization with questions about who is served and what is the effect on the broader higher ed ecosystem. These topics will be discussed more as the strategic plan comes together and the commission does its work going forward.

Ad Hoc Strategic Planning Revision – Vice Chair Hughes reported that the committee has met for several weeks, and this report will be on the agenda moving forward. The focus is on ensuring that the objectives are broad enough with latitude for what they are intending to get done in different ways by different IHEs.

Advisor Reports – Advisor Picket-May congratulated Advisor Baca on his appointment as President of Western Colorado University on behalf of the Colorado Faculty Advisor Committee. She also thanked the commission for including faculty advisors in the 1330 process.

Advisor Baca thanked the commission for their work and being included as an advisor for the past 2 years. The CFO group will name his replacement later this month. He also thanked the JBC for their work so far for higher education funding of operational capital and IT. He expressed concern for the pending collective bargaining bill currently under consideration. Implementing and administering this legislation is going to be a severe challenge for most of our institutions and in particular the rural institutions.

Advisor Cavanaugh thanked Chair Kerr for her service on the commission. He reported that President Biden’s FY23 budget includes a pathway to double Pell by 2029. An item of concern is federal negotiated rule making that will take some of the influence away from NC-SARA. He encouraged all to spread the word about this and a call to action to keep NC-SARA in place as is.

D. Executive Director Report – Dr. Boggs presented Director Paccione’s report in her absence. He extended congratulations to Advisor Baca on his appointment and praised his work as part of the CFO group. He thanked Dr. Montoya and Lauren Gilliland for their work with the Policy Fellows and thanked them for their presentations during the today’s work session. COSI has approved \$4.9 million in matching student funds which will total \$9.9 million with the 1:1 match, and this will serve more than 2,900 Coloradoans statewide. The Division of Private Occupational Schools led by Lorna Candler serves an important consumer protection role for Coloradoans and since 2014 they have closed seven private occupational schools associated with human trafficking. We celebrated Women’s History Month with a lunch conversation with Minister Glenda Robinson. More than 40 staff participated which was coordinated by Beverly Jones.



E. Legislative Update – Chloe Figg reported that the current legislative report was updated via email sent this week. Two items of note in higher ed are operating supports for institutions from JBC and instruction of the Long Bill which passed the House this week and will be taken up in the Senate next week. Chloe thanked the commission for their support in getting the first test bills moving forward.

F. Public Comment- There was no public comment.

II. Consent Items

A. Recommendation of Approval of Supplemental for Community College of Aurora-
Ashlee Pate

B. Degree Authorization: Recommendation of Provisional Authorization for Galen College of Nursing – *Heather DeLange*

C. Degree Authorization: Recommendation of Field Placement Authorization for Reach University – *Heather DeLange*

Commissioner Harber moved to approve Consent Items A through C. The motion was seconded by Commissioner Tucker and passed by consent.

III. Discussion Items

A. Ad Hoc Strategic Plan Revision – *Dr. Ben Boggs, Inta Morris*

As the meeting moved towards conclusion, the commission returned to the strategic plan revision discussion as noted in the strategic plan revision report in I.C. above.

Commission members and advisors were invited to comment on the current principles and objectives under consideration. These included overarching objectives of educational equity and data-informed decision making; and core objectives of lifelong learning, return on investment, and the public good. The commission appreciated the opportunity to discuss these further and agreed that time for this discussion should be factored in all upcoming meetings.

Meeting adjourned at 2:00pm.



TOPIC: RECOMMEND APPROVAL OF PRINCIPAL ENDORSEMENT AT COLORADO STATE UNIVERSITY PUEBLO

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

I. SUMMARY

This consent item recommends approval for Colorado State University Pueblo (CSUP) to offer the Principal educator endorsement.

II. BACKGROUND

Pursuant to C.R.S. §23-1-121, the Colorado Commission on Higher Education considers approval of all educator preparation programs at public and private institutions of higher education after receiving an affirmative recommendation from the State Board of Education regarding the program content.

The process for initial approval of new educator preparation program is as follows:

- The Colorado Department of Education (CDE) conducts a review of the endorsement program, to ensure its content is designed and implemented in a manner that will enable a candidate to meet the requirements for licensure in Colorado (C.R.S. §22-60.5)
- CDE provides a recommendation to the State Board of Education (SBE) for consideration.
- If the SBE approves the program, the approval is forwarded to DHE
- Upon receiving an approval from SBE, DHE reviews the proposed program for alignment to the statutorily required performance-based standards. [C.R.S. §23-1-121(2)]
- DHE forwards a recommendation for to CCHE for action.

III. STAFF ANALYSIS

The Colorado State Board of Education approved the content of CSUP's Principal endorsement program at its March 9, 2022, meeting, and the affirmative recommendations were transmitted to the department.

Department staff analyzed the proposed program according to the statutory performance-based standards set forth in C.R.S. §23-1-121(2) and confirm the criteria are met. The following evidence is summarized from the institution's proposal:

1. **Program Design:** The Principal program has a flexibility that results in Principal licensure, a Master's in Education with emphasis in Principal licensure, or a Doctoral degree in Educational Leadership. Coursework and opportunities for application of learning are foundationally strong and serve to place highly qualified administrators into local district schools.

2. **Educator Knowledge and Competencies:** CSUP has ensured that its Principal program is tightly aligned with the Principal Quality Standards and provides opportunities for candidates to show mastery of standards through key assignments and reflective exercises.
3. **Clinical Experiences:** The Principal program candidates will have numerous opportunities throughout their coursework to accumulate internship hours in carefully selected placements with partner districts. With the guidance of program staff and supervisors, candidates will also be able to apply knowledge gained in each of their courses to their practical school experiences.
4. **Program Impact and Continuous Improvement** CSUP has protocols in place for data collection and analysis to effectively evaluate the efficacy of the Principal program. They engage in annual evaluations of programs and solicit feedback from numerous stakeholders, including candidates, faculty, and districts.

Pursuant to Colorado Revised Statutes §23-5-129(6)(b), department staff find the proposed program is consistent with the institution's statutory role and mission and meets the educator preparation requirements in §23-1-121, C.R.S. Upon the Commission's approval, this program will be reevaluated during the institutions next regularly scheduled reauthorization.

IV. STAFF RECOMMENDATION

Staff recommends that the Commission approve the Principal Educator Preparation program at Colorado State University Pueblo.

V. STATUTORY AUTHORITY

C.R.S. §23-1-121-Commission directive - approval of educator preparation programs

- (2) The commission shall adopt policies establishing the requirements for educator preparation programs that include:
 - (a) Program design around a shared vision of candidate proficiency and professionalism that supports decision-making about partnerships and the integration of curricula, learners, and course work and clinical experiences;
 - (b) Mapping, planning, development, assessment, and support of candidate proficiencies, including candidates' deep understanding of content knowledge, pedagogical knowledge, the content knowledge required for educating, and the dispositions and professional qualities necessary to be successful;
 - (c) With regard to teacher and principal preparation programs, courses that provide content knowledge as described in part 10 of article 7 of title 22, specifically in teaching to the state preschool through elementary and secondary education standards adopted pursuant to section 22-7-1005;
 - (d) Intentional clinical experience, early and throughout preparation, relating to predetermined state content standards, which experiences afford candidates multiple, intentional experiences to learn from practice. Clinical experiences must be aligned with program curricula so that candidates develop pedagogical skills and pedagogical content knowledge. Teacher preparation candidates

must complete a minimum of eight hundred hours, and principal and administrator candidates must complete a minimum of three hundred hours, of clinical practice. A teacher candidate must complete the hours of clinical practice while enrolled in an approved educator preparation program; except that a program, after review, may accept clinical practice hours completed before enrolling in the program. A majority of the clinical practice hours must be completed through a continuous placement. For every additional endorsement or advanced degree, a candidate must complete an appropriate period of supervised field experiences that relate to predetermined standards, including best practices and relevant national norms related to the candidate's endorsements.

(e) A requirement that each candidate, prior to graduation, must demonstrate the skills required for licensure, as specified by rule of the state board of education pursuant to section 22-2-109 (3), in the manner specified by rule of the state board;

(f) A requirement that preparation program faculty, to improve their work, must engage in continuous evidence-based cycles of self-reflection and review regarding the impact of their programs on their candidates' development throughout the programs. These cycles must include data on current candidates throughout the program and available data on program completers.

TOPIC: RECOMMEND APPROVAL OF CULTURALLY AND LINGUISTICALLY DIVERSE BILINGUAL ENDORSEMENT AT UNIVERSITY OF NORTHERN COLORADO

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

I. SUMMARY

This consent item recommends approval for University of Northern Colorado (UNC) to offer the Culturally and Linguistically Diverse Bilingual educator endorsement.

II. BACKGROUND

Pursuant to C.R.S. §23-1-121, the Colorado Commission on Higher Education considers approval of all educator preparation programs at public and private institutions of higher education after receiving an affirmative recommendation from the State Board of Education regarding the program content.

The process for initial approval of new educator preparation program is as follows:

- The Colorado Department of Education (CDE) conducts a review of the endorsement program to ensure content is designed and implemented in a manner that will enable a candidate to meet the requirements for licensure in Colorado (C.R.S. §22-60.5)
- CDE provides a recommendation to the State Board of Education (SBE) for consideration.
- If the SBE approves the program, the approval is forwarded to DHE
- Upon receiving an approval from SBE, DHE reviews the proposed program for alignment to the statutorily required performance-based standards. [C.R.S. §23-1-121(2)]
- DHE forwards a recommendation for to CCHE for action.

III. STAFF ANALYSIS

The Colorado State Board of Education approved the content of UNC's Culturally and Linguistically Diverse Bilingual endorsement program at its meeting on March 9, 2022, and CDE staff transmitted its affirmative recommendations to the department.

Department staff analyzed the proposed program according to the statutory performance-based standards set forth in C.R.S. §23-1-121(2) and confirmed the criteria are met. The following evidence is summarized from the institution's proposal:

1. **Program Design:** The endorsement program allows candidates to earn the CLDB endorsement, a highly needed area of expertise in Colorado. The compilation of the program will allow candidates to examine promising practices and skills to properly serve students and give them the opportunity to apply their learning in partner schools.

2. **Educator Knowledge and Competencies:** Candidates will engage in a curriculum that is strictly aligned with state standards, ensuring that mastery of competencies will fulfill requirements for the added endorsement to one's licensure. Additionally, the program is built to teach DEI methods and practices through modeling by program faculty in college coursework, then allowing candidates to demonstrate the same in their field experience hours.
3. **Clinical Experiences:** Candidates will be placed in bilingual classrooms with partner schools and will need to both observe and teach lessons using knowledge gained through coursework and in partnership with on-site mentors and program faculty. This well-rounded approach will provide a number of formative experiences that candidates can carry through to their own classrooms upon receipt of the endorsement.
4. **Program Impact and Continuous Improvement** Tools are in place within the institution to gather data related to candidate observations in the classroom and other program-level assessments and state-level data will provide feedback on program effectiveness and reach as well. These tools will be interwoven with current mechanisms for program effectiveness review by faculty in the program.

Pursuant to Colorado Revised Statutes §23-5-129(6)(b), department staff find the proposed program consistent with the institution's statutory role and mission and meets the educator preparation requirements in §23-1-121, C.R.S. Upon the Commission's approval, this program will be reevaluated during the institutions next regularly scheduled reauthorization.

IV. STAFF RECOMMENDATION

Staff recommend approval of the Culturally and Linguistically Diverse Bilingual educator preparation program at University or Northern Colorado.

V. STATUTORY AUTHORITY

C.R.S. §23-1-121-Commission directive - approval of educator preparation programs

(2) The commission shall adopt policies establishing the requirements for educator preparation programs that include:

(a) Program design around a shared vision of candidate proficiency and professionalism that supports decision-making about partnerships and the integration of curricula, learners, and course work and clinical experiences;

(b) Mapping, planning, development, assessment, and support of candidate proficiencies, including candidates' deep understanding of content knowledge, pedagogical knowledge, the content knowledge required for educating, and the dispositions and professional qualities necessary to be successful;

(c) With regard to teacher and principal preparation programs, courses that provide content knowledge as described in part 10 of article 7 of title 22, specifically in teaching to the state preschool through elementary and secondary education standards adopted pursuant to section 22-7-1005;

(d) Intentional clinical experience, early and throughout preparation, relating to predetermined state content standards, which experiences afford candidates multiple, intentional experiences to learn from practice. Clinical experiences must be aligned with program curricula so that candidates develop pedagogical skills and pedagogical content knowledge. Teacher preparation candidates must complete a minimum of eight hundred hours, and principal and administrator candidates must complete a minimum of three hundred hours, of clinical practice. A teacher candidate must complete the hours of clinical practice while enrolled in an approved educator preparation program; except that a program, after review, may accept clinical practice hours completed before enrolling in the program. A majority of the clinical practice hours must be completed through a continuous placement. For every additional endorsement or advanced degree, a candidate must complete an appropriate period of supervised field experiences that relate to predetermined standards, including best practices and relevant national norms related to the candidate's endorsements.

(e) A requirement that each candidate, prior to graduation, must demonstrate the skills required for licensure, as specified by rule of the state board of education pursuant to section 22-2-109 (3), in the manner specified by rule of the state board;

(f) A requirement that preparation program faculty, to improve their work, must engage in continuous evidence-based cycles of self-reflection and review regarding the impact of their programs on their candidates' development throughout the programs. These cycles must include data on current candidates throughout the program and available data on program completers.

TOPIC: RECOMMEND APPROVAL OF SPECIAL EDUCATION
ENDORSEMENT AT ADAMS STATE UNIVERSITY

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

I. SUMMARY

This consent item recommends approval for Adams State University (ASU) to offer the Special Education educator endorsement.

II. BACKGROUND

Pursuant to C.R.S. §23-1-121, the Colorado Commission on Higher Education considers approval of all educator preparation programs at public and private institutions of higher education after receiving an affirmative recommendation from the State Board of Education regarding the program content.

The process for initial approval of new educator preparation program is as follows:

- The Colorado Department of Education (CDE) conducts a review of the endorsement program to ensure its content is designed and implemented in a manner that will enable a candidate to meet the requirements for licensure in Colorado (C.R.S. §22-60.5)
- CDE provides a recommendation to the State Board of Education (SBE) for consideration.
- If the SBE approves the program, the approval is forwarded to DHE
- Upon receiving an approval from SBE, DHE reviews the proposed program for alignment to the statutorily required performance-based standards. [C.R.S. §23-1-121(2)]
- DHE forwards a recommendation for to CCHE for action.

III. STAFF ANALYSIS

The Colorado State Board of Education approved the content of Adams State University's Special Education endorsement program at its April 12, 2022, meeting and its affirmative recommendations were transmitted to the department.

Department staff analyzed the proposed program according to the statutory performance-based standards set forth in C.R.S. §23-1-121(2) and confirm the criteria are met. The following evidence is summarized from the institution's proposal:

1. **Program Design:** The SPED program was designed through intentional partnerships and consultation with local partner districts around their students' needs. Candidates are moved through the program with an eye on serving those districts at the beginning of the school year and experiences occur in co-teaching models to allow for maximum efforts in mentorship of educators new to the endorsement area.

2. **Educator Knowledge and Competencies:** SPED program coursework is aligned with state standards and course assignments and observational data provide a framework for assessment of candidate competency of the skills and knowledge therein. Instruction and feedback around standards and domains bookend each course and field experience so that candidates constantly know their own expectations and standing within the program.
3. **Clinical Experiences:** Candidates are fully supported by multiple members from the university, local BOCES, and district staff in their clinical placements through regular observations and monthly seminars. Additionally, course modules, assignments, and artifacts are purposefully constructed to provide assessment and reflection tools for candidates and the staff who are there with them throughout the program.
4. **Program Impact and Continuous Improvement:** Assessment of the program occurs on multiple levels, with current procedures in place that will form the framework for ongoing assessment and updates which include BOCES partners and mentor teachers as part of the feedback loop. There are formal and informal data gathering mechanisms in place that will allow ASU to fully evaluate the effectiveness of the SPED program.

Pursuant to Colorado Revised Statutes §23-5-129(6)(b), department staff find the proposed program is consistent with the institution's statutory role and mission and meets the educator preparation requirements in §23-1-121, C.R.S. Upon the Commission's approval, this program will be reevaluated during the institutions next regularly scheduled reauthorization.

IV. STAFF RECOMMENDATION

Staff recommend approval of the Special Education educator preparation program at Adams State University

V. STATUTORY AUTHORITY

C.R.S. §23-1-121-Commission directive - approval of educator preparation programs

(2) The commission shall adopt policies establishing the requirements for educator preparation programs that include:

(a) Program design around a shared vision of candidate proficiency and professionalism that supports decision-making about partnerships and the integration of curricula, learners, and course work and clinical experiences;

(b) Mapping, planning, development, assessment, and support of candidate proficiencies, including candidates' deep understanding of content knowledge, pedagogical knowledge, the content knowledge required for educating, and the dispositions and professional qualities necessary to be successful;

(c) With regard to teacher and principal preparation programs, courses that provide content knowledge as described in part 10 of article 7 of title 22, specifically in teaching to the state preschool through elementary and secondary education standards adopted pursuant to section 22-7-1005;

(d) Intentional clinical experience, early and throughout preparation, relating to predetermined state content standards, which experiences afford candidates multiple, intentional experiences to learn from practice. Clinical experiences must be aligned with program curricula so that candidates develop pedagogical skills and pedagogical content knowledge. Teacher preparation candidates must complete a minimum of eight hundred hours, and principal and administrator candidates must complete a minimum of three hundred hours, of clinical practice. A teacher candidate must complete the hours of clinical practice while enrolled in an approved educator preparation program; except that a program, after review, may accept clinical practice hours completed before enrolling in the program. A majority of the clinical practice hours must be completed through a continuous placement. For every additional endorsement or advanced degree, a candidate must complete an appropriate period of supervised field experiences that relate to predetermined standards, including best practices and relevant national norms related to the candidate's endorsements.

(e) A requirement that each candidate, prior to graduation, must demonstrate the skills required for licensure, as specified by rule of the state board of education pursuant to section 22-2-109 (3), in the manner specified by rule of the state board;

(f) A requirement that preparation program faculty, to improve their work, must engage in continuous evidence-based cycles of self-reflection and review regarding the impact of their programs on their candidates' development throughout the programs. These cycles must include data on current candidates throughout the program and available data on program completers.

TOPIC: RECOMMENDATION FOR RENEWAL OF FULL AUTHORIZATION FOR COLORADO CHRISTIAN UNIVERSITY

PREPARED BY: HEATHER DELANGE, OFFICE OF PRIVATE POSTSECONDARY EDUCATION

I. SUMMARY

This consent item recommends the renewal of Full Authorization for the Colorado Christian University 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."

Full Authorization is awarded to institutions which are institutionally accredited by a regional or national accrediting body recognized by the U.S. Department of Education and has had a successful on-site review of its Colorado location(s). These institutions are subject to the deceptive trade practice provisions in §23-2-104, C.R.S.

Colorado Christian University is a private, not-for-profit college located in Lakewood and has been operating in Colorado as an accredited institution since 1981. The University has been accredited by the Higher Learning Commission throughout its operation in Colorado and offers 16 Associate Programs, 55 Bachelor Programs, 21 Masters level programs, and 1 Doctoral program. Additionally, the University offers 18 Certificate programs. Colorado Christian operates three campuses within Colorado, the main campus in Lakewood and two additional locations in

Colorado Springs and Grand Junction. Through its self-reporting, the University indicates enrollment of just under 14,000 students for Calendar Year 2020.

III. STAFF ANALYSIS

Pursuant to CCHE Policy Section I, Part J, the accreditation cycle triggers the renewal of authorization for institutions that are awarded Full Authorization by the CCHE. Colorado Christian University received a reaffirmation of accreditation from the Higher Learning Commission (HLC) in 2021 with the next reaffirmation of accreditation visit scheduled for 2030-2031. Colorado Christian University has held continuous accreditation from the DEAC since 1981. HLC accreditation assures quality by verifying that an institution meets threshold requirements and is engaged in continuous improvement. All institutions are required to submit data annually in their institution update, undergo annual monitoring of financial and non-financial indicators, and adhere to HLC policies and practices.

With the renewal of accreditation by the HLC, Colorado Christian University applied to the Department in March 2022 for renewal of Full Authorization in accordance with the CCHE policy, Section I, Part J.

In addition to renewing and maintaining its accreditation, Colorado Christian University continues to meet and comply with all requirements for authorization to operate in Colorado. In a review of the Department's student complaint database, there are no outstanding complaints against Colorado Christian University. Over the past five years, there have been four complaints submitted against the university, all of which were addressed or resolved by the university.

Upon review of the HLC's reaffirmation letter and the University's continued compliance, Department staff recommend Colorado Christian University for the renewal of Full Authorization.

IV. STAFF RECOMMENDATION

Staff recommends renewal of Full Authorization for Colorado Christian University.

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 ACT – PROPOSED AMENDMENTS TO CCHE APPROVED POLICY (SECTION I PART J)

PREPARED BY: HEATHER DELANGE, OFFICE OF PRIVATE POSTSECONDARY EDUCATION

I. SUMMARY

This action item recommends approval for revisions to the Degree Authorization Act policy (CCHE policy Section I, Part J).

II. BACKGROUND

The Degree Authorization Act (DAA) articulates the Department’s jurisdiction over private education programs available to Coloradans. The DAA establishes standards to prevent misrepresentation, fraud, and collusion in offering educational programs to the public and to 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.

The Colorado Commission on Higher Commission (CCHE) voted to join the State Authorization Reciprocity Agreements (SARA) in April 2014 and by so doing agreed to abide by the regulations established and published by SARA. As a member of SARA and pursuant to the published SARA manual, as adopted by the National Council for State Authorization Reciprocity Agreements (NC-SARA), by January 1, 2021, SARA member states shall develop and implement a procedure to hear and internally resolve appeals from institutions for which initial participation or a renewal of participation in SARA is denied.

The Commission voted to approve the addition of the Appeals Process language at its December 3, 2020, business meeting. Recently, the language has been executed as department staff received its first appeal as the State Portal Entity regarding SARA participation. In doing so, department staff became aware that clarification was needed for both the application of CCHE and NC-SARA policy to better reflect the appeal process for institutions.

The proposed amendments to CCHE policy, Section I, Part J (Attachment A) highlight the language change to clarify the appealing process of a State Portal Entity decision.

III. STAFF ANALYSIS

The proposed changes discussed in this agenda item clarify an area that, through application, has been identified. The amended language ensures the procedure to remove an institution from SARA participation is not conflated through either NC-SARA or CCHE policy. As a State Portal Entity implementing the policy, the amendment will help align the two policies that must act in concert with each other rather than separately. The appeals council for the State Portal Entity (the Department) will continue to be comprised of the Executive Director of the Colorado Department

of Higher Education, the Chair of the CCHE Subcommittee for Academic and Student Affairs, and the Academic Council member of the CCHE Advisory Committee.

The appeals process begins with an institution that has been denied or removed from SARA participation. The State Portal Entity must follow the NC-SARA policy until and unless the affected institution submits its intent to appeal. The appealing institution must do so based on the grounds that the state portal contact did not follow the NC-SARA published procedures or that the state portal contact erroneously denied or withdrew participation based on the institution's inability to meet the NC-SARA stated criteria.

The SARA model defines the member state as the body for which participation approvals are decided, thereby determining that any avenue for an institution to appeal must be created by the state.

IV. STAFF RECOMMENDATIONS

Staff recommend approval of the amended language in CCHE Policy Section I, Part J.

STATUTORY AUTHORITY

§23-2-103.1, C.R.S., Commission – department – duties – limitation – reciprocity

(1) The commission shall:

(a) Establish procedures for authorizing, reauthorizing, and revoking the authorization of private colleges and universities and seminaries and religious training institutions in accordance with the provisions of this article, including but not limited to procedures by which an institution may apply for authorization or reauthorization and the procedures the department shall follow in reviewing applications and making recommendations to the commission.

ATTACHMENTS

Attachment A: CCHE Policy Section I, Part J with proposed amendments.



SECTION I

PART J DEGREE AUTHORIZATION ACT: AUTHORIZATION TO OPERATE AS A POSTSECONDARY INSTITUTION OF HIGHER EDUCATION IN COLORADO

1.00 Introduction

The Colorado Commission on Higher Education (Commission) has statutory responsibility for the administration of Title 23, Article 2 of the Colorado Revised Statutes, (amended 2012), which authorizes certain types of institutions to offer degrees or degree credits: (1) accredited private, degree-granting colleges and universities; (2) postsecondary seminaries and religious training institutions; and (3) out-of-state, public institutions with a Colorado presence. Persons or organizations which violate the provisions of the statute are subject to legal penalties.

The Colorado Department of Higher Education (Department) shall administer the statute by seeking information from any entity offering degrees or degree credits to determine the authority of an institution to operate in Colorado under this statute. Criteria are established for each institutional type to offer degrees or credits leading toward a degree.

No private college or university, out-of-state public college or university, or religious training institution or seminary shall operate within the state until authorized by the Commission to do so.

Private colleges and universities, including out-of-state public institutions with a physical presence in Colorado, that enroll the majority of students at the baccalaureate or higher level are required to obtain authorization to operate in Colorado and maintain authorization through criteria and requirements specified throughout this policy and pursuant to §23-2-101, et seq., C.R.S.

2.00 Statutory Authority

The Commission's policy for private colleges or universities, seminaries, or religious training institutions is based on Title 23, Article 2, which states in part:

The general assembly declares that this article is enacted for the general improvement of the educational programs available to the residents of the State of Colorado; to establish high standards for the education of such residents; to prevent misrepresentation, fraud, and collusion in offering such educational programs to the public; to eliminate those practices relative to such programs which are incompatible with the public interest; and to 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. (§23-2-101, C.R.S.).

