



METROPOLITAN STATE UNIVERSITY of DENVER BOARD OF TRUSTEES

Board Meeting Schedule

February 8-9, 2018

Thursday, February 8, 2018

Location: Student Success Building, Suite 440A (Trustees' Boardroom)

Finance Committee: 8:00 a.m. – 10:00 a.m. (*Breakfast available at 7:30 a.m.*)

Academic & Student Affairs Committee: 10:00 a.m. – 11:45 a.m. (*To-go lunches provided for Trustees.*)

Friday, February 9, 2018

Location: Student Success Building, Suite 440A (Trustees' Boardroom)

Executive Session: 7:30 a.m. – 9:00 a.m. (*Breakfast available at 7:00 a.m.*)

Location: Student Success Building, Suite 400 (University Advancement Boardroom)

Public Meeting: 9:15 a.m. – 12:30 p.m. (*To-go lunches provided for Trustees.*)

METROPOLITAN STATE UNIVERSITY of DENVER
BOARD OF TRUSTEES

Friday, February 9, 2018
Executive Session: 7:30 a.m. – 9:00 a.m.
Public Meeting: 9:15 a.m. – 12:30 p.m.

Student Success Building
890 Auraria Pkwy., Suite 400 (*University Advancement Boardroom*)

I. CALL TO ORDER

II. EXECUTIVE SESSION

An Executive Session may be held in consideration of appointment or employment of a public official or employee or the dismissal, discipline, promotion, demotion, or compensation of, or the investigation of charges or complaints against, pursuant to C.R.S. § 24-6-402(3)(b)(I)(2017); and to conference with an attorney representing a state public body concerning disputes involving the public body that are subject to pending or imminent court action, concerning specific claims or grievances, or for purposes of receiving legal advice on special legal questions pursuant to C.R.S. § 24-6-402(3)(a)(II)(2017).

III. CHAIR'S WELCOME & REPORT (5 min.)

A. Upcoming Event – AGB National Conference on Trusteeship: April 22-24, 2018 in San Francisco, CA

IV. CONSENT AGENDA (5 min.)

A. Approval of December 8, 2017 Board of Trustees Meeting Minutes
B. Office of Human Resources report of personnel actions which have occurred since the last Board Meeting on December 8, 2017

V. PRESENTATIONS

A. Educational Quality and Student Success: Colorado Challenge Program at MSU Denver – *Carla Castillo, Advisor, Colorado Challenge Program and Matt Kring, Director, Student Academic Success Center, and Charline Nguyen, Student (15 min.)*
B. Title IX Campus Policy – *Nick Stancil, Deputy General Counsel (5 min.)*

VI. REPORTS & ACTION ITEMS

A. President's Report – *President Janine Davidson (45 min.)*
B. State Legislative Report – *Christine Staberg, The Capstone Group, LLC (20 min.)*
C. Foundation Report – *Dino Hernandez, Executive Director (20 min.)*
D. Finance Committee – *Trustee Wendy Dominguez (5 min.)*
i. Refinancing of HLC@ Metro, Inc. Bonds
E. Academic & Student Affairs Committee – *Trustee Elaine Gantz Berman (5 min.)*
i. Approval of Recommendation for Tenure Upon Appointment

- ii. Approval of Faculty Sabbatical Recommendations (carry-in)
- iii. Approval of New Degree Program: Master of Science in Nutrition and Dietetics Graduate Certificate
- F. AHEC Board Report – *Trustee Elaine Gantz Berman (5 min.)*
- G. Faculty Trustee Report – *Trustee Kenn Bisio (5 min.)*
- H. Alumni Representative Report – *Trustee Judy George (5 min.)*
- I. Student Trustee Report – *Trustee Lacey Hyde (5 min.)*
- J. Faculty Senate Report – *Matt Makley, President (5 min.)*
- K. Student Government Report – *Josh Gardner, President (5 min.)*

VII. INFORMATION ITEMS

- A. Human Resources report of personnel actions which have occurred since the last meeting on December 8, 2017 for the Board of Trustees' information

