



April 8, 2022

Colorado Department of Higher Education
1600 Broadway, Suite 2200
Denver, CO 80202
Attn: Dr. Kim Poast, Chief Student Success and Academic Affairs Officer

Dear Dr Poast:

Thank you for inviting Colorado Mountain College to provide feedback on the proposed changes to CCHE Policy I-N: Service Areas for Colorado Public Institutions of Higher Education. We also appreciated the opportunity to discuss this topic last week with other higher education institution leaders.

Below, please find a summary of our suggestions.

1. While we recognize that the CCHE does not have the authority to repeal or waive the enabling law for this policy (23-1-109 CRS), it is our opinion that the most effective method to address the concerns raised about the service area policy by the CCCS, CMC, and others, is to request the full repeal of this section of law. This law was originally written in 1985 and its language reflects a time when smart phones, high-speed broadband, and a 24/7 universal, online education did not exist. It also creates an internal conflict: its restrictions apply to so-called “two-year colleges” only, which is a dated policy artifact reflective of a time when institutional hierarchy based on Carnegie classification was assumed. Rather than contorting CCHE policies to fit modern realities, our first recommendation is to strike the entire section of law and work with the governing boards to create modern procedures to meet real-time community and economic needs, promote student access and success, celebrate institutional diversity, and treat all public colleges equitably.
2. In the absence of action on the abovementioned recommendation in the near term, an alternative would be for CCHE use the authority found in 23-1-109 CRS to define the entire state of Colorado as the service area for all public colleges and universities in the state and then focus the balance of the policy on defining the expectations for governing boards, some of which appear in the redline version of the policy draft. In particular:
 - a. CMC believes that the recommendation to expect the CCCS/SBCCOE to establish its own method for managing “service areas” among its campuses is an improvement and appropriately recognizes the authorities and responsibilities of the SBCCOE. The CCHE needn’t get involved in the CCCS’s internal affairs on this one.
 - b. Similarly, we think that it is an improvement to recognize that the boundaries for Local District Colleges are not arbitrary; they define distinct political subdivisions, like counties or school districts. Recognizing that these boundaries are not department policies, but binding agreements between certain colleges and local taxpayers is also an improvement to the policy. Local District Colleges are obligated to serve the communities in their tax districts, regardless of how

CCHE policy is written. Importantly, these boundaries are not barriers and we have welcomed many institutions to operate cooperatively in our district.

- c. Recognizing the physical presence of public college campuses is an improvement. Under current policy, service area boundaries have a randomness that reflect decades-old negotiations in downtown Denver using a two-dimensional paper map. These boundaries often only modestly relate to campus locations and do not reflect the realities of how populations “flow” within regional economies today or how students access college, including near universal online delivery. Nonetheless, public dollars have been invested in physical campuses, and thus it is appropriate for the CCHE to protect the interests of taxpayers and the public benefits of those investments. Establishing the primacy of these physical sites is an appropriate concern for the CCHE.
- d. Finally, CMC believes that the state’s policies should be free of biases regarding colleges’ locations or roles and missions. For example, all so-called “four-year” colleges in the state enjoy “statewide” service area, but not so for the so-called “two-year” colleges. And yet, private colleges in the state may offer whatever they choose without restriction from the CCHE. In effect, the *only* colleges in the state with forced limitations are those offering associates degrees. It’s unclear if or how these decisions improve access, affordability or workforce development. Moreover, the CCHE’s approach to institutions in the metropolitan areas of the state appear to differ from that applied to colleges in rural areas. In an age of ubiquitous online education, the purpose of this partiality is unclear. By availing all colleges of a “statewide” service area, the CCHE would resolve several outdated concepts in state policy.

Colorado Mountain College sincerely appreciates the DHE and the CCHE’s efforts to continue a dialogue with the governing boards to resolve inherited and long-standing challenges in state policy. Again, our preference would be to strike 23-1-109 CRS as soon as practicable. If this proves infeasible in the near term, our recommendations would for the CCHE to use its authorities to establish “statewide” service areas for all public colleges and then refine the remaining procedures concerning physical campus locations and local district college boundaries.

One way or another, we look forward to revising and modernizing CCHE policy I-N before the commencement of the 2022-23 academic year.

Sincerely,



Carrie Besnette Hauser, Ph.D.
President & CEO

cc: Brad Baca, incoming President, Western Colorado University
Joe Garcia, Chancellor, Colorado Community College System
Cheryl Lovell, President, Adams State University
John Marshall, President, Colorado Mesa University
Tom Stritikus, President, Fort Lewis College
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