3.00 Definitions



- 3.01 “Accrediting agency or accrediting body” means a regional, national, or specialized accrediting body that is recognized by the U.S. Department of Education and awards institutional accreditation. Specialized accreditation is only recognized by the state when a specialized program is offered in a freestanding institution offering programs in that specific discipline exclusively and the accrediting body has the authority to accredit both the institution and the program. Specialized accreditation normally applies to the evaluation of programs, departments, or schools which are part of a total collegiate or other postsecondary institution. The unit accredited may be as large as a college or school within a university or as small as a curriculum within a discipline. Most specialized accrediting agencies review units within a postsecondary institution which is accredited by one of the regional accrediting commissions. However, certain specialized accrediting agencies accredit professional schools and other specialized or vocational or other postsecondary institutions which are freestanding in their operations. Thus, a "specialized" or "programmatic" accrediting agency may also function in the capacity of an "institutional" accrediting agency. In addition, a number of specialized accrediting agencies accredit educational programs within non-educational settings, such as hospitals.
- 3.01.01 “Accredited” means holding institutional accreditation on the basis of an on-site review from a regional or national accrediting body recognized by the U.S. Department of Education.
- 3.01.02 “Accreditation Status” means the institution’s standing with its accrediting agency. For purposes of state authorization, an accreditation status requiring reporting may be considered an adverse action or sanction.
- 3.02 “Adverse Action or Sanction” means an action by an institution’s regional or national accrediting body recognized by the U.S. Department of Education that results in a notice from the accrediting agency of “show cause”, “warning”, or “probation” or the equivalent.
- 3.03 “Alternate enrollment” means the opportunity for a student enrolled in a private college or university that ceases operation to meet the student’s educational objectives through education provided by another authorized private college or university, a community college, an area vocational school, or any other educational arrangement acceptable to the department and the commission.
- 3.04 “Authorization” means the authorization granted to a private college or university or seminary or religious training institution by the commission as provided in this article and the policies adopted pursuant to this article. Authorization is not an endorsement of the institution by either the commission or the department.
- 3.04.01 Authorization types:
- a. Full Authorization



An institution which is institutionally accredited by a regional or national accrediting body recognized by the U.S. Department of Education with a successful on-site review of its Colorado location(s).

b. Provisional Authorization

Institutions, new or new to Colorado, which have been evaluated by Department staff under Commission procedures and authorized by the Commission to enroll students, offer instruction, graduate students, and award degrees under the condition that the institution is continuously seeking and is making satisfactory progress toward accreditation. If an institution remains in provisional authorization status for three years or if the Commission determines that the institution is not making satisfactory progress toward accreditation, the Commission may, at its discretion, continue to extend provisional authorization for a two-year period, recommend probationary authorization, or revoke the institution's authorization.

c. Probationary Authorization

An institution with an adverse action or sanction by its accrediting agency or another governmental agency may be recommended for probationary authorization status by the Department. If probationary authorization status is imposed by the Commission, the institution shall remain in probationary authorization status until such time as the Commission determines, and as verified by the Department, that the adverse action or sanction has been lifted by the accrediting body or governmental agency. If an institution remains in probationary authorization status for three years, the Commission may, at its discretion, continue to extend the probationary authorization or revoke the institution's authorization.

d. Religious Authorization

A bona fide postsecondary seminary or religious training institution, offering only programs which are religious in nature, which is exempt from property taxation under the laws of this state and whose degrees or diplomas have no state recognition; or

e. Authorization for a Place of Business (with no instruction)

An institution that has a place of business within Colorado but offers no instruction in the state must receive formal authorization for a place of business by the Commission. Institutions with authorization for a place of business shall be subject to the



deceptive trade practices provision as found in §23-2-104, C.R.S., and may be exempted from administrative procedures regarding accreditation at the local site and financial integrity.

f. Authorization for Field Placements (with no instruction)

An institution that intends to place more than ten students from the same program at one site to meet a field experience requirement must receive formal authorization for field placements from the Commission. Institutions with authorization for field placements shall be subject to the deceptive trade practices provision as found in §23-2-104, C.R.S., and may be exempted from administrative procedures regarding accreditation at the local site and financial integrity.

- 3.05 “Commission” means the Colorado Commission on Higher Education created pursuant to §23-1-102, C.R.S.
- 3.06 “Degree” means a statement, diploma, certificate, or other writing in any language that indicates or represents, or that is intended to indicate or represent, that the person named thereon is learned in or has satisfactorily completed a prescribed course of study in a particular field of endeavor or that the person named thereon has demonstrated proficiency in a field of endeavor as a result of formal preparation or training.
- 3.07 “Degree File” includes all students who have received a certificate, degree, or formal award approved by the Department during the report year. Degrees earned but not conferred during the report period should be included in the following year’s report. The degree file is collected annually for federal and state reporting. A summer degree file is collected for purposes of graduation rate calculations, but these records are reported again in the full year file.
- 3.08 “Department” means the Colorado Department of Higher Education created and existing pursuant to §24-1-114, C.R.S.
- 3.09 “Educator Preparation File” means data relating to the cooperative agreement between the Department and the institutions of higher education that offers an educator preparation program, pursuant to §23-1-121(4)(c), C.R.S. This data includes teacher, principal, administrator, and special education endorsement area programs, as well as any endorsement listed in the Field Definitions in the SURDS database.
- 3.10 “Enrollment Agreement” means the contract prepared by a private college or university or seminary or religious training institution that a student signs to indicate agreement to the terms of admission, delivery of instruction, and monetary terms as outlined in the institution’s student handbook or catalog. This definition also applies to electronic enrollment agreements.



- 3.11 “Enrollment File” includes all students enrolled in courses awarding credit toward a degree or other formal award and students enrolled in courses that are part of a vocational or occupational program, including those enrolled in off campus centers and high school students taking college-level courses for credit. The population reported is not limited to students whose credit hours are included in official FTE reports. The enrollment file is collected every semester from each public postsecondary education institution participating in SURDS.
- 3.12 “Field Experience” means a student learning experience comprised primarily of the practical application of previously studied theories and skills, under the oversight of a supervisor, mentor, faculty member or other qualified professional, located in the host state, who has direct or indirect reporting responsibility to the institution where the student is enrolled whether or not credit is granted. The field experience is part of a program of study offered by the enrolling institution. Examples include practica, student teaching, clinical placements or internships.
- 3.13 “Financial Aid File” means complete data regarding all student financial aid awards for a fiscal year, if the institution participates in the Colorado student aid program. This includes all enrolled students with a FAFSA on file who applied for or received aid:
- All students who submit an application for student aid maintained in the institution’s financial aid files, or who receive financial support from the institution and who are accepted for enrollment for one or more specific academic periods and enroll in the institution should be included.
- Student aid includes all need-based aid, non-need-based aid, merit awards, loans, and any other forms of aid included in the Financial Aid File Data Dictionary. All students who received any form of aid that came through the financial aid office are to be included, whether or not the applicant applied for need-based aid.
- 3.14 “Governing board” means the elected or appointed group of persons that oversees and controls a private college or university or a seminary or religious training institution.
- 3.15 “Out-of-state public institution” means an institution of higher education that is established by statute in a state other than Colorado.
- 3.16 “Owner” means:
- An individual, if a private, for-profit college or university is structured as a sole proprietorship;
 - Partners, if a private, for-profit college or university is structured as a partnership;



- c. Members in a limited liability company, if a private, for-profit college or university is structured as a limited liability company; or
- d. Shareholders in a corporation that hold a controlling interest, if a private, for-profit college or university is structured as a corporation.

3.17 “Physical presence”

- a. For the purpose of state authorization, an institution has physical presence and therefore must seek authorization to operate in Colorado if the institution:
 - 1. Establishes a physical location for students to receive synchronous or asynchronous instruction;
 - 2. Requires students to physically meet in a location for instructional purposes more than twice per full-term (quarter or semester) course for a total of more than six hours;
 - 3. Establishes an administrative office in the state;
 - 4. Provides information to students for the purpose of enrolling students, or provides student support services, from a physical site operated by or on behalf of the institution in the state;
 - 5. Offers a “short course” that requires more than 20 contact hours in one six-month period;
 - 6. Provides office space to instructional or non-instructional staff;
 - 7. Maintains a mailing address or phone exchange in the state;
 - 8. Carries out field study or field research located at a field station, research station or other physical site at which a faculty member or other institutional employee or contractor supervises or otherwise directs two or more students in an activity exceeding the allowable short course length and which either bears academic credit or is a requirement for the course or program.
- b. An institution does not have physical presence, and is therefore not required to seek formal authorization if the institution does not meet the requirements for physical presence if the institution’s actions are limited to the following:
 - 1. Offering courses to individuals via distance learning that do not require students to gather physically in groups;
 - 2. Offering Consortia/cooperative courses, between accredited institutions with intentional cooperative agreements;
 - 3. Advertising to students within a state, whether through print, billboard, direct mail, internet, radio, television, or other medium. **An institution that is seeking authorization to operate in Colorado shall not market or advertise prospective Colorado-based programs in- or outside-of Colorado until and unless the Commission grants authorization;**
 - 4. Offering an educational field trip arranged for a group of students that are normally in residence at an institution in another state;
 - 5. An accredited, out-of-state institution offering “in-house” courses, programs, and training exclusively and specifically for a private company or group is not



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- required to seek authorization from the Commission but should notify the Department of its activity to avoid any regulatory misunderstanding;
6. Offering distance education courses on a military base or vessel if enrollment in such courses is limited to active and reserve military personnel, their dependents, and civilian employees of the installation;
 7. Maintaining a server, router or similar electronic service device when such a device is not housed in a facility that would otherwise constitute a physical presence; the presence of a server or similar pass-through switching device in a state does not by itself constitute the offering of a course or program from the state;
 8. Having faculty, adjunct faculty, mentors, tutors, recruiters, or other academic administrative personnel residing in the state. The presence of instructional faculty in the state, when those faculty offer entirely online or other distance-education instruction and never meet their students in person for educational purposes while in the state, does not establish a physical presence of the institution in the state;
 9. Holding proctored exams in Colorado on behalf of an institution in another state;
 10. Operating limited supervised field experiences. Programs requiring a field experience may place up to ten students per site per program. More than ten students placed at the same site from the same program require authorization (see section 18.00);
 11. Using recruiters in the state. This provision is not intended to restrict recruiting for courses or programs offered out of state and does not include athletic recruiting.
- 3.18 “Private college or university” means a postsecondary educational institution doing business or maintaining a place of business in the state of Colorado, which enrolls the majority of its students in a baccalaureate or postgraduate degree program. For the purposes of determining eligibility for participation as a Degree Authorization Act institution pursuant to this section, an institution offering certificates comprised of credit-bearing courses at the upper division baccalaureate or at the graduate level will be considered a private college or university.
- 3.19 “Private nonprofit college or university” means a private college or university that maintains tax-exempt status pursuant to 26 U.S.C. sec. 501(c)(3).
- 3.20 “Private occupational school” means an institution authorized by the private occupational school division under the provisions of article 64 of title 23, C.R.S., and that enrolls the majority of students at the certificate or associate level and is regulated by the Division of Private Occupational Schools pursuant to article 64 of title 23, C.R.S.
- 3.21 “Seminary or religious training institution” means a bona fide religious postsecondary educational institution that is operating or maintaining a place of



business in the state of Colorado, that is exempt from property taxation under the laws of this state, and that offers baccalaureate, master's, or doctoral degrees or diplomas, the content of which are limited to the principles of the church or denomination with which it is affiliated. These institutions are not required to hold institutional accreditation but are not prohibited from seeking accreditation. Seminaries and religious training institutions are prohibited from offering or awarding degrees appropriate only for academic institutions, including but not limited to, Bachelor of Arts or Bachelor of Science, Master of Arts or Master of Science, Doctor of Philosophy or other degrees typically offered by academic institutions, regardless of curriculum or course content, unless the degree title includes the religious field of study (e.g. Bachelor of Arts in Religious Studies); or degrees associated with specific professional fields or endeavors not clearly and directly related to religious studies or occupations. Any seminary or religious training institution that offers instruction outside of this area must apply for authorization and must hold institutional accreditation from regional or national accrediting body recognized by the U.S. Department of Education.

- 3.22 “State Authorization Reciprocity Agreement” means the interstate reciprocity agreement adopted by the Commission under which eligible Colorado institutions may apply for participation, thereby agreeing to the regulations as established and published by the National Council for State Authorization Reciprocity Agreements.

4.00 Responsibilities of the Private Colleges and Universities, Seminaries or Religious training institutions

- 4.01 Private colleges or universities, seminaries or religious training institutions are required to:
- 4.01.02 Seek and maintain authorization from the Commission to operate in Colorado pursuant to §23-2-101 et seq., C.R.S. In order to maintain authorization, an institution must:
- a. Seek and maintain institutional accreditation on the basis of an on-site review by a regional or national accrediting body recognized by the U.S. Department of Education (**private colleges and universities only**);
 - b. Provide information and respond to inquiries by the Department and Commission; and
 - c. Immediately notify the Department of any information related to any action by the institution's accrediting body concerning the institution's accreditation status, including but not limited to an adverse action or sanction, reaffirmation or loss of accreditation, approval of a request for change, a campus evaluation visit, a



- focused visit, approval of additional locations, or substantive changes regarding operations and programming;
- d. Demonstrate financial integrity on an annual basis, to include maintaining a composite score of at least 1.5 on its equity, primary reserve, and net income ratios, as required in 34 CFR 668.172 and pursuant to §23-2-103.8, C.R.S., **(private colleges and universities only)**;
 - e. Annually submit the Enrollment File and Degree File and, if applicable, the Financial Aid File and Educator Preparation File, as described in §23-1-121, C.R.S., pursuant to §23-2-103.1, C.R.S.;
 - f. Annually provide a true and complete copy of the institution's current enrollment agreement;
 - g. Not make or cause to be made any oral, written, or visual statement or representation that violates section §23-2-104, C.R.S.;
 - h. Provide instruction, in accordance with the standards and criteria set by the institution's accrediting body or in accordance with the requirements set forth for seminaries and religious training institutions;
 - i. Provide to the Department, within thirty (30) days after an ownership change, any material information concerning the transaction that is requested by the Department;
 - j. Comply with all aspects of the Degree Authorization Act; if a private college or university or seminary or religious training institution violates any of the requirements set forth in this section, the Department may recommend to the Commission that the institution's authorization be placed on probationary status or revoked; and
 - k. Provide timely submission of fees, pursuant to §23-2-104.5, C.R.S.
- 4.01.03 Private colleges or universities and seminaries or religious training institutions authorized in Colorado must provide information regarding their authorization type and status to prospective and enrolled students. This information must be reasonably accessible and, at a minimum, must be found in each institution's official catalog, website and, , enrollment agreement, if applicable. An authorized institution may not use the Commission or the Department as a perceived endorsement. An authorized institution may not state that it is "accredited" by the Commission or Department. Noncompliance with this section may be treated as



an instance of deceptive trade practice in accordance with §23.2.104, C.R.S.

4.01.04 Private colleges and universities that enroll the majority of students at the baccalaureate or higher level are required to seek authorization to operate in Colorado and maintain authorization through criteria and requirements specified throughout this policy and pursuant to §23-2-101, et seq., C.R.S.

4.01.05 Private colleges and universities that enroll the majority of students at the certificate or associate degree level and are occupational in nature shall be regulated by the Division of Private Occupational Schools and the Private Occupational Schools Board pursuant to Article 64 of Title 23, C.R.S.

4.02 Joint Authorization

Under special circumstances, institutions otherwise approved by the Division of Private Occupational Schools (DPOS) that elect to offer baccalaureate degrees, and have received authority to do so by an approved accrediting body, may hold joint authorization between the DPOS and the Commission. In these circumstances, the Division of Private Occupational Schools will remain the primary regulatory body; the Colorado Commission on Higher Education will authorize the institution to offer baccalaureate degrees.

4.02.01 Pursuant to §23-2-101, et seq., C.R.S. if as a result of changes in student enrollment, a private college or university at times meets the definition of a private college or university and should therefore be under the Colorado Commission on Higher Education and the Department of Higher Education, and at other times meets the definition of a private occupational school, and therefore should be regulated by the Division of Private Occupational Schools and the Private Occupational Schools Board, the private college or university is subject to regulation by the entity that is appropriate as of July 1, 2012. If the private college or university is authorized as of said date, the institution shall be regulated by the same entity for the following three years.

4.02.02 If it is found that the institution no longer meets the definition of a private college or university, as defined by Article 64 of Title 23, C.R.S., the institution will have sixty (60) days to file an application to operate under the Private Occupational Schools Board. During the transition, and until the Private Occupational Schools Board takes action on the institution's application, the institution shall remain authorized by the Commission. Fees assessed during this process will be assessed on a case by case



basis. The assessment of fees will consider fees that have been assessed by the current authorizing division.

- 4.02.03 Failure to apply for approval through the Division of Private Occupational Schools within sixty (60) days will subject the institution to the powers and authorities of the Division or Board pursuant to §23-64-101, et seq., C.R.S., and, as necessary, their procedures for closure.

5.00 Responsibilities of the Commission and the Department

5.01 The Commission shall:

- 5.01.01 Establish procedures for Department staff to make recommendations to the Commission.
- 5.01.02 Grant or deny authorizations, renew authorizations, place institutions on probation, and revoke authorizations pursuant to §23-2-103.3, C.R.S., and §23-2-103.4, C.R.S.;
- 5.01.03 Establish the types and amounts of fees that a college or university, seminary or religious training institution shall be assessed as required in §23-2-104.5, C.R.S.; and
- 5.01.04 Establish policies requiring private colleges, universities and seminaries, religious training institutions to submit to the department, upon request, the Enrollment File and Degree File and, if applicable, the Financial Aid File and Educator Preparation File as described in §23-1-121, C.R.S.
- 5.01.05 Direct staff to investigate and report on an institution's status with its accrediting agency(ies), other governmental agency(ies), or any other state in which it operates, if the Commission deems such action to be necessary.

5.02 The Department shall:

- 5.02.01 Recommend that the Commission grant, deny, revoke, place on probation, or renew an authorization to operate a private college or university or seminary or religious training institution;
- 5.02.02 Maintain a list of the private colleges and universities and seminaries and religious training institutions that have authorizations on file with the Department;
- 5.02.03 Respond to requests from institutions and students and provide a timely review of information;



- 5.02.04 Establish and maintain a process in accordance with §23-2-104, C.R.S. and Commission policy I, T, concerning Student Complaints and Appeals; for review and action as appropriate on said complaints or appeal, providing the complaint is based on a claim of deceptive trade practice;
- 5.02.05 Receive and maintain academic records, pursuant to §23-2-103.5, C.R.S., and as described in section 23.01 of this policy. The Department shall permanently retain any student transcripts received;
- 5.02.06 Maintain the privacy protection of student level data submitted to the SURDS database. (See section 6.00 on privacy);
- 5.02.07 Administer a fee invoice to the institutions on an annual basis;
- 5.02.08 Compile the enrollment and program data provided by the institutions
- 5.02.09 Periodically review the applicability of the authorization to ensure compliance pursuant to §23-2-101 et seq. C.R.S.
 - 1. If the data show the institution to be in compliance with this policy, no action is necessary on the part of the institution.
 - 2. If the majority of students enrolled in an institution do not meet the minimum requirements under this policy, Department staff will recommend revocation of authorization under the Commission and will provide the institution with an application for operation under the Division of Private Occupational Schools.
 - 3. If an institution does not apply for approval through the Division of Private Occupational Schools within the sixty (60) day timeframe, a recommendation for revocation of authorization will be made to the Commission.
 - 4. The Commission and Department are not authorized to regulate the operations of, including but not limited to the content of courses provided by, a private college or university or seminary or religious training institution except to the extent expressly set forth in this policy.

6.00 Data Privacy Statement

The Executive Director and an employee of the Department shall not divulge or make known in any way data for individual students or personnel, except in accordance with



judicial order or as otherwise provided by law. A person who violates this paragraph commits a Class 1 misdemeanor and shall be punished as provided in §18-1.3-501 CRS and shall be removed or dismissed from public service on the grounds of malfeasance in office.

7.00 Interstate Reciprocity

Pursuant to §23-2-103.1(4), the Commission may negotiate and enter into interstate reciprocity agreements with other states if, in the judgment of the Commission, the agreements do not obligate a private college or university or seminary or religious training institution to comply with standards or requirements that exceed the standards and requirements specified in this policy and the agreements will assist in accomplishing the purposes of this policy, unless the institution voluntarily decides to do so.

The participating institution must comply with the criteria in the reciprocity agreement in conjunction with the oversight division of the Department.

7.01 In 2014, the Commission approved entering, on behalf of the State of Colorado and as a member of the Western Interstate Commission for Higher Education, the State Authorization Reciprocity Agreement (SARA).

7.02 The Agreement charges the Department with the responsibility to serve as the State Portal Entity (SPE) and assume responsibility for the administrative, oversight, complaint investigatory, and reporting functions on behalf of Colorado. As a SARA member state, the Department agrees to adopt the participation requirements set forth by the National Council of State Authorization Reciprocity Agreements.

7.03 As a member state and under the participation requirement, the state portal entity reviews Colorado institutions' applications for participation and bears the responsibility of the approval or denial of participation in SARA.

7.04 Institutional Appeals Process

7.04.01 In the event an institution is denied participation in SARA or if a current participant in SARA receives notice of removal from SARA, the institution may appeal the decision by the State Portal Entity to the SARA Appeals Council.

7.04.02 The SARA Appeals Council shall be composed of the Executive Director of the Colorado Department of Higher Education, the Chair of the CCHE Standing Committee for Academic and Student Affairs, and the Academic Council member of the CCHE Advisory Committee.

A. Institutions choosing to appeal must do so based on the following grounds:



1. The State Portal Entity did not follow procedures set forth by the National Council for State Authorization Reciprocity Agreements as outlined in the SARA manual. The appealing institution must provide supporting documentation.
2. The State Portal Entity erroneously denied participation based on the institution's assessed inability to meet the eligibility criteria to participate in SARA, as outlined in the SARA manual. The institution must provide documentation proving it meets the eligibility criteria for SARA participation.

B. Appeals Process

1. Institutions seeking to appeal the removal or denial of participation in SARA must notify the State Portal Entity Contact in writing of the intent to appeal and must do so within five (5) days after receiving the notice of denial or removal. For current participating institutions, if the notice is not received within five (5) days, the State Portal Entity Contact will ~~begin~~ ~~continue~~ ~~begin~~ ~~continue~~ the process to officially remove the institution from SARA by notifying the NC-SARA staff of the institution's decision not to appeal the State Portal Entity decision.-
2. Institutions that notify the State Portal Entity Contact of the intent to appeal must submit an official appeal, consisting of a letter stating the reason for appealing and supporting documentation, within seven (7) days after submitting the notice of intent to appeal.
3. Upon receiving the official appeal and supporting documentation, the Appeals Council will offer a decision within thirty (30) days of the receipt of the official appeal. The Appeals Council may consult with relevant and applicable individuals from the institution, the State Portal Entity Contact, and the SARA Director at WICHE, and may request additional documentation and/or invite the institution to a meeting.
4. Institutions that are successful in appealing the initial decision by the State Portal Entity will be granted initial participation in SARA or will remain

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a SARA participating institution. Pursuant to NC-

SARA regulations, the institution must pay all SARA related fees prior to final institutional participation or before institutional participation can be renewed.

5. Institutions whose appeals are unsuccessful will be notified of the decision by a member of the SARA Appeals Council. For current SARA participating institutions the State Portal Contact will take immediate action to have the institution removed from the NC-SARA institution list following the notification of the Appeals Council's decision.
6. If an institution's SARA participation expires during the appeals process, it will remain a participating institution until the process is completed.
7. The decision of the Appeals Council is final.

8.00 Seminaries and Religious Training Institutions

- 8.01 To operate in Colorado, a seminary or religious training institution shall apply for and receive authorization from the Department and establish that it qualifies as a bona fide religious institution and as an institution of postsecondary education, as defined by rules promulgated by the Commission. A bona fide religious institution and an institution of postsecondary education that applies for authorization pursuant to §23-2-103.3 shall pay the fee established according to §23-2-104.5. Nothing in this section shall preclude a seminary or religious training institution from seeking institutional accreditation, but it is not required.
- 8.02 A seminary or religious training institution shall apply for renewal of authorization every three years to ensure compliance for those institutions authorized under the Authorization as a Seminary or Religious Training Institution.

9.00 Process for Seeking Authorization as a Seminary or Religious Training Institution

- 9.01 Criteria to Qualify
 - 9.01.01 The statute recognizes only a "bona fide religious postsecondary educational institution" which is "exempt from property taxation under the laws of this state." Institutions of this type may only offer programs appropriate to a religious institution.9.01.02 To



qualify as a “bona fide religious postsecondary institution,” the seminary or religious training institution must:

- A. Be a nonprofit institution owned, controlled, operated, maintained, or affiliated with a bona fide church or religious denomination, lawfully operating as a nonprofit religious corporation pursuant to Title 7 of the Colorado Revised Statutes.
- B. Limit the educational programs to the principles of the church or denomination with which it is affiliated and grant degrees or diplomas only in areas of study that contain on their face, in the written description of the title of the degree or diploma being conferred, a reference to the theological or religious aspect of the degree’s subject area.
- C. Not offer or award degrees in any secular area of study or degrees appropriate only for academic institutions, such as, but not limited to, Bachelor of Arts or Bachelor of Science, Master of Arts or Master of Science, Doctor of Philosophy, or other degrees typically offered by academic institutions, regardless of curriculum or course content, unless the degree title includes the religious field of study (e.g., “Bachelor of Arts in Religious Studies”); or degrees associated with specific professional fields or endeavors not clearly and directly related to religious studies or occupations.
- D. Require at least a high school diploma or its equivalent for admission into baccalaureate-level programs. For graduate programs, the admission criteria must be commensurate with graduate level institutions.
- E. Not market, offer or grant degrees or diplomas which are represented as being linked to a church or denomination, but which actually are degrees in secular areas of study.
- F. Provide documentation of exemption from property taxation under state law and submit to the Department a copy of the certificate of this exemption for the school’s site and facilities, verified by the Colorado Division of Property Taxation and a letter of determination signed by the Property Tax Administrator, Division of Property Taxation, Colorado Department of Local Affairs, stating that the institution is exempt from real and personal property taxation under state law. If the institution is domiciled in another state, the property taxation exemption documentation from that state is acceptable.
- G. Provide any additional evidence to substantiate that the institution is a bona fide religious institution, including: a statement of



institutional mission clearly establishing the mission of the institution as solely religious, and curricula and degree, diploma, or

certification programs that clearly support that singular mission; or evidence that the school holds at least pre-accreditation status with one of the following nationally recognized accrediting associations:

1. Association for Biblical Higher Education, Commission on Accreditation; or
2. The Association of Advanced Rabbinical and Talmudic Schools; or
3. Commission on Accrediting of the Association of Theological Schools.

