

METROPOLITAN STATE UNIVERSITY *of* DENVER
BOARD OF TRUSTEES
Thursday, June 7, 2012

Board Minutes

CALL TO ORDER

The Board of Trustees meeting was **called to order** at 7:41 a.m. by Board Chair Cohen. He was joined by Vice Chair Michelle Lucero, Trustee Hanzlik, Trustee Carroll, Trustee Harris, Trustee Isenberg, Trustee Pogge, Trustee Robinson, Faculty Trustee Kottenstette, Student Trustee LaBure and Alumni Representative Peterson. President Jordan and Board Secretary Loretta P. Martinez were also in attendance, along with various faculty, administrators and staff.

EXECUTIVE SESSION

Chairman Cohen read the Trustees into **Executive Session**, and asked for a motion. The motion was made and seconded and **unanimously approved**. The Board entered into Executive Session at 7:45 a.m.

At 9:08 a.m., students and members of the public joined the meeting. Chairman Cohen invited those wishing to comment to sign in and, if possible, to collaborate, in the interest of time. Chair Cohen acknowledged the contributions of three departing trustees, Faculty Trustee David Kottenstette, Student Trustee Jacob LaBure, and Alumni Representative Eric Peterson, and thanked them for their service.

CONSENT AGENDA

The first order of business was the **approval of the Consent Agenda**. Chairman Cohen asked for a **motion to approve**. Trustee Harris moved, **with a second** by Trustee Hanzlik. The motion was **unanimously approved**.

LOGO AND SEAL DEVELOPMENT UPDATE

Chuck Gross, Sector Brands, presented the survey results completed by Sector Brands on the shortened name to be used by the University. Evaluating more than 5500 responses from students, faculty, alumni, staff, the Board of Trustees and others, the name "MSU Denver" revealed itself to be the favorite. Survey respondents felt the name was the least confusing and easiest to say, connects to the institution's past, and has strong brand recognition. Mr. Gross said that the domain name of the University would be changed to "MSUDenver.edu," and that "MSU Denver" would appear in all communications. The nickname "Metro State" will also continue to be used. Athletic teams' jerseys will continue to be branded with the name "Metro State" and the Roadrunner logo.

Cathy Lucas introduced Scott Surine, affiliate faculty in the Art Department, who presented the process employed in designing the new formal logo and seal of Metro State. Chairman Cohen asked for a **motion to approve** the seal of the University. Trustee Carroll moved, **with a second** by Trustee Harris. The motion was **unanimously approved**.

CHAPTER V HANDBOOK REVISIONS

Provost Vicki Golich reported that the proposed revisions to Chapter V of the Handbook address requirements for faculty promotions, post-tenure review, and emeritus designation. The revisions have been fully vetted within Faculty Senate. Chair Cohen asked for a **motion to approve** the revisions to Chapter V of the Handbook. Vice Chair Lucero moved, **with a second** by Trustee Carroll. The motion was **unanimously approved**.

2012/2013 BUDGET PRESENTATION

1. Approval of Proposed FY2012-13 Student Charges (Undergraduate and Graduate); and

2. Approval of FY 2012-2013 Budget

Natalie Lutes next presented proposed FY2012-13 Student Charges and the FY2012-13 Budget. She provided an overview of components of the budget for the benefit of new Board members. Sources of the incremental budget include COF and Fee-for-Service which, together, comprise the state-supported appropriation; tuition revenues; prior-year fund balance; and turnover allocation. The state-supported appropriation is increasing by only approximately \$20,000 this year, the same approximate rate of General Fund as in FY '04/05, but FTE has increased by approximately 2,000 students. The net effect is an increase of \$20,556 from General Fund. COF brings in the same, at \$62, or \$1,860 support from the State of Colorado in COF funds.

For budget purposes the estimate regarding enrollment is that it will remain flat, and that is approximately 17,300 General Fund students.

The students voted on both an RTD fee and Phoenix Center fee, and Ms. Lutes recommended the Board approve the four-dollar RTD fee.