VIII. PUBLIC COMMENT (20 min.)

IX. ADJOURNMENT

**METROPOLITAN STATE UNIVERSITY of DENVER
BOARD OF TRUSTEES MEETING
MINUTES**

Friday, December 8, 2017

I. CALL TO ORDER:

The Board of Trustees meeting was called to order at approximately 8:30 a.m. by Chairwoman Lucero. She was joined by Vice Chairman Jack Pogge, Trustee Elaine Berman, Trustee Terrance Carroll, Trustee Wendy Dominguez, Trustee Barb Grogan, Trustee Jim Mulligan, and Trustee Jeff Shoemaker. Faculty Trustee Kenn Bisio, Student Trustee Lacey Hyde, and Alumni Representative Judy George were also in attendance, along with President Janine Davidson, Board Secretary David Fine, Treasurer George Middlemist, Assistant Secretary Melinda Olivarez, various faculty, administrators, and staff.

II. EXECUTIVE SESSION:

Chairwoman Michelle Lucero read the Trustees into Executive Session at 7:30 a.m., and asked for a motion. The motion was made and seconded, and unanimously approved.

III. CHAIR'S WELCOME & REPORT:

A. New Board Staff Welcome.

Chairwoman Michelle Lucero welcomed the University's new legal counsel, David Fine, serving as Secretary to the Board, and Melinda Olivarez, Assistant Secretary to the Board.

B. Retreat Recap and Update.

Chair Lucero recapped the recent joint Board retreat, which included a conversation on the student success cycle, moderated by the University's recruitment and retention consultants, EAB, and led by Provost Vicki Golich. Trustees gained new insight into best practices and how MSU Denver can improve recruitment, retention, and graduation rates, especially as MSU Denver works with CDHE to move the needle on degree and credential attainment. An update on MSU Denver 2020, the strategic plan from CFO Steve Kreidler and Vice President of Strategy Cathy Lucas. The team presented an overview of the Strategic Plan Scorecard which tracks 56 metrics. 68% of goals in the Strategic Plan have exceeded their five-year expectation, seven are within 85% of their second-year measures, and four are at 99%. Only nine of the metrics are in red status and the Board discussed how to move those to yellow and then to green. An overview of the campus climate survey was presented by Chief Diversity Officer Myron Anderson. This biannual plan has measures that dovetail with the Strategic Plan's metrics. Deans provided an overview of their college or school, their centers of excellence, and the achievements of students and faculty. They also wove in their priority funding needs. President Davidson gave an overview of her vision and priorities, and suggested where resources might be focused in the short, medium, and long term.

D. Upcoming Events:

i. Fall Commencement will be held Friday, December 15, 2017, at the Denver Coliseum. The College of Business and the College of Professional Studies graduation

ceremonies will begin at 9:00 a.m., and the College of Letters, Arts, and Sciences and the School of Education ceremonies will begin at 3:00 p.m. Please RSVP to attend.

ii. AGB National Conference on Trusteeship: April 22-24, 2018 - San Francisco, CA. The AGB National Conference on Trusteeship will be held April 22 through 24, in San Francisco, California. Chair Lucero asked Trustees to inform Secretary Fine or Assistant Secretary Olivarez if they will attend the conference.

iii. Governor-Hosted Reception for Dr. Davidson – February 8, 2018. On Thursday, February 8, 2018, Governor Hickenlooper will host a special reception to formally introduce Dr. Davidson to the community, and specifically the business community. The reception will be held at the Governor's Mansion. Chair Lucero thanked Trustee Grogan for her help in arranging for the reception.

On December 8, 2017, Dr. Jordan will receive a meritorious service award for individuals who have made significant contributions to the Rocky Mountain Athletic Conference.

Trustee Berman and her husband were honored last week by the Anti-Defamation League with a Torch of Liberty Award. Congratulations to Trustee Berman.

Next month, Trustee Grogan will be inducted into the Colorado Business Hall of Fame. Chair Lucero said that the honor is reserved for businesspeople with exceptional business acumen. Congratulations to Trustee Grogan.

IV. CONSENT AGENDA:

- A. Approval of September 7, 2017 Special Board Meeting Minutes**
- B. Approval of September 8, 2017 Special Board Meeting Minutes**
- C. Office of Human Resources revised report of personnel actions** for the Board's information which have occurred since the last Board meeting on September 8, 2017.

Trustee Carroll **moved for approval** of the Consent Agenda, with a **second** by Trustee Mulligan. The motion was **unanimously approved**.