10.00 Process to Establish Authorization as a Seminary or Religious Training Institution

- 10.01 An institution seeking authorization as a bona fide religious institution shall submit to the Department a completed and signed Declaration for Religious Authorization, and document compliance with all requirements in the Declaration, and shall provide a revised Declaration at any time that information originally submitted no longer is accurate.
- 10.02 The first step in obtaining state authorization and prior to the submission of required documentation, institutions seeking to operate in Colorado as a seminary or religious training institution shall consult in person at the Department with the administrator of the Degree Authorization Act.
- 10.03 Following the consultation and review of all documents submitted, the Department shall determine if the institution qualifies for authorization as a seminary or religious training institution.

11.00 Evaluation of Application for Authorization as a Seminary or Religious Training Institution

- 11.01 Following the submittal of the required documents, the Department shall review the application for required components and documents and make a recommendation to the Commission regarding authorization.
- 11.02 The Department shall either:
 - Recommend for Seminary or Religious Training Authorization
 - Not Recommend Authorization

12.00 Renewal of Authorization for Seminaries and Religious Training Institutions

- 12.01 A seminary or religious training institution shall apply for renewal of authorization every three years. The renewal of authorization process shall



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demonstrate that the seminary or religious training institution continues to meet the minimum operating standards specified in this policy and §23-2-103.8, C.R.S.

Failure to do so will result in an assumption that the minimum standards are not met and a recommendation for revocation of authorization will be made.

12.02 A seminary or religious training institution that continues to meet the minimum operating standards specified in 9.01 is presumed qualified for renewal of authorization, and the Department shall recommend that the Commission renew the seminary or religious training institution's authorization for three additional years.

12.02.01 A seminary or religious training institution shall provide the Department for renewal:

- a. Updated list of program offerings; and
- b. Confirmation of non-profit religious corporation status; and
- c. Confirmation of affiliation with bona fide church or religious organization; and
- d. Confirmation of tax-exempt status pursuant to Colorado State Law; and
- e. Updated institutional organization information.

12.03 A seminary or religious training institution that meets the criteria and rules established herein is exempt from the provisions of this policy that exclusively apply to the secular private colleges and universities authorized by the Commission.

12.04 If a seminary or religious institution does not renew its authorization within four (4) months of notice, the Department may recommend and the Commission may, at its discretion, continue to authorize, place on probationary authorization, or revoke the institution's authorization.

13.00 Private Colleges and Universities/Out-of-State Public Institutions

13.01 Pursuant to §23-2-103.3, C.R.S., to operate in Colorado, a private college or university shall apply for and receive authorization from the Commission. A private college or university shall obtain separate authorization for each campus, branch, or site that is separately accredited.

13.02 After receiving an application, the Department shall review the application and any other pertinent information to evaluate whether the private college or university meets institutional accreditation requirements at the Colorado site by an accrediting body recognized by the United States Department of Education. Department staff shall not accept an application from an institution that is not in good standing with its accreditor.



- 13.03 The Department shall not recommend and the Commission shall not approve an application from a private college or university that, in the two years preceding submission of the application, has had its accreditation placed on show cause or probation, suspended or withdrawn, or has been prohibited from operating in another state or that has substantially the same owners, governing board, or principal officers as a private college or university that, in the two years preceding submission of the application, has had its accreditation suspended or withdrawn or has been prohibited from operating in another state.
- 13.04 To operate in Colorado, a private college or university shall be institutionally accredited on the basis of an on-site review by an accrediting body recognized by the United States Department of Education which is authorized to offer institutional accreditation; except that a private college or university may operate for an initial period without accreditation if the commission determines, that the private college or university is likely to become accredited in a reasonable amount of time or is making progress toward accreditation in accordance with the accrediting body's policies.
- 13.05 The Commission may grant a provisional authorization to a private college or university to operate for an initial period without accreditation. The private college or university shall annually renew its provisional authorization and report annually to the Commission concerning the institution's progress in obtaining accreditation.
- 13.06 A private college or university shall notify the Department in a timely manner of any material information related to an action by the institution's accrediting body concerning the institution's accreditation status, including but not limited to reaffirmation or loss of accreditation, approval of a request for change, a campus evaluation visit, a focused visit, or approval of additional locations. In addition, the institution shall notify the Department in a timely manner if the United States Department of Education no longer recognizes the institution's accrediting body. Failure to provide this information shall lead to revocation or probationary authorization by the Commission.

14.00 Minimum Operating Standards to Qualify as a Private College or University

- 14.01 A private college or university is an institution which is "doing business or maintaining a place of business in the state of Colorado" and which offers courses of instruction or study wherein credits may be earned toward a degree in a field of endeavor. A publicly-supported college or university based in another state and which seeks or has physical presence in the state of Colorado will be treated as a "private college or university."
- 14.02 All institutions must meet the following criteria to qualify for consideration of authorization and renewal of authorization:



1. Demonstrated ability to provide appropriate student services at the new site through the application materials; and
2. Demonstrated financial ability to support all operations at the new site through the application materials; and
3. Demonstrated physical presence in Colorado with the appropriate documentation.

15.00 Process for Authorization/Renewal of Authorization for Private Colleges and Universities:

15.01 Process to Establish Authorization as a Private College or University

- A. Institutions seeking state authorization to operate in Colorado as a private college or university shall consult in person at the Department with the administrator of the Degree Authorization Act prior to the submission of required documentation.
- B. The applicant shall submit all required materials to the Department and Department staff will assemble an evaluation team to review the materials submitted. The evaluation team is charged with determining whether the materials provided demonstrate compliance with the Degree Authorization Act, promulgated policy, and the likelihood of accreditation.
- C. To receive state authorization an institution must provide documentation that demonstrates that each of the following criteria has been met:
 1. The institution is familiar with and understands accreditation procedures and state authorization policies and procedures; and
 2. (a) The institution identifies the accrediting body from which the institution will seek accreditation if accreditation is not yet obtained; or, (b) A statement from the institution's accrediting agency regarding the accreditation of the Colorado campus.
 3. The institution has a mission statement formally adopted by its governing body and made public, which defines the basic character of the institution, including a brief description of the educational programs to be offered and their purposes, the students for which the programs are intended, the geographical or demographic area served by the institution, and a description of how the institution relates to Colorado's broader higher education community. The mission shall be appropriate to an institution of higher education and the institution must plan to award degrees.



5. The institution has a governing board that possesses and exercises necessary legal power to establish and review basic policies that govern

the institution and shall have designated an executive officer to provide administrative leadership for the institution. The board shall include among its members some who represent the public interest and are sufficiently autonomous from the administration and ownership to assure the integrity of the institution. A list of the members of the board, and a brief resume for each, and the name and title of the executive officer and principal administrators and the address of the administrative office shall be submitted to the Department.

6. If faculty members are employed at the time the application is filed with the department, the faculty, their academic credentials (degrees, previous experience, publications, etc.) and teaching fields shall be identified. If no faculty are employed at the time of application, the institution shall describe the qualifications of the faculty that are to be recruited and the procedures that will be used to find and contract with faculty members.
7. Private institutions shall provide ownership information. If the institution is applying as a nonprofit entity, it shall submit with its application, verification of nonprofit status, including a copy of the institution's tax-exempt certificate issued by the Colorado Department of Revenue.
8. The institution's proposed academic programs shall be appropriately named and be based on fields of study recognized as appropriate (as demonstrated by the existence of professional literature in the field; the offering of similar programs in already-accredited institutions; and by the existence of professional organizations related to the field) for a postsecondary institution. The academic program shall comport with the institutional mission as described in documents provided to the department. The institution shall provide a list of the degrees it proposes to award and a degree (as defined in the Degree Authorization Act, §23-1-101 et seq., C.R.S.) is to be awarded upon successful completion of an educational program.
9. The content and length of the proposed academic program shall follow practices common to institutions of higher education and must align with accreditation standards. Documentation shall be provided that lists all requirements for a degree and the curricula offered leading to the degree, showing planned typical student programs by semester or term. Any proposed undergraduate degree program shall include a coherent general education component that is consistent with the institution's mission and appropriate to its educational programs.



10. Student access to all necessary learning resources and support services shall be provided. Necessary resources and support services vary by

type of program, but all require some use of library resources. Laboratories may be required for some programs. Support services such as academic advising, financial aid counseling, and support for special, targeted, constituencies may be needed. The institution shall describe the learning resources and support services that it will provide and state how they will be provided to students on a regular, dependable basis.

11. Admission policies shall be consistent with the institution's mission and appropriate to the educational program.
12. The institution has financial resources to support start-up activities and sources of funds sufficient to ensure that the institution can sustain itself once students have been admitted. The Department shall be provided with a current financial statement, an audit report of a financial audit completed within the previous twelve months by a certified public accountant, or other substantial evidence.

- D. After an institution has submitted all required documentation and based on the institution's selected accrediting body, the Department shall contract with an evaluation team to review all submitted materials to determine the institution's readiness for on-site accreditation and make a recommendation regarding authorization.

15.02 Joint Authorization under Special Circumstances

- 15.02.01 In the special instance that a school authorized by the Division of Private Occupational Schools offers baccalaureate degree programs but does not meet the majority rule pursuant to §23-64-104(d)(II), C.R.S., the Commission shall have authority to authorize the baccalaureate and higher level programs at the school pursuant to the Degree Authorization Act, §23-2-101, et seq., C.R.S. However, under such circumstances, the school will be required to follow DPOS rules and statutes until such time that the majority of the institution's programs are at the baccalaureate level or higher.
- 15.02.02 Under the special circumstances, as stated in 4.02, department staff will address complaints received by students enrolled in the baccalaureate and higher degree programs pursuant to the process outlined in section 14.01.
 - a. In the event that the department receives complaints by students enrolled at both the sub-baccalaureate and



baccalaureate levels, department staff may coordinate the review of these complaints and include all relevant information

in recommendations for board action, whether the information is being provided to the DPOS board, the Commission, or both.

16.00 Evaluation of Application for Authorization for Private Colleges and Universities

- 16.01 Following the submission of the required documents and based on the institution's selected accrediting body, the Department shall review the application for required components and documents, the Department shall contract with an evaluation team to review all submitted materials to determine the institution's readiness for on-site accreditation and make a recommendation regarding authorization.
- 16.02 Based on the recommendation of the evaluation team, the Department staff shall recommend:
 - Provisional Authorization
 - No Authorization
- 16.03 Each evaluation team will consist of several appropriate independent and fully credentialed evaluators selected by Department staff, based on institution type and the accrediting body from which the applicant shall seek accreditation.
- 16.04 In addition to the required documents, additional materials may be requested by the evaluation team and/or department staff based on the criteria established by the accreditation association.
- 16.05 If the evaluation team does not recommend the applicant institution for state authorization, the applicant institution may not reapply for a period of one year from the date of notice and the application fee will be assessed upon reapplication. If the evaluation team recommends a conditional approval based on minor technical changes, the applicant institution will have six months to reapply and the Department will not assess another application fee.

17.00 Establishing Authorization as a Place of Business (no instruction)

- 17.01 An institution of higher education that is accredited by a U.S. Department of Education recognized accrediting agency may operate an administrative office but may not offer instruction from the Colorado site.
- 17.02 Criteria to qualify for consideration of Authorization as a Place of Business. Institutions seeking this authorization must provide:
 - a. Institutional statement, signed by an institutionally authorized official, which:



1. Certifies the institution intends to limit Colorado operations to the administrative office function only;

 2. Certifies the institution does not have or intend to have a physical presence in the state beyond the administrative office, which can include a branch campus or any additional site that provides instruction to students;
 3. Agrees to report the number of Colorado students on a yearly basis through Colorado's student unit record data system (SURDS);
 4. Agrees to pay an annual fee pursuant to the CCHE approved fee schedule; and
 5. Certifies the truth and accuracy of the application materials, by including the following statement: "I certify that all the information submitted with this application is true and accurate and that the institution will comply with all the requirements for authorization under §23-2-101, et seq., C.R.S."
- b. Statement of Institutional Mission
 - c. Information on degrees and academic programs
 - d. A statement on why the institution is choosing Colorado for an administrative office.
 - e. Statement of accreditation status, including:
 1. Most recent site visit report
 2. Determination letter from accrediting agency
 - f. Description of all activities that will occur at the Colorado office
 - g. Application fee
 - h. Initial authorization checklist
 - i. Completed Regulation Determination

18.00 Establishing Field Experience Authorization (no instruction)

- 18.01 An institution of higher education that is accredited by a U.S. Department of Education recognized accrediting agency may place students in field experience sites but may not offer instruction from the Colorado site.
- 18.02 Criteria to qualify for consideration Field Experience Authorization. Institutions seeking this authorization must provide:
 - a. Institutional statement, signed by an institutionally authorized official, which:



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1. Certifies the institution intends to limit Colorado operations to the field experience function only;
 2. Certifies the institution does not have or intend to have a physical presence in the state beyond the student(s) completing their required practical component;
 3. Agrees to limit student placement for the approved program(s);
 4. Agrees to pay the approval fee pursuant to the CCHE approved fee schedule; and
 5. Certifies the truth and accuracy of the application materials, by including the following statement: "I certify that all the information submitted with this application is true and accurate and that the institution will comply with all the requirements for authorization under §23-2-101, et seq., C.R.S."
- b. Information on the degrees that require field placements, including those programs which are intended to result in licensure. If the program leads to licensure, the institution must provide a statement regarding the requirements for students not living in the home state.
- c. A letter of good standing from the institution's home state.

19.00 Renewal of Authorization for Private Colleges and Universities with "Full Authorization"

- 19.01 A fully authorized private college or university 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.
- 19.02 Required documents for renewal of authorization:
- a. Self-evaluation report or similar
 - b. Accreditation site visit team's report
 - c. Institution's response to site visit report
 - d. Final determination letter from the accrediting body

20.00 Renewal of Authorization for Private Colleges and Universities with "Provisional Authorization"

- 20.01 Private colleges and universities that hold provisional authorization shall renew authorization annually. If after three years the institution has not achieved accreditation, the Commission may grant a two-year extension if the institution requests the extension, provides documentation demonstrating satisfactory progress toward accreditation and has maintained continuous compliance.



20.02 Required documents:

- a. Any and all communications to and from the accrediting body from which the institution is seeking accreditation, including all documents regarding progression towards the institution's progress toward attaining accreditation;
- b. Accreditation progress report from the accrediting agency;
- c. Status report of institution's activities;
- d. Updated enrollment information;
- e. Enrollment agreements, if applicable, and any other recruitment materials used for training staff and presented to potential students;
- f. Updated list of faculty, including faculty credentials and the courses they teach;
- g. Updated list of programs offered at the Colorado site;
- h. Updated bond information.

21.00 Renewal of Authorization for Private Colleges and Universities with “Probationary Authorization”

21.01 Private colleges and universities that have been placed on probation by the Commission shall annually renew such authorization with the Commission until such time the Commission determines to restore full authorization status or revoke the institution's authorization to operate.

21.01.02 Required documents for institutions with probationary authorization:

- a. Accreditation status update, identifying progress regarding the adverse action issued by the accrediting body or other governmental agency;
- b. Any and all communication regarding the adverse action issued by the accrediting body or other governmental agency;
- c. Prospective timeframe for when the adverse action is expected to be acted upon.

22.00 Renewal of Authorization – All Authorized Institutions

22.01 A private college or university that has authorization from the Commission pursuant to §23-2-103.3, C.R.S., and maintains its accreditation shall apply to the Department for renewal of authorization 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 renewal of authorization every three years. A private college or university or seminary or



religious training institution that seeks renewal of authorization shall submit an application in accordance with the procedures and policies adopted by the

Commission and shall pay the renewal of reauthorization fee established by the Commission pursuant to §23-2-104.5, C.R.S.

- 22.02 To renew its authorization to operate in Colorado, a private college or university or seminary or religious training institution shall demonstrate that it continues to meet all minimum operating standards specified in the Degree Authorization Act, specifically §23-2-103.8, C.R.S., and this policy. Failure to demonstrate compliance with the minimum operating standards will result in a presumption that the minimum operating standards are not met and the Commission, at its discretion, may place the institution on probationary authorization or revoke authorization. 22.03 A private college or university that has had its accreditation reaffirmed without adverse action is in compliance with §23-2-103.8, C.R.S., and is not subject to investigation pursuant to §23-2-103.4, C.R.S., is presumed qualified for renewal of authorization, and the Department shall recommend renewal for a period of three years or the length of the institution's accreditation, if applicable, whichever is longer.
- 22.04 A seminary or religious training institution that continues to meet the minimum operating standards is presumed qualified for renewal of authorization, and the Department shall recommend that the Commission renew the institution's authorization for three additional years.
- 22.05 If a private college or university or seminary or religious training institution cannot demonstrate that it meets the minimum operating standards specified in Commission policy or pursuant to §23-2-103.3 or §23-2-103.8, if applicable, the Department shall recommend that the Commission deny the institution's application for renewal of the authorization.
- 22.06 If, within six months after receiving the notice of denial of the application for renewal, the institution corrects the action or condition that resulted in denial of the application for renewal, the institution may reapply for renewal of the authorization.
- 22.07 If the institution does not correct the action or condition within the six month period, it may submit a new application for authorization after correcting the action or condition.
- 22.08 If a private college or university has received an adverse action or sanction from its accrediting body at the time it files for an application for renewal of authorization to operate in Colorado, the Department may recommend that the Commission renew the institution's authorization or that the Commission grant a probationary renewal of the institution's authorization.



- 22.09 If an institution receives a probationary renewal of its authorization, the institution shall reapply for renewal of its authorization annually until the accrediting body lifts the adverse action, and the institution shall annually report to the Commission concerning the institution's progress in removing the adverse action.
- 22.10 If the Department recommends that the Commission grant a probationary renewal of authorization or deny an application for renewal of authorization, the Commission shall notify the private college or university or seminary or religious training institution concerning the recommendation, and the Department and the Commission shall proceed in accordance with the provisions of the "State Administrative Procedures Act", Article 4 of Title 24, C.R.S.

23.00 Change of Authorization Type - Probationary Status or Revocation

- 23.01 If the Commission has reason to believe that a private college or university or seminary or religious training institution meets one or more of the grounds specified in the following section for probationary authorization status or revocation of authorization, the Commission may order the Department to investigate the private college or university or seminary or religious training institution and make a recommendation concerning whether to place the institution on probationary authorization status or revoke the institution's authorization.
- 23.02 To assist the Department in conducting an investigation pursuant to §23-2-103.4 (1), C.R.S., the Commission may subpoena any persons, books, records, or documents pertaining to the investigation, require answers in writing, under oath, to questions the Commission or Department may ask, and administer an oath or affirmation to any person in connection with the investigation. In conducting the investigation, the Department may physically inspect an institution's facilities and records. A subpoena issued by the Commission pursuant to this paragraph is enforceable by any court of record in the state.
- 23.03 Based on findings of an investigation pursuant to this section, the Department shall make a recommendation to the Commission regarding the institution's authorization status.
- 23.04 If the Department recommends probationary authorization status or revocation of authorization, it shall identify the applicable grounds for specified below, and the Department and the Commission shall proceed in accordance with the provisions of the "State Administrative Procedures Act," Article 4 of Title 24, C.R.S.
- 23.05 With regard to the authorization of a private college or university, the Commission may:
- 23.05.01 Revoke the private college's or university's authorization or place the institution on probationary authorization status if the private college or university:



- a. Fails to meet any of the minimum standards set forth in this policy or in statute;
 - b. Fails to substantially comply with the applicable laws or rules adopted or implemented by other governmental agencies that have jurisdiction over the institution; or
 - c. Violates the federal criminal laws or the criminal laws of this state or any other state in which the institution operates;
 - d. Loses accreditation, is placed on probation by, or receives an adverse action or sanction from its accrediting agency; or
 - e. Is accredited by an accrediting agency that the U.S. Department of Education no longer recognizes.
- 23.06 The Commission may revoke a seminary's or religious training institution's authorization or place the institution on probationary status if the seminary or religious training institution:
- a. No longer meets the definition of a seminary or religious training institution specified in §23-2-102, C.R.S.;
 - b. Fails to meet any of the minimum standards set forth in statute or in the Commission's policy or rule adopted to implement the statute; or
 - c. Violates the federal criminal laws or the criminal laws of this state or any other state in which the institution operates.

24.00 Fee Schedule

Pursuant to §23-2-104.5, C.R.S., the Commission has the authority to establish fees for direct and indirect costs of administering the Degree Authorization Act. After initial determination of fees, fees will be established on an annual basis no later than June 30 of the year preceding implementation. The Department and Commission shall give thirty (30) days for comment unless no changes are made to the fee structure. The fee shall reflect the direct and indirect costs of administering the article. Fees shall include, but not be limited to, application fees, authorization/annual fees, renewal of authorization fees, educator preparation fees (if applicable), and gtPathways review fees (if applicable).

25.00 Deposit of Records upon Discontinuance

25.01 Pursuant to §23-2-103.5, C.R.S., if an authorized private college or university or seminary or religious training institution ceases operating in the state, the owner of the institution or his or her designee shall deposit with the department the original or legible true copies of all educational records of the institution. If the



Commission determines that the records of an authorized institution are in danger of being destroyed, secreted, mislaid, or otherwise made unavailable to the Department, the Commission may seek a court order authorizing the Department to seize and take possession of the records.

- 25.02 The Department or the Attorney General may enforce the provisions of this section by filing a request for an injunction with a court competent jurisdiction. A person may request, in accordance with the provisions of the Colorado Open Records Act, Part 2 of Article 72 of Title 24, C.R.S., a copy of a record held by the Department pursuant to this section. The Department shall permanently retain any student transcript. The Department shall retain any other records received for ten years following the date on which it receives or obtains the records. After the ten years, the Department shall dispose of the records in a manner that will adequately protect the privacy of personal information included in the records.

26.00 Procedure for the Closure of an Institution

- 26.01 In the event an institution closes and ceases operations, the owner or designee is required to provide timely notification, with as much advanced notice as is possible, to the Department and currently enrolled or recruited students in writing immediately of the intention to close/cease operation.
- 26.02 Written notification the Department to close or cease operations must include:
- a. Name of the institution;
 - b. Name of the owner, active mailing address, and telephone number where he or she may be reached after the institution physically closes;
 - c. Name of the institution's Chief Executive Officer, President, or other appropriate administrator;
 - d. Date of closure (or approximate of anticipated closing date);
 - e. A list, with contact information, of all affected students including, a report of the status of all students currently enrolled and those students on leave of absence whose education and training program will not be fully completed by the date of the institution's closure;
 - f. Identify in writing whether there are refunds due to any students;
 - g. Submit a written statement from the owner or designee affirming that all recruitment efforts, program marketing, advertisement (regardless of type, i.e. newspaper, website, television broadcast, etc.), solicitation and enrollment of new students has ceased;



- h. A copy of the written notice given to current students or recruited-but-not-yet-enrolled students informing them of the school's intent to close and copies of any other record of students having been so notified; and
- i. The expected deposit date of the student records to the Department.

26.03 Student Records must include:

- a. The individual enrollment agreement and other instruments relating to the payment for educational services, including student financial aid; and
- b. Academic grades and attendance (when in doubt preserve it; seek technical assistance from the Department; or turn it over to the Department to make a final determination); and
- c. The date the student began instruction at the school and information about each program in which the student is or was enrolled, including (a) the name of program, (b) length of program in clock hours or credit hours and (c) date of last instruction or of course completion; and
- d. Record of any student grievance and subsequent resolution; and
- e. Transcript/record of completion showing extent of each student's record of achievement up to last date attended or up to time the institution ceased operation; and
- f. Student ledger cards. The student ledger card is the document that summarizes the financial transactions pertaining to each student's attendance at the institution including a listing of all costs charged to the student and all fees received from the student or any other funding source on behalf of the student.

27.00 Alternative Enrollment

An option for students faced with a closure is to continue their education in order to complete their program. Alternative enrollment may be provided, under which (1) either the students complete their studies at the original private college or university in which they are enrolled, before it closes or (2) arrangements are made and students are given an opportunity to complete their education at another private, Commission authorized school which offers substantially the same education.

Alternative enrollment is intended to fulfill the original contract between the closing institution and the student. If alternative enrollment is arranged for another approved institution to provide the remaining education that other institution must provide comparable education and agree that students transferring from the closing institution will pay only the cost of tuition/fees that remain unpaid, according to the terms and conditions found in the enrollment agreement entered into between the student and the closing institution.



The Department will work with the closing institution and its accrediting body to determine if alternative enrollments can be made available. The option of alternative enrollment is voluntary and a student may decline such an arrangement.