In accordance with the Five-Year Plan approved by the Board and the Commission on Higher Education in 2010, resident standard tuition would be increased by 13% (or \$20.55 per credit hour) for up to 12 hours, and non-resident tuition would be increased by 9% (or \$55 per credit hour). Tuition would not be increased in the window between 12 to 18 hours in either resident or non-resident category. The net increase in student share is 10.4%. The increases are in spite of the fact that the Five-Year Plan assumed the institution would receive increases from the State General Fund which were, in fact, not received last year and in the current year. If the same plan is followed, an additional 5% increase will be necessary to cover the reductions in the coming year.

Metro's tuition and fees were compared with the other state institutions, and Metro's tuition and fees are still the lowest in the state.

A new non-resident rate, the Colorado High School/GED Tuition Rate, for undocumented students, was proposed. Dr. Jordan spoke regarding this new category of tuition, and stated that Metro State serves more Colorado residents, and more students of color, than any other institution in the state. The Board and the institution have supported legislative efforts to adopt the Asset Bill which basically provided that a student who had attended a Colorado high school for three years, who graduated from that high school or received a GED shortly afterwards, and who was willing to achieve legal, documented status when it became available, would receive a form of in-state tuition from the State of Colorado in order to attend college. The Asset Bill failed seven times, including failing in the most recent legislative session.

President Jordan stated that while being cognizant of the institution's responsibility to abide by state statute, the Board and administration began several months ago to discuss the feasibility of providing some type of assistance to undocumented students through a reduced non-resident tuition rate. State statutes provide that the institution is not to provide a state benefit to someone who is not in the state with legal status. "State benefit" has been interpreted generally within Colorado, and at a federal level, as the notion of a state subsidy; that if one receives an in-state tuition rate, the state is subsidizing the difference between the resident rate and the cost of education.

The Board and administration began to consider the feasibility of establishing a non-resident tuition rate that would be less than the current non-resident rate, that would require the individual to pay the full cost of education -- that is, to have no state subsidy -- and that would also take into consideration that for the more than 40 years that this institution has existed, the State of Colorado predominantly has built the buildings that this campus resides in with State General Fund moneys. As the result, an additional increment of \$600 per student was added to this category, as a contribution for capital, so that the new tuition category truly would be unsubsidized from the State of Colorado.

President Jordan continued that in reviewing the ability of institutions and governing board throughout the state to set non-resident tuition, there is a very clear history of the authority of governing boards to establish non-resident tuition, and even to establish multiple rates of non-resident tuition. Examples include the ability of institutions to decide on their own whether to participate with the Western Undergraduate Exchange, and other examples of institutions that have set various non-resident rates -- lower than their traditional, full, non-resident rate.

The new tuition rate being proposed is somewhere in excess of \$7200 per year but is significantly less than the current full non-resident rate. Incorporated into it, similar to the Asset Bill, are the same kinds of criteria in order to qualify; that is, that the student must have attended a Colorado high school for at least three years, graduated from that high school or subsequently received a GED, and must indicate a willingness to state their intent to obtain legal status in the U.S.

Chair Cohen thanked Dr. Jordan and asked for questions or comments from the Board. Trustee Pogge stated that while he is sympathetic to the plight of the class of people the new tuition category would assist, he does not believe it is within the institution's purview to act upon. Trustee Harris respectfully disagreed, stating that access to education changes lives and that this action is in line with Metro's mission and values and within the law. Trustee Carroll added that if the citizens of Colorado had waited for the legislature to act, the innovative program at Lincoln High School, which allows students to get college credit while attending high school, would not exist. In that instance, the legislature followed suit two years later and passed a bill which allowed the Lincoln HS program to happen. When Metro was founded in 1965, and it was often said that Metro State was Colorado's School of Opportunity, and it was with this very type of opportunity in mind, that young people who may not have an opportunity to attend college in any other situation, would now have the opportunity to climb the ladder to success and build a better future. Trustee Carroll said that this special category of tuition creates no additional subsidies and, in fact, creates a surcharge.

Trustee Lucero stated she strongly and enthusiastically supports the new category of tuition. Trustee Hanzlik added that he supports the action but would like procedures put in place to follow up regarding the students' attempts to attain legal status.

Dr. Jordan stated that in the past year, about 120 Metro State students were in this category, and estimates are that, in the first year, about 300 new students will enroll as the result of this action.