V. ELECTION OF OFFICERS AND COMMITTEE ASSIGNMENT UPDATE:

- A. Election of Officers.** Chairwoman Lucero stated that this is the time of year when the Board transitions its Board chairs and vice chairs. Chair Lucero has served as chair of the Board of Trustees since 2014. Trustee Mulligan **moved for approval** of the nomination of Jack Pogge as chair, and Barbara Grogan as vice chair of the Board of Trustees, with a **second** by Trustee Carroll. The motion was **unanimously approved**.

President Janine Davidson and the Board of Trustees thanked Chairwoman Lucero for her years of service to the Board and the University.

- B. Committee Assignment Update.** Trustee Pogge said that committee assignments had been discussed, and a list will be circulated soon.

VI. PRESENTATIONS:

C. Athletics Update (Strategic Plan). Dr. Anthony Grant spoke about staffing changes in the Athletics Department. There are new head coaches in Men's Basketball, Women's Soccer, Men's and Women's Tennis, Women's Golf, Baseball, and Men's and Women's Cross-Country Track and Field. Most of the changes in the department are due to the success that MSU Denver coaches and administrators have in moving on to Division I institutions if they choose. Dr. Grant said the department is very excited about the individuals now in place.

The Fall sports schedule recently ended. Both Men's and Women's Soccer advanced beyond their respective tournaments. Dr. Grant announced that Tracy Chao is in her first season as Head Women's Soccer Coach.

The volleyball season recently concluded in the final quarter of the NCAA Tournament held at Regis University. Jenny Glenn is in her second year as Head Women's Volleyball Coach and is doing an outstanding job, Dr. Grant said. Last year MSU Denver's Volleyball team went undefeated in the conference and won the conference championship. In the regular season, MSU Denver's team went 17 and 2 in the conference, due to the success of the program and the success of Coach Glenn, her student-athletes, and staff. Advancing into the NCAA Tournament, the team lost in the quarter-final but it was still another very successful season for the program, and the department is looking forward to next season. Relative to the team's success, junior Santaisha Sturges was second team AVCA (which is the Volleyball Coach Association), second team All-American, and Ms. Sturges will be returning next year.

Men's and Women's Basketball are revving up. The conference schedule started last weekend and continues tonight and tomorrow with a big game against Regis University tonight. Dr. Jordan will be acknowledged at halftime during the Men's game with a meritorious service award through the Rocky Mountain Athletic Conference.

Student-athletes put in significant time serving the community and the broader Denver metro area. The Student-Athlete Advisory Council continues to make great accomplishments, including "Student-Athlete Support Nights" which bring families and alumni back to the University in an attempt to provide support to student-athletes and coaches. This is a significant initiative and Dr. Grant will update the Board.

Over 1,500 cans of non-perishable food items were donated by student-athletes to the MSU Denver Food Bank. Dr. Grant gave a special shout-out to the Baseball program which on its own brought in almost 700 cans of food. The student-athletes are very engaged in community programs and have demonstrated good citizenship in connecting with the broader community.

Dedication of the Cohen Center at the Regency Athletic Complex provided an opportunity for Athletics to increase its fundraising and revenue-generating initiatives and use that momentum to encourage others to donate funds for scholarships.

Dr. Grant announced an official partnership with Nike and East Bay. Most of the University's teams were wearing Nike already, and the opportunity arose at the end of the previous contract period to renegotiate and leverage that support to bring additional revenue into the Athletics program. Not only does the initiative help with apparel but it also generates significant income in hands-on marketing and branding initiatives.

The Athletics Department has completed its three-year strategic plan, entitled "Building Our Legacy: Continuous Pursuit of Excellence." This was a significant undertaking that has taken roughly a year and a half to complete. The Department is focused on collaboration, transparency, and ensuring that its goals are consistent with the University's Strategic Plan. Its Mission Statement reads: "Athletics is committed to impacting the lives of student-athletes and developing future leaders by providing a championship-caliber experience that emphasizes excellence in academics, in athletics, and in the community." Its vision is to be "recognized nationally as the premiere athletic department in Division II, both athletically and academically."

A. Colorado's Higher Education Master Plan.

Dr. Kim Hunter Reed, executive director of the Colorado Commission on Higher Education (the Commission), was introduced.