28.00 Financial Integrity – Surety

- 28.01 Pursuant to §23-2-103.8, C.R.S., the Department shall determine the financial integrity of private colleges or universities except when the private college or university:
- a. Is a party to a performance contract with the Commission under §23-5-129, C.R.S.;
 - b. Has been accredited for at least twenty years by an accrediting agency that is recognized by the United States Department of Education;
 - c. Has operated continuously in this state for at least twenty years; and
 - d. Has not at any time filed for bankruptcy protection pursuant to Title 11 of the United States Code.
- 28.02 If a private college or institution does not meet the criteria above, the Department shall determine the institution's financial integrity by confirming that the institution meets or does not meet the following criteria:
- 28.02.01 The institution has been accredited for at least ten years by an accrediting agency that is recognized by the United States Department of Education;
 - 28.02.02 The institution has operated continuously in this state for at least ten years;
 - 28.02.03 During its existence, the institution has not filed for bankruptcy protection pursuant to Title 11 of the United States Code;
 - 28.02.04 The institution maintains a composite score of at least 1.5 on its equity, primary reserve, and net income ratios, as required in 34 CFR 668.172; and
 - 28.02.05 The institution meets or exceeds the pro rata refund policies required by the federal Department of Education in 34 CFR 668 or, if the institution does not participate in federal financial aid programs, the institution's refund and termination procedures comply with the requirement of the institution's accrediting body.
- 28.03 If a private college or institution is part of a group of private colleges and universities that are owned and operated by a common owner, so long as all of the



other institutions in the group meet the criteria specified above then the Department shall determine the institution's financial integrity by confirming that the institution meets the following criteria:

- 28.03.01 The institution has received and maintains full accreditation without adverse action from an accrediting agency that is recognized by the United States Department of Education, which accrediting agency requires the institution to maintain surety or an escrow account or has affirmatively waived or otherwise removed the requirement for the institution;
- 28.03.02 The institution has been continuously authorized by the Commission for at least five years:
- a. The institution owns and operates a permanent instructional facility in the state;
 - b. The institution annually provides to the Department audited financial statements for the most recent fiscal year that demonstrate that the institution maintains positive equity and profitability;
 - c. The institution maintains a composite score of at least 1.5 on its equity, primary reserve, and net income ratios, as required in 34 CFR 668.172; and
 - d. The institution meets or exceeds the pro rata refund policies required by the federal Department of Education in 34 CFR 668 or, if the institution does not participate in federal financial aid programs, the institution's refund and termination procedures comply with the requirements of the institution's accrediting body.

28.04 Surety

Each private college or university that is not exempt and cannot demonstrate financial integrity shall file evidence of surety in the amount calculated by the Department using the criteria above prior to receiving authorization to operate in Colorado. The surety may be in the form of a savings account, deposit, or certificate of deposit that meets the requirements of §11-35-101, C.R.S., or an alternative method approved by the Commission, or by bond. The Commission may disapprove an institution's surety if it finds there are insufficient funds to provide students with indemnification and alternative enrollment.

28.05 Bonds



- 28.05.01 If a private college or university files a bond, it shall be executed by the institution as principal and by a surety company authorized to do business in Colorado. The bond shall be continuous unless the surety is released as set forth in this section.
- 28.05.02 The surety shall be conditioned to provide indemnification to any student that the Department finds to have suffered loss of tuition or any fees as a result of any act or practice that is a violation of the

Degree Authorization Act, to provide alternate enrollment, as described below, for students enrolled in an institution that ceases operation, and to reimburse the Department for any actual administrative costs associated with an institution ceasing operation.

- 28.05.03 The amount of the surety that a private college or university submits is the greater of five thousand dollars or an amount equal to a reasonable estimate of the maximum prepaid, unearned tuition and fees of the institution for the period or term during the applicable academic year for which programs of instruction are offered, including but not limited to programs offered on a semester, quarter, monthly, or class basis, except that the institution shall use the period or term of greatest duration and expense in determining this amount if the institution's academic year consists of one or more periods or terms. The private college or university shall recalculate the amount of the surety annually.
- 28.05.04 The Colorado Commission on Higher Education may consider alternative surety requirements for institutions that can demonstrate that existing surety covers students served by the institution operating subject to authorization by the Colorado Commission on Higher Education.

28.06 Claims of Loss of Tuition and Fees

A student, or parent or guardian of the student, who claims loss of tuition or fees, may file a claim with the Department if the claim results from an act or practice that violates a provision of this policy. Claims filed with the Department are public records except that the Department shall not make the claims records public if the release would violate a federal privacy law. The Department shall not consider a claim that is filed more than two years after the date the student discontinues his or her enrollment with the institution.

28.07 Ceasing Operation and Alternate Enrollment

If a private college or university ceases operation, the Commission may make demand on the surety of the institution and the holder of the surety upon the



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demand for a refund by a student or the implementation of alternate enrollment and may make demand on the surety to reimburse the Department for actual administrative costs associated with the institution ceasing operation. In such case, the holder of the surety or, if the surety is a bond, the principal on the bond shall pay the claim due in a timely manner. To the extent practicable, the Commission shall use the amount of the surety to provide alternate enrollment through a contract with another authorized private college or university, a community college, an area vocational school, or any other arrangement that is

acceptable to the Department. The alternate enrollment provided to a student shall replace the original enrollment agreement, if any, except that the student shall make the tuition and fee payments as required by the original enrollment agreement, if any.

Any amount of the surety that is greater than the amount necessary to satisfy costs to provide alternate enrollment for the student and any demand for a refund by a student may be retained by the Department as reimbursement up to the amount of any actual administrative costs incurred by the Department that are associated with the closure.

28.08 Payment of Debt

A student who is enrolled in a private college or university that ceases operation and who declines alternate enrollment may file a claim with the Commission for the student's prorated share of the prepaid unearned tuition and fees that the student paid. The Commission shall not make a subsequent payment to a student unless the student submits proof of satisfaction of any prior debt in accordance with this policy. If the amount of the surety is less than the total prepaid, unearned tuition and fees that have been paid by students at the time the institution ceases operation, the Department shall prorate the amount of the surety among the students. This section applies only to students enrolled in the institution at the time it ceases operation. Once an institution ceases operation, no new students shall be enrolled. The Commission is the trustee for all prepaid, unearned tuition and fees, student loans, Pell grants, and other student financial aid assistance if an authorized private college or university ceases operation.

28.09 Claims That Do Not Involve Ceasing Operation

For claims made that do not involve a private college or university that ceases operation, the Commission shall conduct a hearing to determine whether there is loss of tuition or fees, and, if the Commission finds that claim is valid, it shall make demand upon the surety.

28.10 Suspending Authorization Based on Loss of Surety

28.10.01 A private college's or university's authorization is suspended by operation of law when surety as required by this policy no longer



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covers the institution. The Department shall give written notice to the institution at the last-known address at least forty-five days before the release of the surety. Authorization is suspended by operation of law until the institution files evidence of surety in like amount as the surety being released.

- 28.10.02 The principal on a bond filed under the provisions of this section is released from the bond after the principal serves written notice thereof to the Commission at least sixty days before the release.

The release does not discharge or otherwise affect a claim filed by a student or enrollee or his or her parent or legal guardian for loss of tuition or fees that occurred while the bond was in effect or that occurred under any note or contract executed during any period of time when the bond was in effect, except when another bond is filed in a like amount and provides indemnification for any such loss.

- 28.10.03 Each private college or university that files a surety shall provide annual verification of continued coverage by surety in a report to the Commission due by January 1 of each year. If a private college or university that is exempt from the provisions of this policy or that demonstrates financial integrity ceases to operate in this state, the State Attorney General may file a claim against the institution on behalf of students enrolled at the time the institution ceases operation to recover any amount of unearned, prepaid tuition that may be owed to the students. A seminary or religious training institution is not subject to the requirements of this section.

29.00 Data Submission

Refer to SURDS data submission guidelines,

30.00 Student Complaints

Refer to CCHE policy I, T; concerning Student Complaints.

TOPIC: RECOMMEND APPROVAL OF SUPPLEMENTAL TO INCREASE CASH SPENDING AUTHORITY FOR THE VILLAGE AT MINES PARK– COLORADO SCHOOL OF MINES

PREPARED BY: LAUREN GILLILAND, BUDGET DIRECTOR

I. SUMMARY

This consent item amends the cash spending authority for Colorado School of Mines The supplemental reflects the addition of The Village at Mines Park project.

II. BACKGROUND

Per C.R.S. 23-1-106, the Colorado Commission on Higher Education (CCHE) shall provide the legislative Capital Development Committee (CDC) with either their approval or commentary on amendments to the two-year cash funded capital program lists submitted 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. Governing boards have the authority to submit new two-year lists and amendments to the CCHE and CDC at any point during the fiscal year; however, projects on the two-year list may not commence until approved by the CDC. Any project expected to exceed the originally approved appropriation by fifteen percent or more must submit an amended two-year list item for approval.

III. STAFF ANALYSIS

The Village at Mines

Table 1 displays the cost of The Village at Mines Park project.

Table 1: Additional Cash Funds, The Village at Mines Park project

FY 2022-23 Through FY 2022-23 List		
Cash Funds	\$154,200,000	
Federal Funds	-	
Total Funds	\$154,200,000	

Project Description: The Colorado School of Mines is requesting \$154,200,000 in cash funds spending authority for the modification and construction of The Village at Mines Park project. The Village at Mines Park will provide 1,085 new, replace, and renovated apartment units for upper classmen and graduate students. Additionally, there will be a Commons Building that provides needed recreation space and a food venue. The project will be built in 3 phases with all work being completed by Fall 2024.

IV. STAFF RECOMMENDATIONS

Staff recommend approval of the amended Two-Year Cash Funded Capital Program List for the Colorado School of Mines and 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.

(7)(c)(I)(B) The commission annually shall prepare a unified, two-year report for capital construction projects for new acquisitions of real property or for new construction, described in subsection (10) of this section, estimated to require total project expenditures exceeding two million dollars, coordinated with education plans. The commission shall transmit the report to the office of state planning and budgeting, the governor, the capital development committee, and the joint budget committee, consistent with the executive budget timetable.

(II)(A) The commission shall submit the two-year projections prepared by each state institution of higher education for each two-year period to the office of state planning and budgeting and the capital development committee. The capital development committee shall conduct a hearing in each regular legislative session on the projections and 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 projection.

(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:

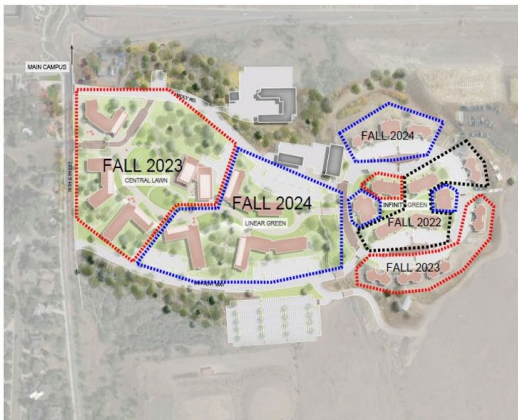
ATTACHMENT A: Supplemental Narrative – Colorado School of Mines

ATTACHMENT B: List of 2-year cash funded projects – Colorado School of Mines

ATTACHMENT C: Program Plan – Colorado School of Mines

CC-C2: CASH FUNDED CAPITAL CONSTRUCTION REQUEST FY 2022-23

1. SUMMARY INFORMATION	Complete Every Row in this Column
a. Agency or Institution Name:	Colorado School of Mines
b. Project Name:	The Village at Mines Park
c. New construction, modification, or acquisition?	<input checked="" type="checkbox"/> New Construction <input checked="" type="checkbox"/> Modification <input type="checkbox"/> Acquisition <input type="checkbox"/> Capital Renewal
d. Total Square Footage	368,844 GSF 284,010 ASF - New construction

2. BRIEF SUMMARY OF CAPITAL PROJECT	Enter summary below, this column																																																																
a. In 3-4 sentences summarize the objective and purpose of the project.	With the growth of student enrollment coupled with the scarcity and high cost of rental housing in the Golden and Denver markets, Mines intends to increase its student housing stock to address this problem. The goals of the project are to increase resident satisfaction/retention and achieve greater student success via the creation of a purposely designed, vibrant, and sustainable residential village for students, and to achieve the strategic goals established in the Mines @150 Strategic Plan and the Campus master Plan.																																																																
b. In 3-4 sentences explain what spending authority is requested, and how the cash funds will be provided, or the expected bond terms and how the bond will be repaid.	Mines is requesting \$154,200,000. Mines intends to borrow the entirety of the funds through a tax-exempt bond issuance in mid-May. Current conditions suggest a rate of 3.6% over a term of 35 years. The average annual debt service is \$8.3M over the 35-year period. Debt service will be paid through the rental revenues of the project.																																																																
c. In 3-4 sentences identify the campus programs and/or populations impacted by this project.	<p>The Mines Park Village will provide 1,085 new, replaced, and renovated apartment units for upper classmen and graduate students. Additionally, there will be a Commons Building that provides needed recreation space and a food venue. The project will be built in 3 phases with all work being complete by Fall 2024</p> <div style="display: flex; align-items: center;">  <table border="1" style="margin-left: 20px;"> <thead> <tr> <th style="text-align: left;">New Construction</th> <th>Fall 2022</th> <th>Fall 2023</th> <th>Fall 2024</th> </tr> </thead> <tbody> <tr><td>Efficiency Studio</td><td>-</td><td>27</td><td>75</td></tr> <tr><td>Studio</td><td>-</td><td>9</td><td>27</td></tr> <tr><td>1BR / 1BA</td><td>-</td><td>14</td><td>14</td></tr> <tr><td>2BR / 2BA</td><td>-</td><td>76</td><td>212</td></tr> <tr><td>3BR / 3BA</td><td>-</td><td>6</td><td>12</td></tr> <tr><td>4BR / 4BA</td><td>-</td><td>224</td><td>424</td></tr> <tr><td>RA / Staff Beds</td><td>-</td><td>6</td><td>18</td></tr> <tr><td>Total</td><td>0</td><td>362</td><td>782</td></tr> </tbody> </table> <table border="1" style="margin-left: 20px;"> <thead> <tr> <th style="text-align: left;">Renovation</th> <th>Fall 2022</th> <th>Fall 2023</th> <th>Fall 2024</th> </tr> </thead> <tbody> <tr><td>1BR / 1BA</td><td>30</td><td>40</td><td>40</td></tr> <tr><td>2BR / 1BA</td><td>76</td><td>160</td><td>191</td></tr> <tr><td>3BR / 1BA</td><td>-</td><td>-</td><td>72</td></tr> <tr><td>Total</td><td>106</td><td>200</td><td>303</td></tr> </tbody> </table> <table border="1" style="margin-left: 20px;"> <tbody> <tr> <td>Existing Mines Park Buildings</td> <td>293</td> <td>103</td> <td>0</td> </tr> </tbody> </table> <table border="1" style="margin-left: 20px; width: 100%;"> <tbody> <tr> <td>Total All Beds</td> <td>399</td> <td>665</td> <td>1,085</td> </tr> </tbody> </table> </div>	New Construction	Fall 2022	Fall 2023	Fall 2024	Efficiency Studio	-	27	75	Studio	-	9	27	1BR / 1BA	-	14	14	2BR / 2BA	-	76	212	3BR / 3BA	-	6	12	4BR / 4BA	-	224	424	RA / Staff Beds	-	6	18	Total	0	362	782	Renovation	Fall 2022	Fall 2023	Fall 2024	1BR / 1BA	30	40	40	2BR / 1BA	76	160	191	3BR / 1BA	-	-	72	Total	106	200	303	Existing Mines Park Buildings	293	103	0	Total All Beds	399	665	1,085
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d. Identify the target LEED level and costs associated with HPCP compliance. If unknown explain why.	<p>Project is currently targeting LEED Gold as a minimum standard but opportunities exist to achieve LEED Platinum.</p> <p>Key sustainability initiatives include:</p> <ul style="list-style-type: none"> • Net zero carbon – buildings are targeting an 80% reduction in energy usage compared to similar, non-sustainability-focused residential buildings. PV arrays will be 																																																																

installed throughout the community as a renewable energy source.

- Positioned to be net zero water for irrigation in the future
- Mines is seeking to leverage sustainability initiatives into creating research opportunities for the University and engage industry partners to bolster investment throughout the community.

Mines estimates the cost of the HCPC program to be an additional 15% of the base construction cost.

3. ADDITIONAL INFORMATION

Provide any additional information that is deemed important.



SITE PLAN OF MINES PARK VILLAGE



AERIAL VIEW OF MINES PARK VILLAGE



STUDENT COMMONS BUILDING

Form CC-LCF

Two-Year Capital Construction - List of Cash Funded Projects
 FY 2021-22 to FY 2022-23
 Revised X/XX

Prepared By: Chris Cocallas
 Phone: 303 596 6755
 E-Mail: cocallas@Mines.edu

Institution Name:		Colorado School of Mines					
Project Title:		The Village at Mines Park					
Funding Source		Total Project Cost		Project Type:		Project Category:	
Cash Funds	CF	154,200,000		New Construction		Auxillary	
Federal Funds	FF			Intercept Project:		Est. Start Date:	
Total Funds	TF	\$ 154,200,000		DHE Approved Program Plan:		Est. Completion Date:	
				List Approval Date (month/year)		Funding Method:	
				submitted		Debt Funding/Bonds	
Project Title:							
Funding Source		Total Project Cost		Project Type:		Project Category:	
Cash Funds	CF	\$ -					
Federal Funds	FF	\$ -		Intercept Project:		Est. Start Date:	
Total Funds	TF	\$ -		DHE Approved Program Plan:		Est. Completion Date:	
				List Approval Date (month/year)		Funding Method:	
Project Title:							
Funding Source		Total Project Cost		Project Type:		Project Category:	
Cash Funds	CF	\$ -					
Federal Funds	FF	\$ -		Intercept Project:		Est. Start Date:	
Total Funds	TF	\$ -		DHE Approved Program Plan:		Est. Completion Date:	
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Total Funds	TF	\$ -		DHE Approved Program Plan:		Est. Completion Date:	
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The Villages at Mines Park

FACILITIES PROGRAM PLAN

Colorado School of Mines
APRIL 14, 2022

1.1 OVERVIEW

1.1.1 *Executive Summary*

The Colorado School of Mines (Mines), an exemplary institution in science and engineering and the state's oldest public institution of higher education is planning to address its need for student housing. Mines enrollment has increased by 80% the last 13 years. Although Mines has built four residence halls over that period of time, they have been programmed and designed for freshman and sophomores. The existing Mines Park complex provides only 458 beds for upper classmen, graduate students, and families vs and enrollment of 3,200 of the same. The bulk of these students have largely been left to find housing off campus. Private rental housing has not kept pace with the growth in the Denver Metro region resulting in steadily climbing rental costs and inadequate supply. This has put a financial burden on students seeking off campus housing. The Village at Mines Park will provide 1,085 beds of apartment style housing, focused on upperclassmen, graduate students and married students with families, at below market rates.

In support of institutional growth of and students' needs, Mines leadership in envisioned a multi-phased approach to the redevelopment of Mines Park by Fall 2024. Through renovation and new construction, the proposed redevelopment will update the facilities, create living spaces that address student priorities, and shared spaces to create community.

1.1.2 *Descriptions of Programs related to the Facility*

At completion the Village at Mines Park will have 6 new residential buildings and 12 renovated residential buildings. The complex includes a staffed fitness facility with weights, cardio, yoga and dance. A dining facility will provide dining options from full meals to grab and go throughout the day and evening. The Hub will serve as a central space for interaction with the Village community.

1.1.3 *Relationship to the Master Plan*

The Mines Master Plan, 2019 anticipated the need for increased student housing on the Mines campus. The master planning effort recognized Mines Park as the best location to increase apartment style housing. The existing land use is multi-family residential and the new project continues that use at a higher density.

1.2 JUSTIFICATION

1.2.1 Existing Conditions

The existing Mines Park housing complex is composed of 25 apartment buildings on 42 acres of land on the Mines campus. When the University acquired Mines Park several years ago it was to address Mines increasing housing needs; however, it is no longer fully meeting the demand, needs, and expectations of current and future Mines students. Since Fall 2016, Mines Park maintained an average 95% occupancy (and with years of previous occupancy), the buildings are tired and requiring increasingly more costly repairs.

The existing complex was built in three phases in 1997, 1998, and 2003. The high occupancy has hampered the ability of Mines to do major renovations and upgrades. Apartments are in fair to good condition but are not cooled and require interior finish upgrades. The apartments are not accessible and do not meet ADA standards.

Site Plan - Existing Aerial



Existing Mines Park

Overall enrollment at Mines has increased 80% over the last 13 years but, student beds have only increased by 30% and these additional beds only serve freshmen and sophomore students. No additional housing for upperclassmen and graduate students has been built over this period of time.

		Grand Total		Undergraduate		Graduate		Non-Degree	
		Headcount	Percent of Students	Headcount	Percent of Students	Headcount	Percent of Students	Headcount	Percent of Students
2021-2022	Fall 2021	7,172	100%	5,443	76%	1,658	23%	71	1%
2020-2021	Fall 2020	6,754	100%	5,187	77%	1,521	23%	46	1%
2019-2020	Fall 2019	6,607	100%	5,102	77%	1,420	21%	85	1%
2018-2019	Fall 2018	6,268	100%	4,908	78%	1,262	20%	98	2%
2017-2018	Fall 2017	6,117	100%	4,757	78%	1,286	21%	74	1%
2016-2017	Fall 2016	5,876	100%	4,566	78%	1,227	21%	83	1%
2015-2016	Fall 2015	5,924	100%	4,533	77%	1,261	21%	130	2%
2014-2015	Fall 2014	5,794	100%	4,382	76%	1,290	22%	122	2%
2013-2014	Fall 2013	5,608	100%	4,199	75%	1,269	23%	140	2%
2012-2013	Fall 2012	5,549	100%	4,063	73%	1,344	24%	142	3%
2011-2012	Fall 2011	5,346	100%	3,876	73%	1,342	25%	128	2%
2010-2011	Fall 2010	5,087	100%	3,705	73%	1,221	24%	161	3%
2009-2010	Fall 2009	4,847	100%	3,603	74%	1,085	22%	159	3%
2008-2009	Fall 2008	4,479	100%	3,392	76%	932	21%	155	3%

Historical Enrollment Data

To address the disparity between enrollment growth and housing growth, Mines competed a Study to ascertain the demand for additional housing on the Mines campus. This Study addressed availability of off campus housing, rental rates, living situations of students living off campus preferred unit type and unit amenities desired by students. Students opined on recreation opportunities and dining. The survey also addressed the pros and cons of the existing Mines Park complex.

1.2.2 Changes and Projections

The Village at Mines Park will demolish 12 of the oldest buildings to make room for 6 significantly larger residential buildings. The demolished buildings have increasing maintenance costs and do not meet the needs of the students. They occupy land that is now planned at a higher density.

To begin the projections for the project, an online survey was conducted of students. The data collected in the online survey plays a central role in the overall study analysis. Therefore, the following demographic review of 849 student respondents is provided to contextualize subsequent findings.

▪ 97% attend full-time; 3% part-time
▪ 89% are single; 11% live with spouse/partner and/or children/dependents
▪ 51% were 18–20 years old; 32% were 21–24
▪ 39% live in Mines housing; 49% rent; 7% live with parents/guardian/other relatives; 2% own; 0% (3 respondents) housing insecure; 0% (2 respondents) other
▪ 12% live in Mines Park now; 4% previously lived there
▪ 15% of current Mines Park residents live in one-bedroom, one-bath units; 56% in two-bedroom, one-bath; 29% in three-bedroom, one-bath

- 13% of the 88 current Mines Park single respondents live in one-bedroom, one-bath units; 55% in two-bedroom, one-bath; 33% in three-bedroom, one-bath
- 36% of the 11 current Mines Park family respondents live in one-bedroom, one-bath units; 64% in two-bedroom, one-bath

Survey Demographic Data

- Enjoy the proximity of Trailhead access
- Students reported contradicting perspectives; some appreciate the separation from main campus, while others yearn for greater connection
- Appreciate Residence Life staff and their dedication to the community

- Seek more outdoor community spaces, seating opportunities and playground spaces
- Commit to academic and personal goals
- Express strong desire for parking, preferring each building have designated spaces
- Believe a playground is essential for the families with children

- Focus on affordability as critically important
- Desire more study spaces – individual and group
- Seek proximate dining or quick access to food
- Require living and study spaces with good sound attenuation

Summary of Student Feedback

- Mines students work hard and play hard – they desire appropriate space for intramurals, gaming, music, and arts
- Mines students are exceptionally bright but still primarily traditional age and need appropriate student services to support their development

- Prioritize convenience and minimize the friction students face finding the time for errands and self-care (e.g., laundry, grocery shopping, or working out)
- Students seek socialization in small bites and thrive in small group settings

- Affordability is always important, and students express even greater price sensitivity than before Covid-19
- Mines does not currently have enough housing to support students’ basic needs.
- Consider the needs of the accompanying families, as their happiness and comfort are essential to the enrolled student's success

Summary of Stakeholder Feedback

The conclusions and recommendations based on the Study findings, overwhelmingly support the advancement of the Mines Park Redevelopment as envisioned in Spring 2022.

A gap analysis was conducted to determine the unit types needed for the redevelopment of Mines Park. This analysis illustrates the difference between the supply and demand for Mines Park housing by comparing student demand to the proposed new housing capacity by unit type. Gaps are based on students' first-choice housing preference and do not reflect potential second choice if their first-choice unit is unavailable. While there is a small amount of excess capacity in two unit types, including one added after the survey, it is reasonable to assume that the units in excess of initial demand would still appeal to students unable to live in their preferred unit.

Unit Types	Demand		Redeveloped Mines Park Inventory		Surplus Demand / (Excess Supply)
	Total Beds	%	Total Beds	%	
New Micro Studio	141	9%	75	7%	66
New Studio	170	10%	27	3%	143
New/Reno. 1BR / 1BA	246	15%	54	5%	192
New 2BR / 2BA	236	14%	212	20%	24
Renovated 2BR / 1BA	162	10%	186	17%	(24)
Renovated 3BR / 1BA	288	17%	72	7%	216
New 4BR / 4BA New 3BR / 3BA ¹	407	25%	442	41%	(17)
	1,650	100%	1,068²	100%	582 Beds of Unmet Demand

Demand for Unit Types

Further study of physical building type shows that 1,085 units can be achieved. This is 34% less than demand, a conservative approach to hedge against vacancy.