Chair Cohen invited those who had signed up for public comment to line up, and to state whether they are 'pro' or 'con' regarding the issue. Only one member of the public, Joe Farber, stated he was 'con,' and was invited to speak first. Following Mr. Farber's comments, public comment was heard from those on the 'pro' side of the issue. Those speaking included John Brackney, President and CEO of the South Metro Denver Chamber of Commerce; City Councilwoman Judy Montero; State Senator Pat Stedman; State Representative Chrisanna Duran; Olivia Mendoza, Executive Director of Colorado Latino Forum; Professor Joe Salazar, and Metro State students.

Chair Cohen thanked all the speakers for their comments, and asked for a motion to bifurcate the tuition rate issue from consideration of other budget matters. Trustee Carroll **moved** that the Board vote separately on the issue of the new Colorado High School/GED tuition rate. Trustee Robinson **seconded the motion** – the item was **approved unanimously**.

Chair Cohen then called for a motion on creation of the new tuition classification. Trustee Carroll **moved** that the Board accept the recommendation to create a new tuition classification called the Colorado High School/GED Tuition Rate. Trustee Isenberg **seconded the motion** – the item was **approved 7 to 1** through a roll call vote.

Trustees Kottenstette and Peterson asked that the record reflect that they are in support of the action.

Ms. Lutes continued with the budget presentation.

Chair Cohen invited public comment, and three speakers spoke in favor of the \$2-per-semester fee to support the Phoenix Center.

Trustee Pogge **moved** to approve the budget, including the \$2 fee for the Phoenix Center. Trustee Carroll **seconded the motion**. The motion was **unanimously approved**.

REPORTS/ACTION ITEMS

A. Chair's Report: Chair Rob Cohen

Chair Cohen turned to the Report and Action items.

1. Approval of 2012-2013 Meeting Schedule

It was moved, seconded, and unanimously approved that the 2012-2013 Meeting Schedule be approved.

2. Election of Officers

Trustee Harris **moved** to nominate Rob Cohen to serve as Board chair, and Trustee Carroll **seconded the motion** – the nomination was **approved unanimously**, Chairman Cohen abstaining.

Trustee Harris **moved** to nominate Michelle Lucero to serve as Board vice chair, and Trustee Carroll **seconded the motion** – the nomination was **approved unanimously**, Vice Chair Lucero abstaining.

Trustee Harris **moved** to appoint Loretta Martinez as Board Secretary, and Natalie Lutes as Board Treasurer. Trustee Robinson **seconded the motion** – the appointments were **approved unanimously**.

B. President's Report: President Jordan

Dr. Jordan thanked Dr. Kottenstette and Eric Peterson for their service on the Board, and welcomed Dr. Sullivan as the new Faculty Trustee.

C. Legislative Report: Written report from Capstone Group, LLC

Chair Cohen stated that Christine Staberg is on vacation, and the written legislative report is included in the Board packet.

D. Finance Committee Report: Trustee Ellen Robinson

Trustee Robinson stated there was nothing further to report.

E. Academic and Student Affairs Committee: Trustee Michelle Lucero

Chair Cohen called on Vice Chair Lucero.

1. Comments re: Promotions, Transitional Retirement, Emeritus

Provost Golich made remarks about the quality of the faculty members granted tenure and promotion.

2. Approval of Archiving of the Behavioral Science Program (Thompson)

Vice Chair Lucero **moved** to approve the archiving of the Behavioral Science Program. Trustee Carroll **seconded the motion**. The motion was **unanimously approved**.

3. Approval of New Concentrations for the Chicana/o Studies Program (Thompson)

Vice Chair Lucero **moved** to approve the new contrations of the new Chicano/Chicana Studies Program. Trustee Carroll **seconded the motion**. The motion was **unanimously approved**.

4. Approval of South Indian Tropical Biodiversity Study Abroad Course (Thompson)

Vice Chair Lucero **moved** to approve the South Indian Tropical Biodiversity Study Abroad Course. Trustee Carroll **seconded the motion**. The motion was **unanimously approved**.

5. Approval of Humanitarian Engineering Study Abroad Course (Thompson)

Vice Chair Lucero **moved** to approve the Humanitarian Engineering Study Abroad Course. Trustee Carroll **seconded the motion**. The motion was **unanimously approved**.