In addition to a demand study, a market analysis of the Golden area was conducted. The off-campus market analysis examines the housing options available to students who do not live on campus. The analysis also provides insight into the competitive nature of the Golden, Colorado market. Since the 2010 census, the population of Golden increased 9.93%. Golden appeals to new residents with its attractive downtown, availability of arts and culture, and proximity to the mountains for outdoor recreation.

The Study considers housing options within eight miles of the Mines campus. This included 21 conventional apartment complexes totaling over 3,900 units. In addition, the shadow market consists of 14 houses, duplexes, and apartments in reconfigured single-family homes.

Occupancy across the market is high, with a median of 98%. Scion identified only three communities offering concessions. Two of the three advertise one month free, while the third offers \$50 off per month. Often rent concessions indicate an expected dip in occupancy, such as a high number of upcoming lease expirations. The market offers a variety of lease terms, and the 12-month lease options provide the most competitive pricing. Security deposits range from \$150 to \$2,000 and application fees from \$6 to \$50. Emerging amenities in the market include electrical vehicle charging, bike and ski storage, and pet grooming stations. A review of a five-year history of building permits for multi-family units was conducted to gauge potential future development. Only two permits were approved in Golden, Colorado in 2020 – and there were no approvals between 2017 and 2020.

The off-campus market in Golden is expensive and tight, with a limited supply of units at appropriate rates. Therefore, many students (especially undergraduates) live in over-crowded rental houses. For students with families, the rental market is often unaffordable. The redevelopment will provide needed housing with options and rates to suit student preferences.

1.2.3 Total Space Requirements

From the demand analysis, unit types were developed during the concept design. Specific unit design was informed by the feedback of students and stakeholders. Building plans were developed around the preferred unit prototypes resulting in the unit mix below.

Colorado School of Mines - Mines Park Redevelopment
Detailed Unit Mix WS

Units	% of Total	Phase 1 - Building 1 (August 2023)	Student Population	SF / Unit	Beds / Unit	Beds	% of Total	GSF
7	14%	Efficiency Studio	Single Undergrad		1	7	6%	-
3	6%	Studio	Single Undergrad		1	3	2%	-
8	16%	1-Bedroom / 1-Bath	Single Undergrad		1	8	7%	-
10	20%	2-Bedroom / 2-Bath	Single Undergrad		2	20	17%	-
1	2%	3-Bedroom / 3-Bath	Single Undergrad		3	3	2%	-
20	41%	4-Bedroom / 4-Bath	Single Undergrad		4	80	66%	-
0	0%	RA Beds - 2-Bedroom / 2-Bath	RAs		2	0	0%	-
0	0%	RLC Beds (2-BR / 2-BA)	RLC		2	0	0%	-
		Study						
		Other Amenity Space						
		Storage						-
		Residence Life						-
		Service & Circulation						-
		Exterior Walls						-
49 Units	100%	Total Phase 1 - Building 1 (August 2023)				121 Beds	100%	52,291 GSF

Units	% of Total	Phase 1 - Building 2	Student Population	SF / Unit	Beds / Unit	Beds	% of Total	GSF
7	14%	Efficiency Studio	Single Undergrad		1	7	6%	-
3	6%	Studio	Single Undergrad		1	3	2%	-
6	12%	1-Bedroom / 1-Bath	Single Undergrad		1	6	5%	-
15	29%	2-Bedroom / 2-Bath	Single Undergrad		2	30	24%	-
1	2%	3-Bedroom / 3-Bath	Single Undergrad		3	3	2%	-
19	37%	4-Bedroom / 4-Bath	Single Undergrad		4	76	61%	-
0	0%	RA Beds - 2-Bedroom / 2-Bath	RAs		2	0	0%	-
0	0%	RLC Beds (2-BR / 2-BA)	RLC		2	0	0%	-
		Study						
		Other Amenity Space						
		Storage						-
		Residence Life						-
		Service & Circulation						-
		Exterior Walls						-
51 Units	100%	Total Phase 1 - Building 2				125 Beds	100%	53,540 GSF

Units	% of Total	Phase 1 - Building 3	Student Population	SF / Unit	Beds / Unit	Beds	% of Total	GSF
13	26%	Efficiency Studio	Single Undergrad		1	13	11%	-
3	6%	Studio	Single Undergrad		1	3	3%	-
0	0%	1-Bedroom / 1-Bath	Single Undergrad		1	0	0%	-
17	34%	2-Bedroom / 2-Bath	Single Undergrad		2	34	29%	-
0	0%	3-Bedroom / 3-Bath	Single Undergrad		3	0	0%	-
17	34%	4-Bedroom / 4-Bath	Single Undergrad		4	68	58%	-
0	0%	RA Beds - 2-Bedroom / 2-Bath	RAs		2	0	0%	-
0	0%	RLC Beds (2-BR / 2-BA)	RLC		2	0	0%	-
		Study						
		Other Amenity Space						
		Storage						-
		Residence Life						-
		Service & Circulation						-
		Exterior Walls						-
50 Units	100%	Total Phase 1 - Building 3				118 Beds	100%	55,515 GSF

Colorado School of Mines - Mines Park Redevelopment
Detailed Unit Mix WS

Units	% of Total	Phase 2 - Building 4	Student Population	SF / Unit	Beds / Unit	Beds	% of Total	GSF
12	26%	Efficiency Studio	Single Undergrad		1	12	11%	-
3	6%	Studio	Single Undergrad		1	3	3%	-
0	0%	1-Bedroom / 1-Bath	Single Undergrad		1	0	0%	-
16	34%	2-Bedroom / 2-Bath	Single Undergrad		2	32	29%	-
0	0%	3-Bedroom / 3-Bath	Single Undergrad		3	0	0%	-
16	34%	4-Bedroom / 4-Bath	Single Undergrad		4	64	58%	-
0	0%	RA Beds - 2-Bedroom / 2-Bath	RAs		2	0	0%	-
0	0%	RLC Beds (2-BR / 2-BA)	RLC		2	0	0%	-
		Study						
		Other Amenity Space						
		Storage						-
		Residence Life						-
		Service & Circulation						
		Exterior Walls						
47 Units	100%	Total Phase 2 - Building 4				111 Beds	100%	49,353 GSF

Units	% of Total	Phase 2 - Building 5	Student Population	SF / Unit	Beds / Unit	Beds	% of Total	GSF
18	25%	Efficiency Studio	Single Undergrad		1	18	12%	-
7	10%	Studio	Single Undergrad		1	7	4%	-
0	0%	1-Bedroom / 1-Bath	Single Undergrad		1	0	0%	-
27	38%	2-Bedroom / 2-Bath	Single Undergrad		2	54	35%	-
1	1%	3-Bedroom / 3-Bath	Single Undergrad		3	3	2%	-
18	25%	4-Bedroom / 4-Bath	Single Undergrad		4	72	46%	-
0	0%	RA Beds - 2-Bedroom / 2-Bath	RAs		2	0	0%	-
1	1%	RLC Beds (2-BR / 2-BA)	RLC		2	2	1%	-
		Study						
		Other Amenity Space						
		Storage						-
		Residence Life						-
		Service & Circulation						
		Exterior Walls						
72 Units	100%	Total Phase 2 - Building 5				156 Beds	100%	65,776 GSF

Units	% of Total	Phase 2 - Building 6	Student Population	SF / Unit	Beds / Unit	Beds	% of Total	GSF
19	23%	Efficiency Studio	Single Undergrad		1	19	11%	-
8	10%	Studio	Single Undergrad		1	8	4%	-
0	0%	1-Bedroom / 1-Bath	Single Undergrad		1	0	0%	-
31	38%	2-Bedroom / 2-Bath	Single Undergrad		2	62	34%	-
1	1%	3-Bedroom / 3-Bath	Single Undergrad		3	3	2%	-
21	26%	4-Bedroom / 4-Bath	Single Undergrad		4	84	47%	-
0	0%	RA Beds - 2-Bedroom / 2-Bath	RAs		2	0	0%	-
2	2%	RLC Beds (2-BR / 2-BA)	RLC		2	4	2%	-
		Study						
		Other Amenity Space						
		Storage						-
		Workshop						-
		Residence Life						-
		Service & Circulation						
		Exterior Walls						
82 Units	100%	Total Phase 2 - Building 6				180 Beds	100%	76,374 GSF

150 Units	43%	Total Phase 1				364 Beds	45%	161,346 GSF
201 Units	57%	Total Phase 2				447 Beds	55%	191,503 GSF
351 Units	100%	Residential Total Phase 1 and 2				811 Beds	100%	352,849 GSF
		Commons Building						15,995 GSF
		New Construction						368,844 GSF

Detailed Unit Mix

The project will be built in 2 phases and when complete will contain 352,889 GSF of new residential space and 15,955 GSF of community space in the Hub Building and

Site Plan - Proposed Unit Mix



Site Plan Showing Unit Mix

Renovated units are as follows. Renovated units will receive in-unit laundries, new flooring, new kitchen and bath counters and paint.

1.2.4 *Alternative Analysis*

The Mines Master Plan 2019 calls for this housing to be located in Mines Park. Alternatively, other locations on the main campus were considered but these other locations were not suitable due to amount of available land, topography, and most importantly displacement of other facilities planned for those sites. No other alternative locations for those displaced facilities exist on the Mines campus.

1.3 DESIGN CRITERIA AND IMPLEMENTATION

1.3.1 *Design Criteria*

Mines maintains a manual of construction standards and all project are reviewed through a standardized process at each stage of the design period.

Mines does not have specific architectural design standards. This is due to the nature of the campus architecture which is diverse and does not follow a particular style. The design process of all major projects and renovations are led by the University Architect and a Building Advisory Committee that is responsible the direction of the project and its adherence to the program plan.

Security requirements are the responsibility of the Public Safety and IT departments. All residential buildings on the Mines campus are designed to the same security standards.

Technology requirements are designed specifically for the needs of each building. The IT department maintains written standards for all construction installations. Formal review of all projects include the IT department with regard to their standards and the specific requirements of the project.

Sustainability goals for the project are a minimum of LEED Gold with an effort towards LEED Platinum. Mechanical systems will be all electric to achieve a goal of net zero in the future with the addition of solar power.

Building Code compliance is addressed during the design phase of the project. All Mines projects are reviewed by 3rd party code consultant as required by the State of Colorado.

1.3.2 Spatial Relationships and /Room Specifications

Residential Halls

Based on input from students, faculty, administration, campus design professionals and construction professionals, prototypical apartment designs were developed for the residential halls. Key components include in-apartment laundry and private bathrooms for each bedroom.

Unit Plans



Unit Prototypes

The following outlines specifications for the new construction and renovation.

New Construction

- General / Site:
 - Parking:
 - Parking is required and surface parking is provided to meet RFP requirements.
 - Assume minimal existing utilities to be relocated from the site. We have worked to avoid relocation of major sanitary line in the current concept, but this ultimately will need to be confirmed in collaboration with Mines during design phase.
- Structural:
 - Currently the project assumes Type V-A wood framed buildings, with minor steel elements or LVL / PSL at long span needed for ground floor amenity space and

concrete basement/ retaining walls. Depending on gauge-metal framing costs when design commences this fall, team will quickly evaluate if Operating Insurance premium for wood offsets the capital costs increase for gauge-metal. Currently, wood pricing remains advantageous.

- Exploring alternates for the free standing community “commons” building for structural steel or CLT.
- Foundations: spread and spot foundations as baseline. No deep foundation or soil improvement expected. Assumption needs to be confirmed by geotechnical engineer and report. Foundation and below slab drainage may be required – also need to be confirmed by geotechnical report and recommendations.
- Sustainability in Design:
 - Designed to a LEED Gold Minimum
 - All electric design to minimize carbon footprint
 - Passive House principals used to improve building envelope to offset inefficiencies of all-electric design
 - Net zero energy solutions in energy and water
- Wall/Ceiling Finish:
 - Stair and elevator tower walls / ceilings: Painted cast-in-place concrete or masonry unit.
 - Corridors ceilings: 2’x2’ tegular acoustical ceiling tile. Please note: if we are assuming wood truss floors, we need 1 layer of Type C GWB to maintain 1hr floor per Type VA construction.
 - Unit ceilings: level 4 smooth drywall finish using 5/8" type X gyp board at bathrooms, living rooms, kitchens, bedrooms & unit common areas. Please note: if we are assuming wood truss floors, we need 1 layer of Type C GWB to maintain 1hr floor per Type VA construction
 - Amenity, building entry ceilings and academic: combination of 2’x2’ tegular acoustical ceiling tile and drywall. Please note: if we are assuming wood truss floors, we need 1 layer of Type C GWB to maintain 1hr floor per Type VA construction
 - Walls: Level 4 smooth drywall finish using 5/8" type X gyp board at interior non-structural walls with 4 inch vinyl base.
 - Unit bathrooms: Level 4 smooth drywall finish using 5/8" water/mold resistant gyp board with 4 inch vinyl base.
 - Public bathrooms: combination of level 4 smooth drywall finish using 5/8" water/mold resistant gyp board and ceramic wall tile with cement board at wet walls with 4 inch ceramic base.
 - Level 4 smooth drywall finish at all corridor, common area and unit drywall wall locations with 4 inch vinyl base.
 - Wall and ceiling painting to be (1) coat tinted primer and (1) coat finish.
 - Wire shelving in unit bedroom and common area closet.

- Insulation specs:
 - Tenant separation walls : R-13
 - Interior walls: R-11

- Exterior Walls:
 - (1hr) Exterior wall:
 - Typ residential buildings: 5/8" Type X Gyp. wall board, 2x6 wood frame, vapor permeable air barrier on wood sheathing (or an integral product such as Zip system)
 - Community building: light gauge 2x6 metal studs 5/8" fire retardant exterior gyp board (dens-glass or equal), self-adhering AvB (or an integral product such as Securock Exoair 430).
 - In both conditions, assume a combination of continuous exterior insulation and stud cavity insulation to meet or exceed the LEED GOLD minimum requirements and incorporate Passive House principals, recognizing our team anticipates exploring full Passive House during design.
 - Exterior ratios should be as follows:
 - Masonry 30%
 - Cast Stone 10%
 - Exploring alternate cost effective replacement material.
 - Metal panel or high performance cement panel 10%
 - Aluminum Curtainwall and storefront 10% only at strategic building entry points. Assume significantly increased % glazing at Community bldg.
 - Include manual roller shades at all storefront and curtainwall locations.
 - Operable, high performance PVC punched windows 40%
 - Include vinyl mini blinds at all punched window locations.

- Interior Walls:
 - (1hr) Corridor wall:
 - Gyp. wall board, Wood or 2x6 metal stud wall, insulation. minimum of 55 STC.
 - (1hr) Demising wall:
 - Gyp. wall board, Wood or 2x4 metal stud wall, insulation. minimum of 55 STC
 - (1hr) Unit wall:
 - Gyp. wall board, Wood or 2x4 metal stud wall, insulation. minimum of 52 STC
 - Sound Transmission Class (STC) 50 min (tested in accordance with ASTM E90) required at walls, floor-ceiling assemblies separating dwelling units from each other or from public or service areas.

- Impact insulation class (IIC) 50 min (tested in accordance with ASTM E492) required at floor-ceiling assemblies between dwelling units from each other or from public or service areas.
- Floors:
 - Building entry: polished concrete
 - Common, corridor, amenity, academic space, etc.: carpet tile with 4 inch vinyl base. Common & amenity space will also likely be a combination of polished concrete, porcelain tile and carpet tile to allow for heavy traffic/ wear & tear.
 - Stair floor: broom finished and sealed concrete.
 - Sealed concrete at all Back of House space.
 - Epoxy flooring trash and compactor rooms.
 - Unit Floors:
 - Living room, bedrooms, kitchen, bathrooms and unit corridors: LVT
 - Public bathrooms: ceramic or porcelain tile
- Roof:
 - 60 mil mechanically adhered flat TPO. Building wings oriented suitable for PV arrays is shown to have mono-pitched roof. Roofing material at these locations will be generally hidden under PV panels.
 - Roof top mechanical equipment to be fully screened either by parapet or separate screening.
- Gutters/downspouts:
 - Roof drains at flat roof locations to be internal and insulated PVC ILO cast iron if allowable by code. Roof drains from sloped roofs can be external with gutters and downspouts, connected to and daylighted into SW treatment facilities.
- Doors:
 - Unit doors:
 - Bedroom and Bathrooms: 1 3/8" solid core wood 3' x 7'.
 - Entry 1 3/4" wood door 3' 0" x 7'-0" (20 min. fire rating).
 - Unit door hardware:
 - Bath: 3 hinges butt hinges, privacy set, and door stop.
 - Entry: 3 hinges butt hinges, Assa Abloy IN120 lockset or equivalent electronic hardware, door stop, door viewer, threshold (ADA compliant), door bottom sweep, door closer, weather-stripping. Threshold and weather-stripping are usually not required at unit entry doors.
 - Bedroom: 1.5 pair we recommend 3 hinges bull hinges, keyed set, and door stop.
 - Common area door:
 - Bathrooms: 1 3/8" solid core wood 3" x 6' 8"

- 1 3/4" HM - Flush, 3' x 7' 0" metal frame.
 - 1 3/4" HM - Flush, 3' x 7' 0" metal frame for stairwell, roof access: (90 min rating) With compliant vision panel – 100 square inches – ceramic glazing
 - 1 3/4" HM - Flush, 3' x 7' 0" metal frame, mechanical, trash rooms: (45 min rating)
 - Common door hardware:
 - Interior stairwell: 1.5 pair commercial butt hinges, door closer, smoke seal, panic bar, and door stops.
Exterior stairwell: 1.5 pair commercial butt hinges, hardwired card access control, door closer, threshold, panic bar, door stops, weather stripping-drip caps, and bottom sweep.
 - Trash room: 1.5 pair commercial butt hinges, door closer, lever handle both sides, door stops. Smoke seal for odors
 - Technical, mechanical, IT, storage room: 1.5 pairs commercial butt hinges, door closer, Assa Abloy IN 120 lockset or equivalent electronic hardware, smoke seal, and door stops.
 - Typical - we include 3 hinges at 7' doors
 - Building entry: Curtainwall/Storefront system with hardwired card access control. Auto-door operators for main doors at Community building.
- Unit Bathrooms:
 - 36"x36" or 36"x42" or 36"x60" fiberglass tubs with 1 or 3-piece surrounds typical.
 - Casework: wood vanities grained Thermo-foil cabinets with fused edges
 - Countertops: ¾ inch solid surface tops with 4" back and side splash. 1 ¼" solid surface as preferred alternate. Integral solid surface sink, drop-in porcelain or undermount porcelain sink.
 - Water closets: low flow dual flush.
 - Cabinetry: Wood Grained Thermo-foil cabinets with fused edges.
- Unit kitchens:
 - Casework: wood grained Thermo-foil cabinets with fused edges.
 - Countertops: 2 cm granite or alternate solid surface with 4" back and side splash.
 - Appliances:
 - Refrigerator/ freezer with ice maker.
 - Oven / 4 burner range combination.
 - Microwave
 - Dishwasher
 - Disposals
- Public Bathrooms:
 - Countertops: Solid surface with 4" backsplash and sidesplash.
 - Sinks: integral solid surface sinks or under-mount.
 - Water closets: low flow dual flush commercial grade wall mounted.

- Walls: bathroom partitions.

- HVAC -
 - Heating/cooling system is heat pump based with a change-over hydronic system. In-unit electric heat will provide backup heating during times of year when the heat pump cannot supply all heating energy, and in the deadband between changeover cycles.
 - The mechanical system anticipates modular air-to-water heat pumps for the base building with changeover pumps (heating/cooling, full redundant). The mechanical system will continually be evaluated to optimize energy performance, first-costs and occupant comfort.
 - Residential units will be served with Electric Radiant Heat and approximately 500 CFM fan coil units (1 per unit).
 - Laundry exhaust ducted directly to exterior (vertically to the roof if we are able to push to full Passive House; also should explore connecting to the energy recovery system).
 - Bathroom exhaust ducts routed horizontally to central shaft (1 common exhaust/unit) IAW new Energy Code
 - General exhaust/bathroom exhaust riser/stack. Sub-ducted. Separate shaft from ventilation air.
 - General exhaust/bathroom exhaust fans. On emergency power.
 - Trash chute exhaust fan. (1) per stack

- Energy Recovery –
 - Individual unit ERV system.

- Electrical / Lighting:
 - Copper wiring from primary service to transformer and aluminum secondary from transformer to everywhere else.
 - Electrical service equipment should be included.
 - Corridors and academic: 2'x2' lay-in LED futures – See note above reg. need for gyp bd ceiling at 1hr rated floor-ceiling assemblies.
 - Units bedrooms, kitchens and living room: cost effective LED overhead light
 - Unit bathrooms: cost effective overhead light and vanity light LED
 - Entry: higher level of LED lighting.

- Low Voltage:

- Managed wireless system with (1) wireless access point (WAP) located in each unit. Wireless coverage required at all amenity and circulation spaces as well as within the exterior courtyard. Contractor provide (1) Cat6a cable and smurf tub conduit (only within walls) to each WAP location. WAPs, and other IT equipment provided by others.
 - (1) Cat6 wire and smurf tube conduit (only within walls) to each bedroom desk location and (1) Cat6a wire and smurf tub conduit to each unit living room.
 - Example, a 4 bedroom unit should include (6) hard wired cat6 drops.
 - (1) in each bedroom (4 total)
 - (1) in the living room
 - (1) for the WAP.
 - Conduit raceways, J-hooks/cable trays and IT close requirements provided by contractor.
 - See requirements in RFP page 22 of 31 and Exhibit 8 for Wireless & network requirements.
- Security and Access Control:
 - Hardwired card access control at all building entry locations.
 - Camera coverage at all building entry locations, exterior amenity space, and throughout common area, interior amenity space, and elevators vestibules and cabs.
 - (1) cat6 cable to each camera location.
- Convey Systems:
 - (2) Elevators.
 - Include a \$25,000 build out allowance for each cab.
 - (1) 30" trash chute with compactor and (2) 4 yard roll off containers for each building. Include container caddy.
- Stairs:
 - Metal pan stairs with painted handrail.
- Plumbing:
 - Toilets: Dual flush with average .92 GPM
 - Lavatory faucets: 1.5 GPM or meet EPA Water Sense Specification
 - Shower: 1.75 GPM
 - Kitchen faucets: 1.5 GPM or meet EPA Water Sense Specification
 - Flow/ performance at all fixtures used shall aid in indoor water use reduction to meet LEED Gold
 - Gravity pipe to be combination of cast iron and CPVC wherever allowed by code.
 - Pressurized pipe to be copper and PEX wherever allowed by code.
 - Cutoff valve required at each fixture.
 - Trash chute "wash downs"

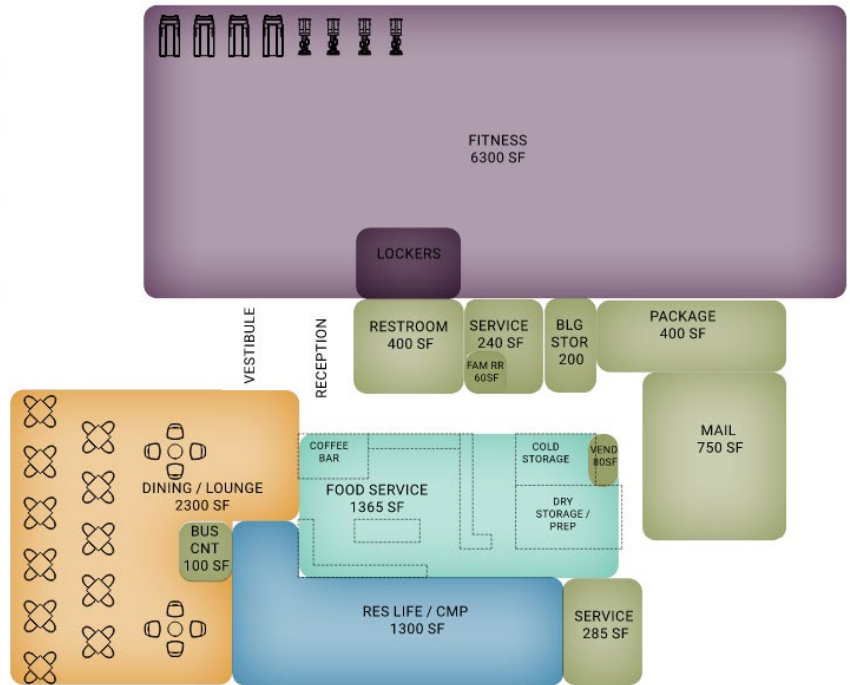
- Fire Protection
 - NFPA 13 wet fire sprinkler system throughout, with CPVC piping as allowed by code. Concealed heads in corridors, lobby, amenity space and units.
 - Dry pendants required at all unconditioned space.

Renovation of 2000's

- Replace/repair all exterior stairs – including grinding, patching, prep and paint
- Replace all unit entry doors and hardware including, installation of a keyless entry system
- Replace in-unit hardware as needed (approximately 5-15%)
- Convert in-unit storage to laundry space in all units
- Replace appliances as needed (approximately 20-30%)
- Replace flooring (carpet and vinyl) as needed (approximately 15-25%)
- Replace kitchen and bathroom cabinets as needed (approximately 5-15%)
- Install solid surface countertops in all kitchen and bathrooms
- Replace all bathroom exhaust fans
- Replace all thermostats with a programmable model
- Replace water heaters, as needed (approximately 20-30%)
- Replace all unit light fixtures with LEDs
- Paint all building exterior siding
- Refresh all landscape with new plantings
- Replace dumpster area enclosure
- Install bike racks
- Replace all roofs
- Replace HVAC systems and heat strips, as needed (approximately 5-15%)
- Remove and replace basement reinforced 4" slab
- Remove and replace all sealants
- Replace all smoke detectors
- Clean and tuck point brick (approximately 5-15%)
- Replace windows and screens, as needed (approximately 5-15%)
- Install spray foam wall insulation, as needed (approximately 15-25% new, to reach 100% coverage)
- Replace sprinkler heads in fire protection system, where needed (approximately 10-20%)
- Install a community pavilion structure

The Community Hub Building provides a central location for interaction of the residents. It includes a recreation function, dining venue, administrative offices for Student Life and Operations, and a mail and package function. Space will be available for study and small group meetings.

Commons Building Bubble and Adjacency Diagram



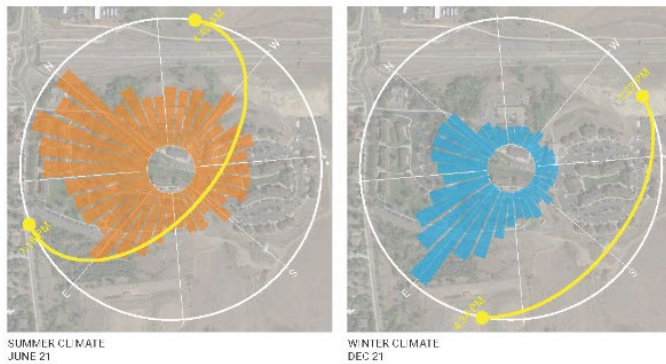


Aerial View of Community Hub

1.3.3 Concept Design

Site analysis

Site - Existing Conditions



Existing Conditions - Site Climate

KEY

- SUMMER WIND
- WINTER WIND

Summer: Maximize passive summer cooling: align open spaces with prevailing southerly wind* Dominant breeze is from north to south

Winter: Minimize winter cold: Protect open spaces from cold easterly wind*

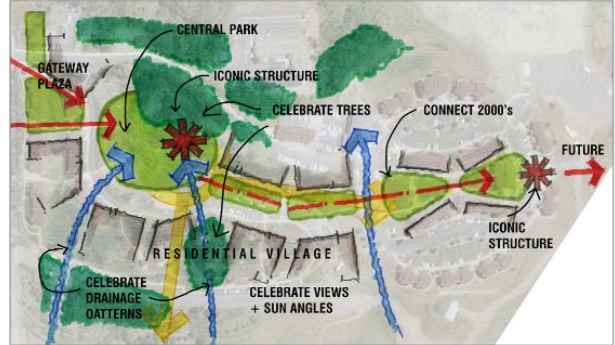


Existing Conditions - Water and Vegetation

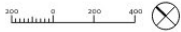
KEY

- Waterways
- - - Underground Pipes
- Storm Outfalls
- Detention Ponds
- Tree Cover to Retain
- * Existing Evergreen
- Existing Deciduous
- Existing Buildings

Site Concept Sketches



Proposed Plan - Circulation



LEGEND

- Vehicle
- Pedestrian
- Bicycle
- Mines Rover (Autonomous Shuttle)

Proposed Plan - Parking



LEGEND

- █ Parking Provided
- █ Student Housing
8 spaces/bed
- █ Family Housing
1 space per unit



Site Plan - Proposed Building Plan



LEGEND

- █ Existing Building to remain
- █ Existing buildings to be renovated (2000's)
- █ Proposed New Buildings



Proposed Plan - Open Space



LEGEND

- Amphitheater
- Greens
- Passive Green Spaces
- Playground
- Promenade

Proposed Plan - Natural Features



LEGEND

- Existing Natural Area to remain
- Enhanced Natural Area
- Drainage Patterns
- Underground Drainage Patterns

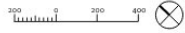
Site Plan - Proposed Illustrative Plan



Plan Enlargement - Main Open Space

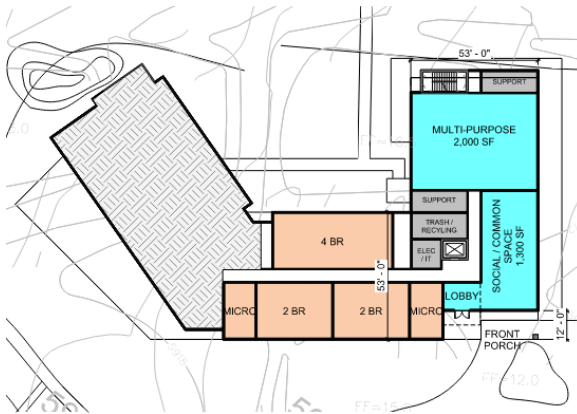
LEGEND

- Existing Building to remain
- Proposed New Buildings/Building renovations
- Solar Array (Roof Mounted)
- Solar Array (Ground Mounted)



Building Plans

Building 2 - Plans



ENTRY LEVEL
1/32" = 1'-0"



TYPICAL LEVEL
1/32" = 1'-0"



Building 3 - Plans (Building 4 - Mirrored)



Building 5 - Plans



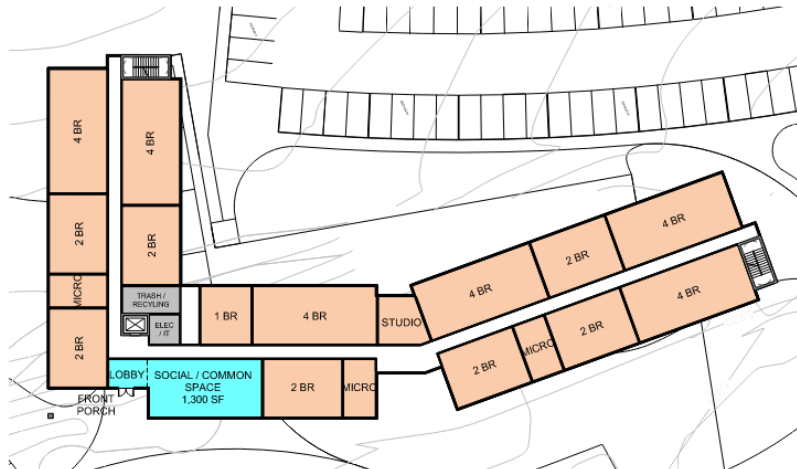
Building 5 - Plans



TYPICAL LEVEL
1/32" = 1'-0"



Building 6 - Plans



ENTRY LEVEL
1/32" = 1'-0"



Building 6 - Plans



TYPICAL LEVEL
1/32" = 1'-0"



Overall Aerial View



Pedestrian Mall

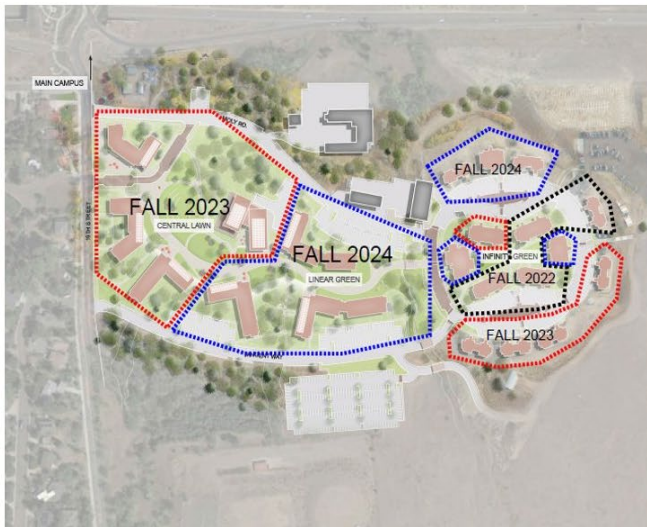


Residential Hall



Community Hub Building

1.3.4 Project Schedule, Cost Estimate, and Financial Analysis



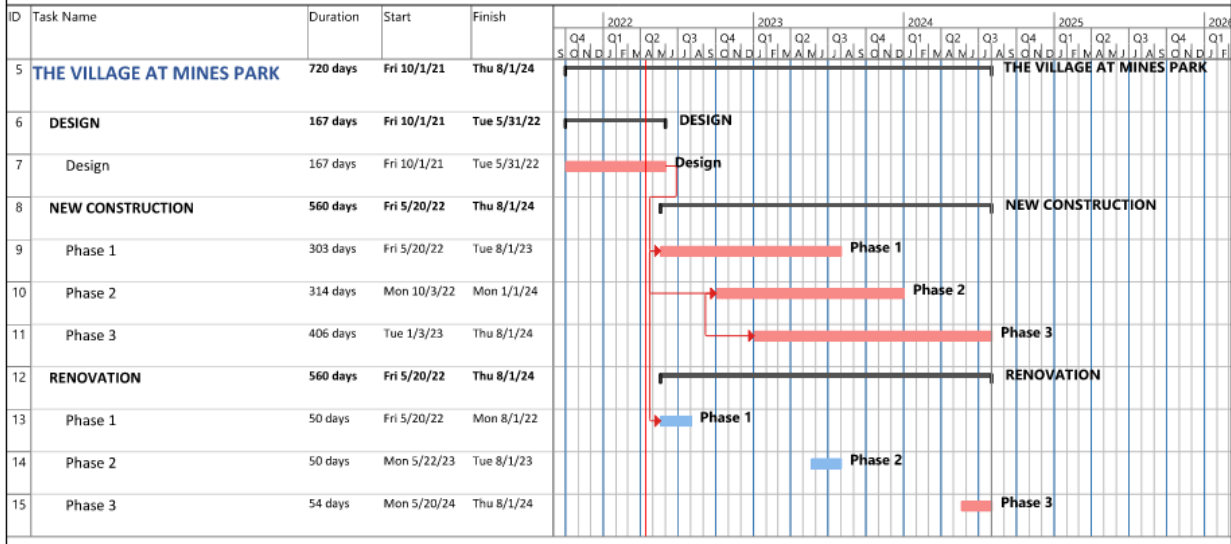
New Construction	Fall 2022	Fall 2023	Fall 2024
Efficiency Studio	-	27	75
Studio	-	9	27
1BR / 1BA	-	14	14
2BR / 2BA	-	76	212
3BR / 3BA	-	6	12
4BR / 4BA	-	224	424
RA / Staff Beds	-	6	18
Total	0	362	782

Renovation	Fall 2022	Fall 2023	Fall 2024
1BR / 1BA	30	40	40
2BR / 1BA	76	160	191
3BR / 1BA	-	-	72
Total	106	200	303

Existing Mines Park Buildings	293	103	0
Total All Beds	399	665	1,085

Phasing and Construction Schedule (dates indicate completion of construction)

The Village at Mines Park



Village at Mines Park Hard Cost Construction Budget		
DIV	Description	Total
0	Procurement and Contracting Requirements	\$ 7,179,302
1	General Requirements	\$ 1,052,921
2	Existing Conditions - Demolition	\$ 695,000
3	Concrete	\$ 10,033,835
4	Masonry	\$ -
5	Metals	\$ 7,171,020
6	Wood, Plastics and Composites	\$ -
7	Thermal & Moisture Protection	\$ 2,893,684
8	Openings	\$ 11,740,344
9	Finishes	\$ 19,093,071
10	Specialties	\$ -
11	Equipment	\$ 1,568,600
12	Furnishings	\$ 89,364
13	Special Construction	\$ -
14	Conveying Equipment	\$ 820,000
21	Fire Supression	\$ 1,049,207
22	Mechanical & Plumbing	\$ 29,186,520
23	Heating, Ventilating and Air Conditioning	\$ -
25	Integrated Automation	\$ -
26	Electrical	\$ 11,784,569
27	Communications	\$ -
28	Electronic Safety and Security	\$ -
31	Earthwork	\$ 6,687,863
32	Exterior Improvements	\$ 3,209,427
33	Utilities	\$ 2,597,309
	Subtotal	\$ 116,852,036
	Construction Contingency	\$ 2,717,499
	Builders Risk	by owner
	GL Insurance	by owner
	SDI	\$ 1,363,753
	P&P Bond	\$ 500,000
	Escalation Allowance	\$ 1,358,749
	Contractors Fee	\$ 3,960,963
	Preconstruction Services	\$ 247,000
	Total	\$ 127,000,000

Construction Hard Costs

FY22-23 CAPITAL CONSTRUCTION/CAPITAL RENEWAL PROJECT REQUEST- COST SUMMARY (CC_CR-C)*								
(A)	(1) Funding Type (Cash, CCF, Cash & CCF):	Cash	(2) Intercept Program Request? (Yes/No):	No				
(B)	(1) Institution:	Colorado School of Mines	(2) Name & Title of Preparer:	Chris Cocallas				
(C)	(1) Project Title:	The Village at Mines Park	(2) E-mail of Preparer:	cocallas@mines.edu				
(D)	(1) Project Phase (Phase __ of __):	1 of 1	(2) State Controller Project # (if continuation):					
(E)	(1) Project Type (CC or CR):	CC	(2) Institution Signature Approval:		Date			
(F)	(1) Year First Requested:	2022	(2) CDHE Signature Approval:		Date			
(G)	(1) Priority Number (Leave blank for continuation projects):	___ of ___	(2) OSPB Signature Approval:		Date			
(H)		(a) Total Project Costs	(b) Total Prior Appropriation	(c) Current Budget Year Request	(d) Year Two Request	(e) Year Three Request	(f) Year Four Request	(g) Year Five Request
Land /Building Acquisition								
(I)	Land Acquisition/Disposition	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(J)	Building Acquisition/Disposition	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(K)	Total Acquisition/Disposition Costs	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Professional Services								
(L)	Planning Documentation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(M)	Site Surveys, Investigations, Reports	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(N)	Architectural/Engineering/ Basic Services	\$ 5,150,170	\$ -	\$ 5,150,170	\$ -	\$ -	\$ -	\$ -
(O)	Code Review/Inspection	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(P)	Construction Management	\$ 4,721,250	\$ -	\$ 4,721,250	\$ -	\$ -	\$ -	\$ -
(Q)	Advertisements	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(R)	Prepaid Expense	\$ 2,000,000	\$ -	\$ 2,000,000	\$ -	\$ -	\$ -	\$ -
(S)	Inflation Cost for Professional Services	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(T)	Inflation Percentage Applied		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
(U)	Total Professional Services	\$ 11,871,420	\$ -	\$ 11,871,420	\$ -	\$ -	\$ -	\$ -
Construction or Improvement								
(V)	Infrastructure Service/Utilities	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(W)	Infrastructure Site Improvements	\$ 10,340,113	\$ -	\$ 10,340,113	\$ -	\$ -	\$ -	\$ -
Structure/Systems/ Components:								
(X)	Cost for New (GSF):	\$ 116,659,887	\$ -	\$ 116,659,887	\$ -	\$ -	\$ -	\$ -
(Y)	New at \$ _____ X _____ GSF							
(Z)	Cost for Renovation (GSF):	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(AA)	Renovation at \$ _____ X _____ GSF							
(AB)	Cost for Capital Renewal (GSF):	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(AC)	Renewal at \$ _____ X _____ GSF							
(AD)	Tenant Improvements	\$ 225,000	\$ -	\$ 225,000	\$ -	\$ -	\$ -	\$ -
(AE)	Renovation CapEx	\$ 500,000	\$ -	\$ 500,000	\$ -	\$ -	\$ -	\$ -
(AF)	Prevailing Wage Requirement							
(AG)	Inflation for Construction	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(AH)	Inflation Percentage Applied		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
(AI)	Total Construction Costs	\$ 127,725,000	\$ -	\$ 127,725,000	\$ -	\$ -	\$ -	\$ -
Equipment and Furnishings								

(182)	Infrastructure Service/Utilities	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(183)	Infrastructure Site Improvements	\$ 10,340,113	\$ -	\$ 10,340,113	\$ -	\$ -	\$ -	\$ -	\$ -
Structure/Systems/ Components:									
(183)	Cost for New (GSF):	\$ 116,659,887	\$ -	\$ 116,659,887	\$ -	\$ -	\$ -	\$ -	\$ -
(189)	New at \$ _____ X _____ GSF								
(189)	Cost for Renovation (GSF):	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(189)	Renovation at \$ _____ X _____ GSF								
(189)	Cost for Capital Renewal (GSF):	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(189)	Renewal at \$ _____ X _____ GSF								
(189)	Tenant Improvements	\$ 225,000	\$ -	\$ 225,000	\$ -	\$ -	\$ -	\$ -	\$ -
(189)	Renovation CapEx	\$ 500,000	\$ -	\$ 500,000	\$ -	\$ -	\$ -	\$ -	\$ -
(189)	Prevailing Wage Requirement								
(189)	Inflation for Construction	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(189)	Inflation Percentage Applied		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
(189)	Total Construction Costs	\$ 127,725,000	\$ -	\$ 127,725,000	\$ -	\$ -	\$ -	\$ -	\$ -
Equipment and Furnishings									
(189)	Equipment	\$ 3,580,600	\$ -	\$ 3,580,600	\$ -	\$ -	\$ -	\$ -	\$ -
(189)	Furnishings	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(189)	Communications	\$ 1,836,500	\$ -	\$ 1,836,500	\$ -	\$ -	\$ -	\$ -	\$ -
(189)	Inflation for Equipment & Furnishings	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(189)	Inflation Percentage Applied		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
(189)	Total Equipment & Furnishings Cost	\$ 5,417,100	\$ -	\$ 5,417,100	\$ -	\$ -	\$ -	\$ -	\$ -
Miscellaneous									
(189)	Art in Public Places	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(189)	Relocation Costs	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(189)	Utility Fees	\$ 2,394,172	\$ -	\$ 2,394,172	\$ -	\$ -	\$ -	\$ -	\$ -
(189)	Reimbursable Expenses	\$ 1,220,000	\$ -	\$ 1,220,000	\$ -	\$ -	\$ -	\$ -	\$ -
(189)	adjustment	\$ 72,308	\$ -	\$ 72,308	\$ -	\$ -	\$ -	\$ -	\$ -
(189)	Other Costs [specify]	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(189)	Total Misc. Costs	\$ 3,686,480	\$ -	\$ 3,686,480	\$ -	\$ -	\$ -	\$ -	\$ -
Total Project Costs									
(189)	Total Project Costs	\$ 148,700,000	\$ -	\$ 148,700,000	\$ -	\$ -	\$ -	\$ -	\$ -
Project Contingency									
(189)	5% for New	\$ 5,500,000	\$ -	\$ 5,500,000	\$ -	\$ -	\$ -	\$ -	\$ -
(189)	10% for Renovation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(189)	Total Contingency	\$ 5,500,000	\$ -	\$ 5,500,000	\$ -	\$ -	\$ -	\$ -	\$ -
Total Budget Request									
(189)	Total Budget Request	\$ 154,200,000	\$ -	\$ 154,200,000	\$ -	\$ -	\$ -	\$ -	\$ -
Funding Source									
(189)	Capital Construction Fund (CCF)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(189)	Cash Funds (CF)	\$ 154,200,000	\$ -	\$ 154,200,000	\$ -	\$ -	\$ -	\$ -	\$ -
(189)	Reappropriated Funds (RF)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(189)	Federal Funds (FF)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	TOTAL	154,200,000	-	154,200,000	-	-	-	-	-

Project Budget

The total project cost is \$154,200,000. Mines intends to borrow the entirety of the funds through a tax-exempt bond issuance in May 2022. Current conditions suggest a rate of 3.6% over a term of 35 years. The average annual debt service is \$8.3M over the 35-year period. Debt service will be paid through the rental revenues of the project.

TOPIC: UPDATE ON PROPOSED REVISIONS TO CCHE POLICY SECTION I, PART N (SERVICE AREAS)
PREPARED BY: DR. KIM POAST, CHIEF STUDENT SUCCESS & ACADEMIC AFFAIRS OFFICER

I. SUMMARY

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

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

The task force report provides a brief narrative history of public institution service areas in Colorado and addresses how population growth and technological change calls for a different approach to the very idea of service areas:

The CCHE Service Area Policy was created in 1985 to provide guardrails for institutions of higher education offering two-year degree and/or career and technical education (CTE) programs regarding the availability of educational programming and focused marketing and communication strategies in a given geographic region, and ensuring that local municipalities are able to respond to the needs of their residents. Over time, the service area policy has become primarily a tool for ensuring that concurrent enrollment programs are closely connected to public school districts located within the area of the local community college, or a public university that offers two-year programs. While CCHE is responsible for maintaining the service area policy, the Colorado Community College System (CCCS) maintains rules from its state board that provide additional guidance for community colleges that are within the system, including processes for waiving service area policies when there is a program that is desired, but not offered, by the local institution.

It is important to note that service area policies were constructed when the emphasis of higher education was on ‘brick and mortar’ delivery of programming - with very limited availability for distance education - and certainly no options for the online expansion that has occurred over the past 35 years. Since that time, the state’s population has doubled, and online learning is available from institutions both within and beyond Colorado. This reflects new challenges to meeting Coloradans’ changing needs with quality programs offered at reasonable expense.”

Themes identified by stakeholders during the Student Success & Workforce Revitalization Stakeholder Convening on institutional role and mission and service areas included the following:

- *There should be recognition that some institutions and systems are much better equipped than others (due to size, funding structure, infrastructure, etc.) for any potential competition.*
- *The marketplace has changed dramatically over the past 30 years, and the current service area policy has not kept up with those changes.*
- *Communities, and community needs, have dramatically expanded far beyond the physical boundaries drawn around institutions of higher education.*
- *Concurrent enrollment programs are a key stakeholder in this conversation, and that program has evolved as well. There is a need to more closely examine the relationship between CCCS and the state in this conversation.*
- *Online programs have dramatically impacted the fundamental role/function of service areas.*

Based on feedback from the task force, and consultation with institutional leaders since the completion of the report, it is recommended that the Commission update its service area policy using a principle-based approach, rather than a prescriptive dependence on geographic boundaries. Staff believe there is broad consensus among institutions of higher education that the current service area policy is indeed outdated, and that institutions would be generally supportive of the approach that is outlined below.

The following are recommendations for substantive changes to the CCHE Service Area Policy to be addressed during stakeholder feedback sessions during March and April:

- The Commission affirms its intention that institutions have maximum opportunity to address workforce demands, serve local needs, and provide innovative approaches to educating Colorado's students.
- The Commission expects that institutions work collaboratively to ensure that the needs of the state and its students are met.
- All public institutions of higher education must operate educational programs pursuant to their statutory role and mission, as described in Title 23, Colorado Revised Statutes.
- To the extent possible, the Commission defers to governing boards to coordinate service area distinctions among their institutions and campuses (including concurrent enrollment programs).
- The Commission should consider a “right of first refusal and primary responsibility” clause in the text of the service area policy that affirms that local institutions that have physical presence within defined geographic regions have the right to operate educational programs within their role and mission, and to coordinate other offerings. Additionally, the CCHE should require that institutions utilize a consultative/collaborative approach to educational program development by other institutions of higher education. If agreements cannot be made, institutions should defer to the [CCHE Policy Section 1, part K](#) (Policies & Procedures for Resolution of Disputes Among Public Institutions of Higher Education).
- Institutions of higher education must adhere to all state and local laws/policies regardless of where educational programs are offered, including tuition setting (e.g., in district vs. out of district tuition for local district colleges, community college resident tuition rates for concurrent enrollment programs), state funding for off-campus instruction (i.e., extended studies), and delivery of educational programs pursuant to statutory role and mission.
- Institutions of higher education should inform the Department of any changes in geographic boundaries, service areas, or local taxing districts, as approved by local governing boards within 30 days of adoption.
- The Commission should require the transmittal of any cooperative agreement or memorandum of understanding between institutions of higher education that creates collaborative approaches to meeting regional needs within 30 days of execution.

IV. STAFF RECOMMENDATIONS

Discussion Item. Since February 2022, staff have worked in collaboration with institutions of higher education and the Commission to solicit feedback on draft policy revisions. That feedback has been incorporated into the draft policy document. It is expected that the CCHE will adopt final changes to the policy at its June 2022 meeting.

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: CCHE Policy I, N (created January 1986; last revised September 2019)
- Attachment B: Proposed revision to CCHE Policy I, N (April, 2022)



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.

ATTACHMENT B**SECTION I CLEAN VERSION****PART N SERVICE AREA DESIGNATIONS FOR COLORADO PUBLIC INSTITUTIONS OF HIGHER EDUCATION****1.00 INTRODUCTION**

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 REFERENCES

- Colorado Revised Statutes §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)
- CCHE Policy I-K, Resolution of Disputes Among Public Institutions
- CCHE Policy I-V, Creation, Modification or Discontinuance of Academic and Vocational Programs at Public Institutions of Higher Education

3.00 GENERAL PROVISIONS

Commission Intent. The Commission is committed to ensuring maximum opportunity 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 that institutions of higher education shall work collaboratively to ensure that the needs of the state and its students are being 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.

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.

4.00 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- and, if resolution cannot be reached, shall defer to CCHE Policy I-K.

5.00 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. This process shall apply in instances where an institution is unable or declines to provide concurrent enrollment programs or courses with the local education provider.

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.
INSERT CCHE AGENDA DATE/ITEM FOR UPDATE

TOPIC: STRATEGIC PLAN REVISION/DEVELOPMENT
PREPARED BY: DR. BENNETT BOGGS, DEPUTY DIRECTOR

I. SUMMARY

The Colorado Commission on Higher Education (CCHE) began a process in February 2022 to review and update its Strategic Plan. This discussion item provides an opportunity for updates about recent activities, developments and progress, and input pertaining to the Strategic Plan.

II. BACKGROUND

See Agenda Item IV.B. of the February 4, 2022, CCHE meeting for background on the Strategic Plan update and revision process.

The Strategic Plan Working Group comprises five commissioners (Vice Chair Sarah Hughes, Berrick Abramson, Josh Scott, Eric Tucker, and Jim Wilson); Executive Director Angie Paccione and other department staff; and Inta Morris (consultant). The Working Group is driving the process and serves as a liaison between the full Commission, the Department, and stakeholders.

The Working Group has held weekly meetings on Wednesdays at 10:30. The Working Group is seeking to have a near-final draft for discussion at the Commission's July retreat.

III. STAFF ANALYSIS

The Handout provided to Commissioners and available on the CDHE website provides the most recent work by the Working Group.

IV. STAFF RECOMMENDATIONS

This is a discussion item. No formal action required.