6. Approval of Merging of the Journalism Program and the Department of Technical Communication and Media Faculty

Vice Chair Lucero **moved** to approve the merging of the Journalism Program and the Department of Technical Communication and Media Faculty. Trustee Carroll **seconded the motion**. The motion was **unanimously approved**.

Vice Chair Lucero completed her report and thanked those involved in the committee meetings. Chair Cohen noted that the topics are discussed at length in committee meetings.

F. Governance Committee: Trustee Melody Harris

1. Approval of Revised Bylaws

Trustee Harris made a **motion** to approve the revised Bylaws, effective July 1, which was **seconded** and **unanimously approved**.

G. Faculty Senate Report: Professor Kamran Sahami, President

Professor Sahami reported that Faculty Senate authored and approved the new policy on grades, and a new policy on declaring majors. The grade policy came out of the work done last year on plus/minus, and was done at the request of SGA and the students to better define and expand the grade appeal process.

The new declaration of majors will require students to declare a major in the first 45 units at the institution. A wide range of studies show that students who declare a major within the first 45 units are three times more likely to graduate from the institution.

H. Student Government Report, Jesse Altum, President

No report.

I. Special Faculty/Student Trustee Report: Trustees Kottenstette and LaBure

Faculty Trustee Kottenstette reported that he and Student Trustee LaBure had attended the American Governors Board conference on Trusteeship in April and encouraged those Board members able to do so to attend next year.

J. Alumni Report: Alumni Representative Eric Peterson

Eric Peterson provided an overview of events.

K. AHEC Report: Trustee Dawn Bookhardt

Chair Cohen thanked Eric Peterson for his service this past year, and reminded the Board of the Tri-Board Retreat being held tomorrow.

Dr. Jordan reported that on June 28th the Auraria Board will meet to approve the new master plan for the campus. The master plan looks at expansion of neighborhoods, from the original neighborhood concept. Metro's neighborhood will include the Hospitality Learning Center, down Auraria Parkway, cut across the west side of campus to include the Admin Building, and then over to the new athletic fields. So it has significantly increased the scope of the area in which we'd be thinking about how we would plan for the future.

L. Foundation Report: Trustee Bill Hanzlik

No report.

VI. INFORMATION ITEMS (Requires no approval by the Board of Trustees)

A. Human Resources report of personnel actions for the Board's information which have occurred since the last meeting on April 5, 2012.

Chair Cohen noted that the Human Resource report and personnel are included in the Board packet.

VII. PUBLIC COMMENT

Chair Cohen stated there are five speakers who have signed up for public comment about the Student Government Association and the election.

Jeffrey Washington stated he was the winner of the recent election, by a 24% margin. A dispute arose between himself and the Election Commission and he was disqualified. The Student Court threw out the alleged violations and Mr. Washington was declared the winner. Mr. Washington said the administration has chosen not to honor the students' rules and constitution. Scott Hirshbrunner, the Vice Presidential candidate, Brother Saku and Michael Forrester, Chief Judge of the Student Court, shared their perspectives about the recent student government elections, what they believe is the appropriate resolution and asked for the assistance of the Board.

Chair Cohen thanked the speakers and asked for other public comments and for comments or feedback from the Board. Chair Cohen stated that this is a difficult issue and he appreciates the passion with which today's speakers presented their concerns. Chair Cohen noted that he'd been given advance notice that the issues would be being addressed at this meeting and has spent some time thinking about and reviewing the issues. Chair Cohen stated that the issue before him is to determine whether this is a Board decision or not. In preparing for this meeting, he reviewed the Policy Manual and feels it is clear in the Policy Manual that the

Board has delegated the shared governance on this campus to the President and the administration, and therefore does not believe that it is a decision for the Board to make. Chair Cohen encouraged the students to work out their issues and try to come to a resolution in a civilized, professional way. He thanked the students on both sides for taking the time to be here and for the professional manner with which they handled themselves in this meeting.

VIII. ADJOURNMENT

After a motion by Trustee Robinson and a second by Trustee Harris, the Board Chair officially **adjourned** the meeting at 11:45 a.m.