V. STATUTORY AUTHORITY

C.R.S. 23-1-108 Duties and powers of the commission with regard to systemwide planning

(1) The commission, after consultation with the governing boards of institutions and as a part of the master planning process, shall have the authority to:

(a) Establish a policy-based and continuing systemwide planning, programming, and coordination process to affect the best use of available resources;

(b) Establish such academic and vocational education planning as may be necessary to accomplish and sustain systemwide goals of high quality, access, diversity, efficiency, and accountability. Such planning shall include identification by each governing board of programs of excellence at institutions under their control and plans for enhancement and improvement for those programs.

TOPIC: 2022 LEGISLATIVE REPORT ON THE POSTSECONDARY ACCESS AND SUCCESS FOR COLORADO'S HIGH SCHOOL GRADUATES

PREPARED BY: CARL EINHAUS, SENIOR DIRECTOR OF STUDENT SUCCESS AND P-20 ALIGNMENT

I. SUMMARY

The Colorado Department of Higher Education (CDHE) is required to prepare an annual report on the postsecondary progress and success of the preceding six high school graduating classes. This report is to be submitted to the House and Senate Education Committees of the Colorado General Assembly, the State Board of Education, and the Colorado Department of Education.

The 2022 report, [Pathways to Prosperity: Postsecondary Access and Success for Colorado's High School Graduates](#), is expected to be released on May 2, 2022, and highlights Colorado's efforts to improve educational outcomes for students. The report follows the high school graduating class of 2020 – these students were high school seniors when the pandemic began. As anticipated, the college-going rate was negatively impacted compared to the previous graduating class. However, dual enrollment continues to grow in participation for almost all student groups. The presentation will provide a high-level overview of the data and analysis, as well as policy recommendations designed to improve outcomes in future years.

II. BACKGROUND

C.R.S. 23-1-113(9) mandates that the Commission, as part of its implementation of the Colorado Achievement Plan for Kids, report to the General Assembly on the postsecondary progress and success of recent high school graduating classes. The report is to be disaggregated by school district, ethnicity, gender, and Pell grant status.

III. STAFF ANALYSIS

Staff will present a brief overview of the report and key findings.

IV. STAFF RECOMMENDATIONS

This report is a discussion item only; no formal action required.

V. STATUTORY AUTHORITY

C.R.S. §23-1-113 (9) On or before February 15, 2012, and on or before April 15 each year thereafter, the department of higher education shall submit to the state board of education, the department of education, and the education committees of the house of representatives and the senate, or any successor committees, a report, subject to available data, concerning the enrollment, developmental education placement, first-year college grades, and types of academic certificates and degrees attained at all postsecondary institutions in Colorado and the United States for the high school graduating classes of the preceding six academic years. The department of higher

education shall report the information disaggregated by high school and school district of graduation, to the extent practicable, and by ethnicity, gender, financial aid status, and any other characteristic deemed relevant by the commission. The department of higher education and the department of education shall also make the report available on their respective web sites.

ATTACHMENTS:

Agenda Item III B - Attachment A - Postsecondary Success Report Overview 2022

2022: Postsecondary Access & Success for Colorado's High School Grads

Following the HS Graduating Class of 2020

AKA: College-Going Info for Colorado's High School Grads

2020 high school grads were seniors when the pandemic began.

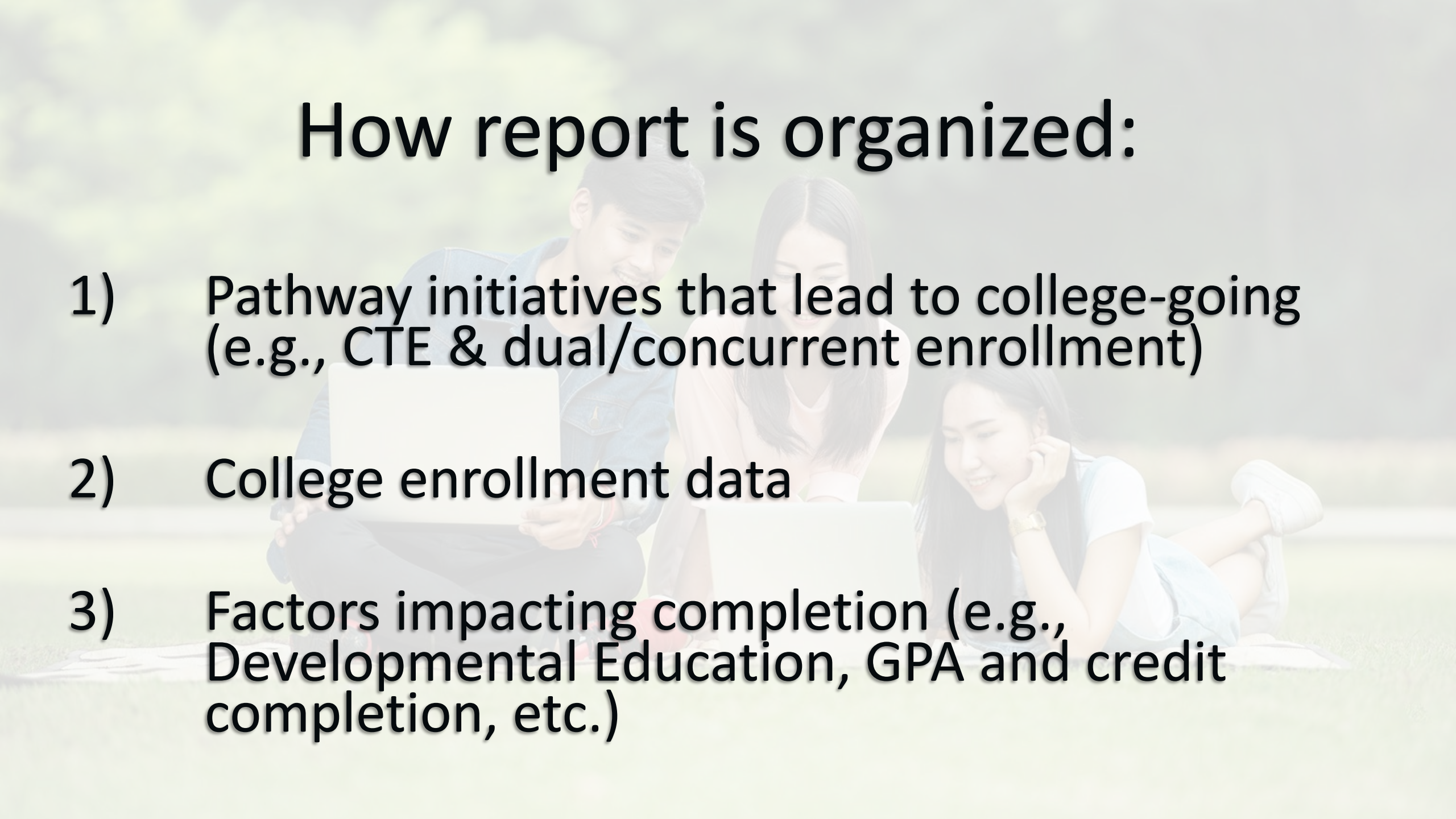
Purpose:

- Required by statute by April 15th each year: C.R.S. 23-1-113 (received permission to deliver in early May this year)
- Provide data on college-going trends for at least the preceding six years
- Information on gateway courses and developmental education
- First year college grades
- Disaggregated data by district & high school ([online](#) – “district at a glance”)
- Provide recommendations

Importance of Report:

- Provides critical information on status of reaching higher ed goals
- Highlight's areas of strength and opportunities for improvement, particularly surrounding equity
- Can help prioritize initiatives

How report is organized:

- 1) Pathway initiatives that lead to college-going (e.g., CTE & dual/concurrent enrollment)
 - 2) College enrollment data
 - 3) Factors impacting completion (e.g., Developmental Education, GPA and credit completion, etc.)
- 
- A background image showing three students (two women and one man) sitting on the grass outdoors, looking at a laptop. The man is on the left, one woman is in the middle, and another woman is on the right. They appear to be in a study session.

The Good

- Dual enrollment participation continues to increase;
- More students of color are participating in dual enrollment;
- Students are increasingly earning college credentials while in high school;
- There is a continued decrease in the need for developmental education courses at community colleges due to policy reform; and
- After multiple years of continued increases, first-year college GPA and course credits completed stayed at the same high level.

- Drop in college-going rates for all student groups – most significantly impacted were students from rural areas, and students eligible for Free and Reduced Lunch Rate
- Anecdotal reports from Admission Council suggest that students who did not enroll immediately after HS graduation did NOT enroll after a gap year (as hoped) – must re-engage these students
- Supports for students of color and low-income students as measured by outcomes were greatly hindered by pandemic

Of Concern

Key Findings

- **50.5% enrolled** in a college/university the fall after HS graduation (over 5% decrease).
- **42% enrolled in college courses while in high school** (2% increase).
- **25% enrolled in an out-of-state institution** (about same).
- **First-year college GPA (2.9) and course credits (32.1)** about same after multiple years of increases.

Developmental Education Needs -A Mixed Bag

- 30% of enrolled students were either assessed as needing Dev Ed and/or enrolled in a Dev Ed course.
- Between 2017-2018, there was an almost 10% drop in need – attributed to dev ed reform!

While statewide the rate increased for students who assessed as needing and/or enrolled in dev ed course:

- two-year IHE's continued to decrease (35% need - 6% drop)
- Four-year IHEs continued to increase (28% need - 7% increase)

30%

Rural Student Data

- 45% students from rural areas enrolled in college fall after graduation – 6% decrease (50.5% state avg)
- In 2009, rural enrollment was 54.3% - has fluctuated slightly up and down since then
- “Small” rural area (less than 1000 students) = 43.2% - almost 10% decrease – group with largest impact from pandemic



Race & Ethnicity Data

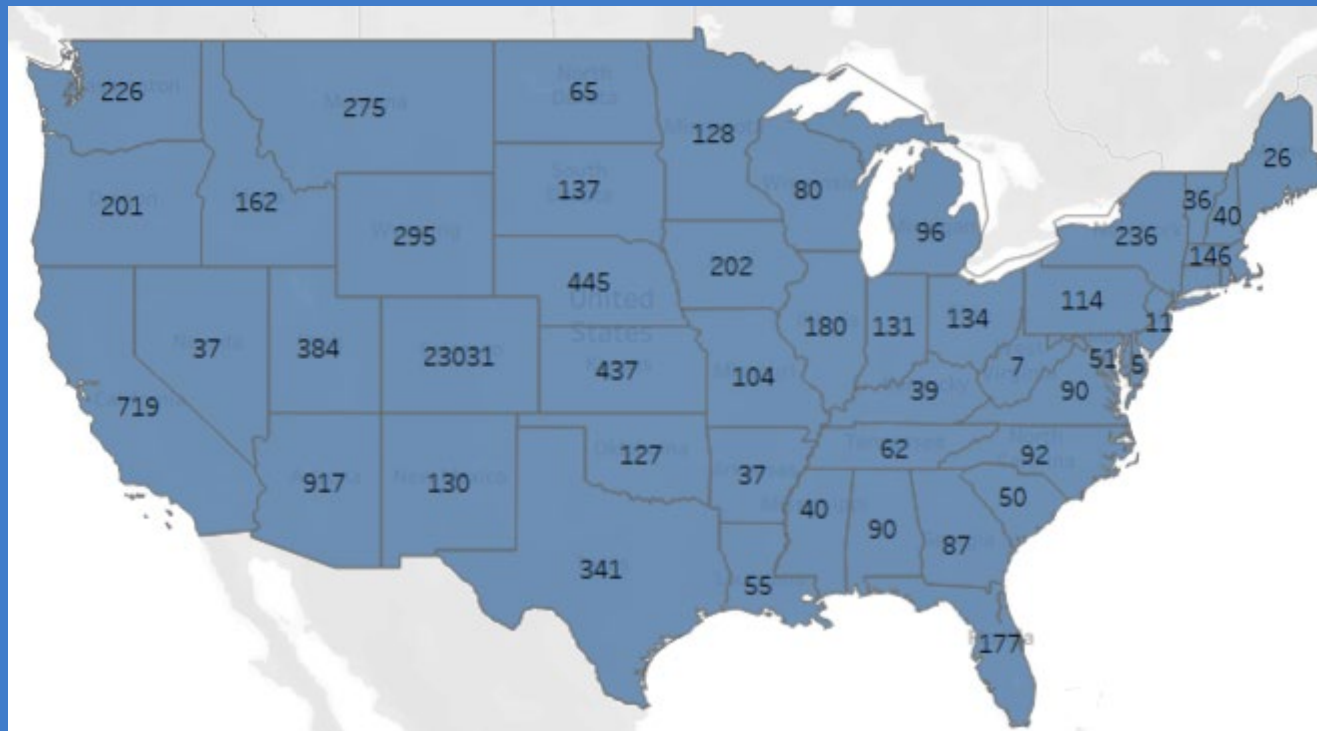
Equity gaps are especially evident by **credentials earned** by Coloradoans in 2020:

- 64.1 % Asian or Pacific Islander
- 59.1% White
- 30.9% American Indian or Alaska Native
- 37.9% Black or African American
- 25.1% Hispanic and/or Latino

(Data from Lumina Report on attainment rates.)

- College-going rates decreased for all groups – most impacted:
 - American Indian or Alaska Native (dropped 10% to 34.6%);
 - Asian (dropped 7% to 71.9%);
 - Two or More Races (dropped almost 7% to 52.3%)
- Dual enrollment is increasing for nearly every race/ethnicity group
- Credential earning in 4 years (2017 grads):
 - 39.2% overall
 - White students without dev ed need most likely to graduate in 4 years (48.1%)
 - Least likely to graduate in 4 years are students with dev ed need:
 - American Indian or Alaskan: 11.5%
 - Black (not Hispanic): 13.3%
- 22.4% of students eligible for Free and Reduced Lunch (FRL) and have Dev Ed needs graduate in 4 years (compared to 47% for students with no FRL and no Dev Ed need)

College Enrollment by State



24.9% of high school graduates attended an out-of-state college, a slight decrease from last year but the second-highest percentage in 11 years. The number of high school students is declining nationally, as a result, more out-of-state institutions are recruiting with greater intensity in Colorado. Only 19.5% of 2009 graduates attended out-of-state institutions. More must be done to keep our Colorado graduates in-state especially, as reported by the state demographer, migration to our state is slowing as are state birth rates and international student enrollment.

Policy Recommendations

- CDHE should work with institutions of higher education, K-12 partners, My Colorado Journey and the workforce to **encourage preparation**, enrollment and credential attainment of low-income, students of color and students from rural areas.
- Create **new incremental credentials** that recognize knowledge and skills developed along the degree pathway.
- CDHE, should work with college **academic advisors** to assist in training and designing student pathways, identify student pain points and solutions, and inform policy related to student success.
- CDHE must continue to work with institutions of higher education, CCHE, K-12 partners, and statewide leadership to **intentionally remove structural barriers**, providing students with the specific supports they need to succeed.

How the Commission can Help

- Assist CDHE in connecting with partner agencies in preparing K-12 students for higher education and careers.
- Help promote value of higher education to Coloradoans.

Thank You!

Carl Einhaus, Senior Director of Student Success & P20+ Alignment

May 6, 2022



TOPIC: POTENTIAL NEW GRADUATION RATE METRIC IN THE HIGHER EDUCATION FUNDING FORMULA

PREPARED BY: LAUREN GILLILAND, BUDGET DIRECTOR

I. SUMMARY

C.R.S. § 23-18-306(4) requires the Commission, in conjunction with the Department and in collaboration with the governing boards, to identify and recommend ways to better measure the success of students who are not first-time, full-time for potential use in the higher education funding formula created in H.B. 20-1366. Further, the Commission may recommend changes to the formula and related statute. The Commission could also choose not to recommend the measures integration into the formula. This is a discussion item only. Recommendations will be brought back to the Commission for a vote in June.

II. BACKGROUND

1366 Funding Allocation Formula

H.B. 20-1366 established a new funding allocation formula for higher education, which was first used in Fiscal Year 2021-22. The funding formula contains three steps. The bulk of model funding to governing boards is calculated through step two of the formula. In this step, each category of performance is assigned a weight. Next, each metric is measured using a series of calculations that first look at a governing board's change in performance over time, then compares each governing board's change in performance to the change at other institutions statewide. The eight metrics included in step two of the formula are designated in statute and include:

- Resident enrollment (**10 percent**);
- Credential production (**5 percent**);
- Enrollment of Pell-eligible students as a proportion of a governing board's total student population (**20 percent**);
- Enrollment of students included in the Department's race and ethnicity metric (which includes African American or Black, Hispanic or Latinx, American Indian or Alaska Native, and Two or More Races when at least one of the races is one previously listed) as a proportion of a governing board's total student population (**20 percent**);
- Retention rate (**20 percent**);
- Graduation rate within 100% of time (**10 percent**);
- Graduation rate within 150% of time (**10 percent**); and,
- Enrollment of first-generation students as a proportion of a governing board's total student population (**5 percent**).

A provision of House Bill 20-1366 directed the Commission to provide recommendations on graduation rate metrics that better capture students who are not first-time, full-time to the Joint Budget Committee by July 1, 2022. Current graduation metrics, which together account for 20%

of Step 2, only include data on first-time, full-time students. The specific language in the bill is as follows:

The Commission, in conjunction with the Department and in collaboration with the governing boards, shall identify and provide recommendations concerning ways to better measure the success of students who are pursuing a credential or degree and who are not included in the first-time, full-time student cohort. On or before July 1, 2022, the Commission shall submit its recommendations to the Joint Budget Committee, which may include a recommendation for a statutory change to the calculation of one of the graduation rate performance funding metrics specified in Section 23-18-303.5 (4)(b).

Department staff reviewed this language as well as one potential option for a metric, 200% of time graduation rate for all students, with the Finance, Performance and Accountability Committee at its April 15, 2022, meeting, and with institutional CFOs at their April 19, 2022, meeting. Concerns were raised about 200% of time not measuring timely completion and the short timeline to meet the July 1 deadline. Suggestions were made to wait until the five-year review process to make any formula changes.

III. STAFF ANALYSIS

The statutory provision in House Bill 20-1366 prompting this review requires that the Commission to provide a recommendation to the Joint Budget Committee concerning a better way to measure success of students who are not included in the first-time, full-time cohort. Staff will recommend a metric that captures all students to the FPA at its May meeting. However, statute does not require that the Commission recommend the integration of this measure into the formula at this time. The Commission's response can include the measure, but also recommend it not be implemented. Commissioners could recommend any changes be part of the established and thorough five-year review process. This would allow for more stakeholder feedback and also for alignment with the new strategic plan.

IV. STAFF RECOMMENDATIONS

This item is for discussion only.

V. STATUTORY AUTHORITY

Higher Education Funding Allocation Formula:

C.R.S. § 23-18-306(4)

(4) THE COMMISSION, IN CONJUNCTION WITH THE DEPARTMENT AND IN COLLABORATION WITH THE GOVERNING BOARDS, SHALL IDENTIFY AND MAKE RECOMMENDATIONS CONCERNING WAYS TO BETTER MEASURE THE SUCCESS OF STUDENTS WHO ARE PURSUING A CREDENTIAL OR DEGREE AND WHO ARE NOT INCLUDED IN THE FIRST-TIME, FULL-TIME STUDENT

COHORT. ON OR BEFORE JULY 1, 2022, THE COMMISSION SHALL SUBMIT ITS RECOMMENDATIONS TO THE JOINT BUDGET COMMITTEE, WHICH MAY INCLUDE A RECOMMENDATION FOR A STATUTORY CHANGE TO THE CALCULATION OF ONE OF THE GRADUATION RATE PERFORMANCE FUNDING METRICS SPECIFIED IN SECTION 23-18-303.5 (4)(b)

ATTACHMENTS:

ATTACHMENT A: CDHE Memo to CCHE on New Funding Formula Variable – 4/12/22



MEMORANDUM

TO: The Colorado Commission on Higher Education

FROM: Lauren Gilliland, Budget Director, Colorado Department of Higher Education

DATE: April 12, 2022

SUBJECT: New Higher Education Funding Formula Graduation Rate Variable

Background

In the 2020 legislative session, House Bill 20-1366 established the new higher education funding formula, which allocates operating funding to Colorado's 10 public higher education governing boards with proportional increases/decreases to the local district colleges and area technical colleges. This replaced the first iteration of the funding formula established in HB 14-1319.

The current funding formula includes three steps. The bulk of the funding moves through Step 2, which is the performance metrics. Performance metrics include resident enrollment (10%), credential production (5%), percent Pell-eligible (20%), percent in an underserved race/ethnicity category (20%), retention rate (20%), graduation rate at 100% of time (10%), graduation rate at 150% of time (10%), and first-generation enrollment (5%). Institution's performance is measured against themselves, rewarding improvements over time. Institutions are not compared to one another.

A provision in House Bill 20-1366, lobbied for by select institutions, directed the Commission to make recommendations on graduation rate metrics that better capture students who are not first-time, full-time to the Joint Budget Committee by July 1, 2022. Current graduation rate metrics, which together account for 20% of Step 2, only include data on first-time, full-time students. The specific language in the bill is as follows:

The Commission, in conjunction with the Department and in collaboration with the governing boards, shall identify and make recommendations concerning ways to better measure the success of students who are pursuing a credential or degree and who are not included in the first-time, full-time student cohort. On or before July 1, 2022, the Commission shall submit its recommendations to the Joint Budget Committee, which may include a recommendation for a statutory change to the calculation of one of the graduation rate performance funding metrics specified in Section 23-18-303.5 (4)(b).

Department staff will discuss the process of identifying metrics to align with this provision and potential recommendations at the April 15th Finance, Performance and Accountability (FPA) meeting. The institutional CFOs and CEOs will be notified shortly after and given the opportunity to provide feedback. Staff will bring a discussion item on the matter to the May 6th CCHE meeting. FPA will then vote on a recommendation at their May 20th meeting followed by a vote by the full CCHE at the June 3rd meeting.

Existing and Proposed Variables

Graduation Rate at 100% of Time (10% weighting in current model):

Percentage of first-time, full-time students graduating in 100% of time (four years for bachelor’s degree-seeking students at four-year institutions, or two years for associate’s and certificate degree-seeking students at two-year institutions). This is meant to measure timely completion.

Graduation Rate at 150% of Time (10% weighting in current model):

Percentage of first-time, full-time students graduating in 150% of time (six years for bachelor’s degree-seeking students at four-year institutions, or three years for associate’s and certificate degree-seeking students at two-year institutions). This is meant to measure timely completion.

Graduation Rate at 200% of Time (not in existing model, proposed addition):

Percentage of all students (regardless of full-time/part-time status and first-time/non-first-time entering status) graduating in 200% of time (eight years for four-year institutions regardless of degree type sought, four years for two-year institutions regardless of degree type sought). This is meant to measure completion of all students, not just first-time full-time. It is not possible to calculate 100% or 150% of time using the data source that captures all students, hence the use of 200% of time.

Scenarios

Each scenario presented below assigns different weightings to the variables described in the previous section. Commissioners may consider variable weightings as a signal for what is being prioritized. While the 100% and 150% graduation rate variables measure timely completion, they are limited to first-time, full-time students. The 200% graduation rate variable does not capture timely completion but does include all types of students. The below scenarios are presented in order of least to greatest variation from the current model.

Scenario Variable Weightings:

Scenarios	100% Grad Rate (first-time, full-time)	150% Grad Rate (first-time, full-time)	200% Grad Rate (all students)
Current	10%	10%	N/A
Scenario 1	10%	5%	5%
Scenario 2	6.7%	6.7%	6.7%
Scenario 3	5%	5%	10%
Scenario 4	5%	0%	15%
Scenario 5	0%	0%	20%

Allocations Under Scenarios:

Scenarios	Adams	Mesa	Metro	Western	CSU System	FLC	CU System	Mines	UNC	CCCS
Current	21,009,471	40,143,534	82,497,655	18,120,398	121,953,222	17,111,407	195,434,221	30,209,496	56,984,728	241,771,555
Scenario 1	20,942,793	40,075,745	82,406,503	18,107,892	122,038,313	17,108,556	195,366,321	30,213,104	56,939,177	242,037,283
Scenario 2	20,969,861	40,047,851	82,349,789	18,100,259	122,087,356	17,091,785	195,386,249	30,211,285	56,913,396	242,077,855
Scenario 3	20,950,056	40,000,009	82,275,857	18,090,189	122,154,424	17,081,974	195,362,264	30,212,180	56,877,730	242,231,005
Scenario 4	20,883,379	39,932,219	82,184,705	18,077,683	122,239,515	17,079,123	195,294,363	30,215,788	56,832,178	242,496,733
Scenario 5	20,890,641	39,856,483	82,054,058	18,059,980	122,355,626	17,052,541	195,290,307	30,214,864	56,770,731	242,690,456

Scenario Variances from Current:

Scenarios		Adams	Mesa	Metro	Western	CSU System	FLC	CU System	Mines	UNC	CCCS
Scenario 1	\$ Change	(66,677)	(67,789)	(91,152)	(12,506)	85,091	(2,851)	(67,900)	3,608	(45,551)	265,728
	% Change	-0.3%	-0.2%	-0.1%	-0.1%	0.1%	0.0%	0.0%	0.0%	-0.1%	0.1%
Scenario 2	\$ Change	(39,610)	(95,684)	(147,866)	(20,139)	134,135	(19,622)	(47,971)	1,789	(71,333)	306,300
	% Change	-0.2%	-0.2%	-0.2%	-0.1%	0.1%	-0.1%	0.0%	0.0%	-0.1%	0.1%
Scenario 3	\$ Change	(59,415)	(143,525)	(221,799)	(30,209)	201,202	(29,433)	(71,957)	2,684	(106,999)	459,451
	% Change	-0.3%	-0.4%	-0.3%	-0.2%	0.2%	-0.2%	0.0%	0.0%	-0.2%	0.2%
Scenario 4	\$ Change	(126,092)	(211,315)	(312,951)	(42,715)	286,293	(32,284)	(139,857)	6,292	(152,550)	725,179
	% Change	-0.6%	-0.5%	-0.4%	-0.2%	0.2%	-0.2%	-0.1%	0.0%	-0.3%	0.3%
Scenario 5	\$ Change	(118,829)	(287,051)	(443,597)	(60,418)	402,405	(58,866)	(143,914)	5,368	(213,998)	918,901
	% Change	-0.6%	-0.7%	-0.5%	-0.3%	0.3%	-0.3%	-0.1%	0.0%	-0.4%	0.4%

TOPIC: FINANCIAL AID ALLOCATIONS METHODOLOGY APPROVAL

PREPARED BY: LAUREN GILLILAND, BUDGET DIRECTOR

SUMMARY

This item is for the approval of revisions to the allocation methodologies for the Colorado Student Grant, Colorado Graduate Grant, and Work Study programs.

BACKGROUND

Pursuant to Colorado Revised Statutes (C.R.S.) 23-3.3-102 (2), the Colorado Commission on Higher Education (CCHE) annually allocates the state-funded, student financial aid appropriations to eligible higher education institutions. Financial aid in Colorado is decentralized: while allocations are made by the Commission, individual packaging decisions are made at the institutional level. The Commission does not make funding decisions for individual students. The CCHE's financial aid policy, Section VI F, describes goals, aid programs and eligibility.

The financial aid policy is guided by the following three principles:

1. Maximize the amount of financial aid funds available to Colorado residents;
2. Direct state need-based dollars to students with the least ability to pay; and,
3. Recognize that students can make choices that impact what they pay, such as working or earning scholarships.

Beginning in July 2021, Department staff and the Finance, Performance and Audit Committee (FPA) have completed a comprehensive review of the financial aid allocation formulas for the Colorado Student Grant (CSG), Colorado Graduate Grant, and Work Study programs. At the beginning of the process, FPA members established principles for the process and methodological changes. Those principles included transparency, working closely with stakeholders, valuing all types of credentials, understanding best practices, being data driven, and staying student-centered.

The review has since been a standing agenda item at FPA meetings, CFO meetings, and Financial Aid Advisory meetings. Additionally, a meeting was held in the first week of November for institutional stakeholders to interact directly with FPA members. Staff presented methodology revision options to CCHE as a discussion item in December.

In February-April 2022, Hanover Research conducted an analysis of the proposed financial aid allocation models. They concluded that "CDHE's allocation methodology demonstrates equitable practices related to decentralized allocation structures," and "Recent [proposed] adjustments have improved CDHE's adherence to Education Commission of the States (ECS) guidelines that 'aid programs should be goal-driven and data-informed.'"

On April 15th, FPA voted to approve the proposed allocation models for CSG, Graduate Grant, and Work Study, and forwarded the proposal to the full Commission for a vote.

III. STAFF ANALYSIS

The following discusses existing allocation methodologies and proposed changes to Colorado Student Grant, Graduate Grant, and Work Study programs.

Colorado Student Grant - \$168,0084,807 (FY22)

The Colorado Student Grant (CSG) is the state’s undergraduate need-based aid program. CSG allocations are determined with a formula that first went into effect in the 2013-14 fiscal year. The CSG model makes allocations to the state’s public governing boards, local district colleges, area technical colleges, and private not-for-profit institutions. Proprietary institutions also receive CSG allocations, but their allocations are determined outside the model.

The current model, as outlined in CCHE policy Section VI Part F, differentiates between class levels in allocating CSG dollars so that the amount allocated per Pell-eligible FTE is greater at higher class levels. This mechanism is meant to both encourage the Commission’s goals of student retention and completion, and also to recognize the higher cost of attendance at four-year institutions. To accomplish this, the Commission annually considers three levers: the amount to be allocated per freshman FTE, the “increment,” or amount between each grade level, and any guardrails that may be used. A simplified example of the model is below:

	Freshman FTE	Freshman Allocation (Freshman FTE x Freshman Amt)	Sophomore FTE	Sophomore Allocation (Sophomore FTE x Sophomore Amt)	Junior FTE	Junior Allocation (Junior FTE x Junior Amt)	Senior FTE	Senior Allocation (Senior FTE x Senior Amt)	TOTAL
Board A	1,000	\$ 1,000,000	1,000	\$ 1,500,000	1,000	\$ 2,000,000	1,000	\$ 2,500,000	\$ 7,000,000
Board B	500	\$ 500,000	500	\$ 750,000	500	\$ 1,000,000	500	\$ 1,250,000	\$ 3,500,000
Board C	2,000	\$ 2,000,000	2,000	\$ 3,000,000					\$ 5,000,000
									\$ 15,500,000

Freshman Amount
\$ 1,000

Sophomore Amount
\$ 1,500

Junior Amount
\$ 2,000

Senior Amount
\$ 2,500

Increment \$ 500

While the model does not directly determine a student’s aid package, the amount of overall CSG allocated to an institution can have a real impact on the award packages they are able to offer. Therefore, the Commission has historically tried to maintain a level of allocation predictability. To avoid large swings in allocations year-to-year, the Commission annually sets guardrails to keep each institution’s allocations within certain bounds of increases and decreases.

The proposed changes to the CSG allocation model are as follow:

General Changes

Staff recommend switching to a three-year data average. Currently the model utilizes a single year of data, which can lead to large fluctuations in allocations (especially at smaller schools where a small change in Pell-eligible FTE can result in large percentage shifts in allocations). Shifting to three years of data will smooth allocations and reduce the need to use guardrails, while still reflecting real data and broader enrollment trends. Staff also recommend that any policy change allow for the use of single-year data in exceptional circumstances (such as a spike in enrollment accompanying a traditional recession).

Second, staff recommend continuing the use of guardrails, but shifting to guardrails that are more data-driven and allow for decreases in allocations. Past practice in CSG allocations has been to establish guardrails so that all institutions see an increase or stay flat when possible. While this practice has generally been in the spirit of “sharing the wealth” when the General Assembly makes

a generous increase in the financial aid allocation, in practice it has led to some institutions seeing continual increases to their CSG allocation while experiencing consistent enrollment losses, resulting in some institutions having a per-FTE allocation that is greater than that of their peers.

Although staff recommend shifting to less generous guardrails, staff also recognize that the purpose of guardrails is to provide stability, as significant changes in allocations could impact student awards. Staff also recognize that because of the timing of the passage of the Long Bill, institutions may package some CSG awards prior to actual allocations being finalized. To ensure that those commitments, as well as existing awards to students, are met, allocations of CSG should not shift too dramatically from year-to-year.

Staff recommend a lower guardrail that is established each year on an institutional basis, tied to changes in enrollment plus inflation. The upper guardrail is set at three times the actual increase to financial aid, recognizing that schools consistently caught by the upper guardrail in the past have some of the lowest per-FTE allocations.

Because changes in enrollment are gradual and many schools are seeing declines in Pell-eligible FTE over time, the model would in most cases be able to meet the lower guardrail. However, for institutions experiencing consistent enrollment increases, the use of this guardrail could result in a “required increase” scenario in which their lower guardrail would be an increase that is larger than the allocation produced by the model. Staff recommends guardrails only take effect if a school is seeing a decrease over the prior year’s allocation, and establish a rule in which the most the guardrail could bring an institution’s allocation up to is flat funding.

Changes to Allocation Policy

In feedback from stakeholders, opinions on overall allocation strategy generally fell into two broad groups; one in favor of keeping the existing allocation model, potentially with modifications to guardrails or data used, and a second in favor of moving towards a model that allocates a flat (or flatter) amount of funding per eligible FTE.

The current CSG model was established with the principles that it would incent completion and retention by increasing the per-FTE allocation at higher grade levels. In the targeted feedback questions, most institutions reported that they do not tend to increase awards as students progress. However, the existing allocation mechanism does implicitly recognize the higher cost of attendance/cost to provide services at four-year institutions. This is reflected in the existing allocations, with per Pell eligible FTE allocations being higher at the four-year public institutions than the two-year institutions, LDCs, and ATCs.

Implicitly recognizing higher cost is in line with both the historic CSG allocation methodology, which allocated funding based on unmet need by sector, and existing Graduate Grant allocation methodology, which directly considers an institution’s cost of attendance. Proponents of the existing model argue that four-year institutions should receive higher allocations, as they must make higher awards to have similar purchasing power to a lower-cost institution. However, higher cost institutions also tend to have greater institutional resources available for use in packaging.

The main approach that emerged as an alternative to the existing CSG model was a model in which each institution receives a flat per Pell-eligible FTE allocation. In targeted feedback questions,

institutions in favor of this change (or a flatter per-FTE distribution) noted that it would be a more simple mechanism to award funding, and that it would result in additional funding being directed towards institutions serving primarily freshmen and sophomores, particularly the community colleges, which serve a significant percentage of the state's Pell-eligible population but cannot benefit from the higher allocation amounts for juniors and seniors under the existing model.

The above options represent two "extremes" in terms of allocation methodology – one in which the existing increases by grade level are maintained or even increased, and another in which increases by grade level are eliminated entirely. Staff recommend a "middle" solution: cut the class rank increment in the formula by 25%. This still recognizes class rank but with less emphasis.

Work Study Financial Aid - \$23,129,178 (FY 22)

Colorado's Work Study Program allows students to earn funds to assist in attending eligible educational institutions. This is considered a form of "self help" assistance since the student is earning money to help meet educational costs. Employment may be in jobs at eligible Colorado educational institutions, non-profit organizations, governmental agencies, or for-profit organizations. At least 70 percent of work study funds must be awarded to students with documented financial need. FY 2021-22 funding for work study remained flat to the prior year, although some technical adjustments have been made.

The origins of the current work study base allocations are unknown and appear to be over two decades old. Staff recommend slowly adjusting allocations to something based in current data. In looking at current work study allocations per resident, undergraduate FTE enrolled at least 0.5 time at an institution, values range from \$57/FTE to \$442/FTE. This seems vastly inequitable. The overall average allocation / FTE is \$188. Staff propose that institutions with per FTE allocations above this average lose 5% of their allocation each year. The amount of funding freed up by this would then be reallocated to schools with allocations under the average. Institutions furthest below the average would increase fastest towards that target.

Critical Careers Funding for Graduate Students (Graduate Grant) - \$12,820,663 (FY 22)

This program allocates need-based financial aid for graduate students enrolled in critical career programs as identified by National Science and Mathematics Access to Retain Talent Program. Critical Career Grant allocations are based on the number of graduate students that meet Pell-eligibility requirements and are enrolled in the list of approved programs.

The CIP list (Classification of Instructional Programs) eligible for the graduate grant is over a decade old and was based on national data. There is relatively widespread agreement that the CIP list is due to be updated. An expanded list was created based on top jobs identified in the Talent Pipeline Report. One of the main criteria is a high projected number of future openings. All old CIP codes were reviewed, deemed as in demand or a state priority, and remained on the new list. New CIP codes were primarily in education, social work, and counseling or psychology, and represent an increase. Using FY 22 data, the new list increases the FTE count in the model by 64%. Staff recommend adopting the new CIP list, making all new CIPs eligible in FY22-23.

The previous allocation methodology was based on number of resident graduate students with a Pell-eligible expected family contribution and attending at least half time. The formula also factors

in average cost of attendance for included graduates. The per FTE allocations for each institution are indexed to their average cost of attendance such that schools with higher average cost of attendance receive more funding per FTE in recognition that students enrolled in more costly programs require more aid. This approach has been widely accepted and staff recommend maintaining it.

Since it is unlikely enough new money will be put into graduate grant to maintain per FTE funding with an expanded CIP list, a mechanism is needed for phasing the new FTE into the model. Staff propose that while FTE on the old CIP list hold full weight in the formula, new FTE are only weighted at a rate equal to the rate of increase for the entire allocation. So, if the graduate grant is to increase by 11.4% as indicated in this year's Long Bill. the new FTE would be weighted at 0.114 in the new formula. While it may seem like making a large number of new students eligible for graduate grant at once without a large accompanying investment is adding the number of people at the table without necessarily increasing the size of the pie, we must remember that institutions have aid packaging autonomy. That is, institutions could choose to prioritize students in the old CIP list. It is also an option to include in the financial aid guidelines, prioritization of students receiving who received graduate grant in FY 22 and would have received it again if the CIP list had not expanded.

An important feature of the proposed model is that no institution loses money in any year. This prevents the need to remove students already on graduate grants.

A final decision point of the model discussed by FPA is whether to include law students in either the allocation and/or the expanded CIP list. Lawyers were identified in the Talent Pipeline Report as a profession requiring a graduate degree with high future projected number of job openings. FPA elected to recommend staff include law CIP codes in the eligibility list, but not include law FTE in the allocation formula.

Proprietary Institutions

Five private for-profit institutions currently receive allocations of state financial aid. All five institutions receive a Colorado Student Grant allocation, and Rocky Mountain College of Art and Design (RMCAD) receives an additional allocation of Colorado Work Study. However, proprietary institutions do not participate directly in the funding allocation models; instead, they receive an increase (or decrease) in CSG proportional to the increase (or decrease) in the need-based aid line overall. Similarly, RMCAD receives an increase (or decrease) in work study in proportion to the overall increase (or decrease) in the work study line overall.

The 2021-22 Long Bill included a footnote communicating the General Assembly's intent that the Commission "prioritize allocations for students attending public institutions of higher education and reduce priority for allocations for students attending for profit institutions of higher education." In FY 2021-22, the Commission elected to hold allocations for the proprietary institutions flat pending further review of their funding status during this process.

On a per-FTE basis, proprietary institutions are already significantly deprioritized in allocations (in FY 2020-21 their per-FTE CSG allocations were \$182 compared to a \$2,516 average statewide); they also receive less than 0.5 percent of the total financial aid allocation. Staff recommend resuming the prior approach to allocations to proprietary institutions.

IV. STAFF RECOMMENDATION

Staff recommend approval of the financial aid allocation model changes for the Colorado Student Grant, Colorado Graduate Grant, and Colorado Work Study as approved by the Finance, Performance and Accountability Committee.

V. STATUTORY AUTHORITY

C.R.S. 23-3.3-102(2): Assistance program authorized - procedure - audits.

(1) The general assembly hereby authorizes the commission to establish a program of financial assistance, to be operated during any school sessions, including summer sessions for students attending institutions.

(2) The commission shall determine, by guideline, the institutions eligible for participation in the program and shall annually determine the amount allocated to each institution.

TOPIC: DEGREE AUTHORIZATION: RECOMMENDATION FOR
PROBATIONARY AUTHORIZATION OF ASPEN UNIVERSITY

PREPARED BY: HEATHER DELANGE, DIRECTOR – OFFICE OF PRIVATE
POSTSECONDARY EDUCATION

I. SUMMARY

This action item recommends a change of status for Aspen University from ‘Full’ to ‘Probation’ for its Colorado location based on CCHE policy Section I, Part J and the responsibility of institutions to notify department staff regarding changes in accreditation.

II. BACKGROUND

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

Aspen University (University), located in Denver, is a for-profit postsecondary institution that offers programs from the Certificate level through Doctorate programs in a variety of concentrations and disciplines.

Aspen University received authorization from the CCHE in 1994 under the name, The International School of Information Management, an institution that was based initially in California and then relocated to Colorado in 1993. In June of 2003, the school underwent a name change to Aspen University. The University has been continuously accredited by the Distance Education Accrediting Commission since 1993. The University is due for its next accreditation renewal in 2024.

In April 2021, department staff met virtually with the President and Interim Provost of Aspen University to discuss its Colorado authorization. Specifically, the leadership at the University was seeking information with regard to the Place of Business authorization under CCHE policy as the University has a campus in Phoenix, Arizona, as well as the Denver campus. Staff reviewed the varying authorization levels, the institutional requirements, and the procedures to follow. The University leadership replied with an email stating they had decided not to pursue a move from Colorado at this time.

III. STAFF ANALYSIS

Under the Degree Authorization Act (§23-2-101 et seq. C.R.S.), authorized institutions are subject to CCHE Policy, Section I, Part J. Aspen University is an authorized institution in Colorado and recently has established a state authorized campus in Phoenix, Arizona. Under the policy,

institutions are required to notify department staff related to an action by the institution's accrediting body.

Per CCHE Policy, Section I, Part J, 13.06: "A private college or university shall notify the Department in a timely manner of any material information related to an action by the institution's accrediting body concerning the institution's accreditation status, including but not limited to reaffirmation or loss of accreditation, approval of a request for change, a campus evaluation visit, a focused visit, or approval of additional locations. In addition, the institution shall notify the Department in a timely manner if the United States Department of Education, or CHEA, if applicable, no longer recognizes the institution's accrediting body. Failure to provide this information shall lead to revocation or probationary authorization by the Commission."

Department staff became aware that Aspen University applied for a change of location with the Distance Education Accreditation Commission (DEAC) in May 2021, to move its primary administrative functions and academic oversight from Denver to Phoenix. In June 2021, DEAC granted approval for the University to proceed with the change of location and the University finalized its change of location in October 2021. At the Arizona location, a post-approval visit took place in November 2021 as the final task of changing its primary location from Colorado to Arizona.

The lack of notice to department staff violates CCHE Policy, Section I, Part J, 13.06 and pursuant to the policy, the "failure to provide this information shall lead to revocation or probationary authorization by the Commission."

IV. STAFF RECOMMENDATIONS

Staff recommends a change the authorization for Aspen University from Full Authorization to Probationary in Colorado.

V. STATUTORY AUTHORITY

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

(2) To operate in Colorado, a private college or university shall be institutionally accredited on the basis of an on-site review by a regional or national accrediting body recognized by the United States department of education; except that a private college or university may operate for an initial period without accreditation if the commission determines, in accordance with standards established by the commission, that the private college or university is likely to become accredited in a reasonable period of time or is making progress toward accreditation in accordance with the accrediting body's policies. The commission may grant a provisional authorization to a private college or university to operate for an initial period without accreditation. The private college or university shall annually renew its provisional authorization and report annually to the commission concerning the institution's progress in obtaining accreditation.

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

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

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

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



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May 3, 2022

Heather DeLange
Director, Office of Private Postsecondary Education
Colorado Commission on Higher Education
1600 Broadway, Suite 2200
Denver, CO 80202

Dear Ms. DeLange,

Aspen University is in receipt of your letter dated April 13, 2022, related to CCHE Policy Section I, Part J, Section 13.06 of the Degree Authorization Act (§23-2-201, et seq. C.R.S.) (the “Letter”). We appreciate the opportunity to respond to the Letter prior to the Colorado Commission on Higher Education’s (the “Commission”) May 6, 2022, meeting.

Aspen has had a long-standing relationship of more than 15 years with the Commission, which has been marked by positive and cooperative interactions. Throughout this period, Aspen has complied with the Commission’s standards and requirements and has remained an institution in good standing. Aspen takes its compliance obligations seriously and has consistently communicated updates to its operations to the Commission, including updates related to Aspen’s most recent relocation.

On April 14, 2021, Aspen notified the Commission that we were considering relocating our main campus from Colorado and changing the status of our current location in Colorado to a Place of Business. On April 27, 2021, Dr. Weiss notified the Commission that Aspen was moving its Colorado location to a different suite within the same building (Suite #525 to Suite #225), indicated that Aspen would not immediately act on plans to relocate from Colorado, and would contact the Commission regarding those plans. As we have noted in separate communications with the Commission, Aspen did not receive approval for the relocation from the U.S. Department of Education (the “Department”) until March 3, 2022. While Aspen understands the importance of reporting accreditation actions to the Commission, Aspen could not finalize its relocation plans based on approval from its accreditor, DEAC, alone, and needed approval from the Department before proceeding. If the Department and DEAC did not approve the relocation, it could not occur, and Aspen had no idea if – or when – such approval would be issued. Aspen pursued approvals that were required to relocate before providing the Commission formal notice of those plans, in the interest of presenting the Commission with a clear timeline for the relocation. We notified the Commission of our plans to proceed with the relocation on March 8, 2022, notably four days after the last of the necessary approvals to relocate was received. *See Attachment A.* We specifically noted that we looked forward to working with the Commission to change Aspen’s location in the state to a Place of Business. Unfortunately, we did not receive a response to the March 8 letter.

To be clear, Aspen did not intentionally violate CCHE Policy, Section I, Section 13.06, but instead was waiting to receive DEAC’s final approval for the relocation. Pursuant to the prior version of the DEAC *Accreditation Handbook*, approval of a change in location requires three steps: submission of Part 1 of the Change of Location Application, which is reviewed and approved by DEAC staff; submission of Part 2, which is followed by a site visit and site visit report; and DEAC Commission review of the change of location, which can result in the DEAC Commission affirming the DEAC staff’s initial approval or taking a number of other actions, including an adverse action. *See Attachment B.* The DEAC staff did initially approve the relocation on June 7, 2021, and the DEAC Commission affirmed the DEAC staff’s initial approval at its meeting on January 28, 2022, but did not communicate this last step to Aspen until March 4, 2022. *See Attachments C and D.* Notably, the referenced Commission policy provides no timeline to provide required notices and instead refers to notice “...in a timely

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manner,” a standard Aspen thought it met when it notified the Commission of the final DEAC approval on March 8, 2022.

However, Aspen’s understanding of the DEAC approval timeline does not align with recent communications between DEAC and the Commission, which reinforces the confusion regarding the effective date of the relocation approval. As noted in the email from DEAC staff member Nan Ridgeway to Heather DeLange on February 22, 2022, DEAC did not update its own website regarding the relocation to Arizona or notify the Department until December 2021 – more than six months after initial staff approval was received on June 7, 2021. See Attachment E. As previously noted, Aspen did not receive notice of the final approval until three months later.

Aspen understands that DEAC recently revised its Change of Location process to streamline the three-step approval process and clarify that final approval is not contingent on the DEAC Commission’s affirmation of the DEAC staff’s initial decision. In fact, the current version of the DEAC *Accreditation Handbook*, revised April 5, 2022, eliminates the two-part application process and clarifies that DEAC staff have full authority to approve a change of location instead of authority to issue only an “initial approval.” See Attachment F. This revised process is more aligned with the course of events DEAC described in its February 22, 2022, communication with the Commission. However, Aspen understood DEAC’s approval was not final until it received notice of the DEAC Commission’s affirmation of the initial approval, which was received on March 4, 2022, and as such, Aspen did not believe it was required to notify the Commission prior to that date. DEAC’s confirmation that it did not update its own records or notify the Department until December 2021 reinforces the confusion about the timing of the related notification requirements. Any delay in sharing the actions taken by DEAC prior to that date are the result of Aspen’s misinterpretation of DEAC’s requirements and do not reflect intent to withhold information from the Commission or violate agency policy.

Aspen takes great efforts to ensure compliance with all of our regulatory obligations. Ensuring that we manage the various processes and timelines of our regulators is a difficult task, especially when multiple agencies are involved using differing standards. It is this misalignment that resulted in Aspen not reporting the preliminary DEAC approval and related visit to the Commission within the timeframe that the Commission believes they should have been reported. We greatly value our continued relationship with the Commission and apologize for this misstep, but respectfully request that Aspen remain on its existing licensure status, full authorization. A public sanction such as probation will negatively impact students and will be based solely on a procedural misstep caused largely by competing obligations of other regulators. Furthermore, probation is unnecessary to resolve this area of concern, as the relocation process is complete and not subject to recurrence. Probation will not advance any educational objective or any of the shared goals of promoting effective educational programs for the benefit of students. Regardless of the outcome of this review, we remain committed to compliance with the Commission’s requirements and maintaining a positive relationship with the Commission.

Sincerely,

A handwritten signature in black ink that reads "Cheri St. Arnauld".

Cheri St. Arnauld, EdD
President, Aspen University

Cc: Dr. Joanne Weiss, Provost, Aspen University



COLORADO COMMISSION ON HIGHER EDUCATION

- Chair Vanecia Kerr (*D- 6th Congressional District*) 2nd term ends June 2022
- Vice Chair Sarah Kendall Hughes (*D-3rd Congressional District*) 1st term ends July 2023
- Commissioner Paul Berrick Abramson (*U-7th Congressional District*) 1st term ends July 2023
- Commissioner Aaron Harber (*D-2nd Congressional District*) 1st term ends July 2025
- Commissioner Teresa Kostenbauer (*U-4th Congressional District*) 1st term ends July 2024
- Commissioner Steven Meyer (*U-3rd Congressional District*) 1st term ends July 2024
- Commissioner Josh Scott (*D-1st Congressional District*) 1st term ends July 2025
- Commissioner Ana Temu Otting (*D-2nd Congressional District*) 1st term ends July 2025
- Commissioner Steven Trujillo (*D-3rd Congressional District*) 1st term ends July 2023
- Commissioner Eric Tucker (*U-5th Congressional District*) 1st term ends July 2023
- 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. Brad Baca, *Institutional Finance Representative*
- Mr. Daniel Casillas, *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*





INSTITUTION AND SYSTEM LEADERS

<u>INSTITUTION</u>	<u>CEO</u>	<u>LOCATION</u>
Adams State University	Dr. Cheryl Lovell, President	Alamosa
Aims Community College	Dr. Leah Bornstein, President	Greeley
Community College System	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
Colorado Mesa University	President John Marshall	Grand Junction
Colorado Mountain College	President Dr. Carrie Besnette Hauser	Glenwood Springs
Colorado School of Mines	President Paul Johnson	Golden
Colorado State System	Dr. Tony Frank, Chancellor	Denver
CSU-Ft Collins	President Dr. Joyce McConnell	Fort Collins
CSU-Pueblo	President Dr. Timothy Mottet	Pueblo
CSU-Global Campus	President Pamela Toney	Aurora
CU System	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
Emily Griffith Technical College	Randy Johnson, Executive Director	Denver
Ft. Lewis College	President Dr. Tom Stritikus	Durango
Metropolitan State University of Denver	President Janine Davidson	Denver



Pickens Technical College	Dr. Teina McConnell, Executive	Aurora
Technical College of the Rockies	Allen Golden, Director	Delta
University of Northern Colorado	Dr. Andy Feinstein, President	Greeley
Western State Colorado University	Nancy Chisholm, President	Gunnison

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.

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

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