Dr. Hunter Reed said that the Commission's vision is very much aligned with MSU Denver's. In 2012, the Commission set a strategic vision that 66% of the population in Colorado would have a post-high-school certificate or degree by 2025. At this time, only 55% of the population has a credential of value, evidence that there is still work to do. Dr. Hunter Reed said she is sure MSU Denver will be the Commission's partner in attaining that goal.

This year Dr. Hunter Reed visited nearly every university in the state, including MSU Denver, conducting student-run roundtable discussions with, in particular, first-generation, dual-enrollment students. These students talked about how as first-generation students, they hadn't really considered college, their parents hadn't gone, they felt they weren't able to afford it. But then someone intervened and supported them, and then perhaps they met a college faculty member who was very passionate about their discipline. At that point, college is not a maybe but a must for these students because the experience has changed their minds and their beliefs about what they can do. Concurrent or dual enrollment is free education for students and it's changing their mindset about the possibility of attaining a college degree. The Commission wants students across the state to have access to dual enrollment.

The three most important factors for keeping first-generation students in school are: (i) a sense of belonging; (ii) personal engagement; and (iii) the relevance of degrees to careers.

Dr. Hunter Reed noted that the narrative about higher education has shifted and people see the investment in education as a private good benefitting the individual and for which, therefore, the individual should pay. The public good and benefit to the community of investing in an educated workforce seems to have been lost. Dr. Hunter Reed called on the Board and those in attendance to make their voices heard about the importance of this investment. The CDHE's master plan, "Colorado Rises: Advancing Education and Talent Development," was released in

September. The master plan is a call to action for the state to invest in the educational attainment of its citizens. The plan includes four goals:

1. Increasing credential completion. In this plan the Commission reaffirms a statewide credential attainment goal of 66 percent by 2025 for its adult population.

By 2020, nearly three-quarters of jobs in Colorado will require some level of education beyond a high school diploma. As the economy continues its rapid shift to information services and technology, colleges and universities are more critical than ever in preparing individuals for the knowledge economy. It is important to ensure that students know where the demand is.

At the most basic level, increased credentials—that is, the output side of the equation—will require increased input and significant improvement in outcomes. Unlike many states that are facing a decline in high school graduates, the number of high school graduates in Colorado is forecast to increase by 18.5 percent between 2012 and 2025, helping with the input side of the equation. The Commission realizes that it must work with and support its K-12 education partners to ensure that the academic requirements for high school graduation line up with postsecondary expectations of incoming students and that institutions of higher education are providing enough K-12 teachers.

2. Erasing the equity gap. Colorado has the second highest equity gap in the country, following only California.

The gap between the educational attainment of white students and Hispanic students in Colorado is the second largest in the nation, behind only California. While the four-year high school graduation rate for white students in Colorado is 84 percent, for Hispanic students it is 70 percent. And whereas the postsecondary credential attainment rate for whites in Colorado currently is 64 percent, for Hispanics it is 29 percent.

The data for African Americans in Colorado is worse. While their 39 percent attainment rate currently is higher than that for Hispanics and has increased slightly since 2012, their 10-year completion rate has actually decreased, making the gap even more challenging to address. Across the state, we see not only racial/ethnic attainment gaps, but also attainment gaps for students from low-income families and those who are the first in their families to attend postsecondary education.

Male populations need intervention as well. Failure is not an option, because if the state does not get this right, she said, fewer communities will have a chance to participate in the knowledge economy. So, more credentials are needed, not less.

3. Improve Student Success. Colorado ranks at or below average in student persistence and completion. Not enough of its students are completing post-high-school education in a timely manner, or at all, after enrolling.

Dr. Hunter Reed said it is important to smooth pathways for students. Many students work while trying to squeeze school into their lives.

Evidence suggests that students who graduate from high school with some college credit are more likely to enroll and succeed in postsecondary education. Dual enrollment enables high school students to concurrently enroll in college courses tuition-free, thus shortening their time-to-degree, decreasing costs, and increasing their chances for success. Colorado implemented a framework for dual enrollment in 2009 that has resulted in sustained annual increases, with more than 30 percent of Colorado 11th- and 12th-graders having participated in some kind of dual enrollment program by academic year 2015-2016.

4. Investing in affordability and innovation. We must increase attainment, erase attainment gaps, and improve student success if Colorado is to maintain a strong quality of life, meet workforce demands, and continue to have a vibrant economy. These goals are only achievable with increased public investment. Colorado must invest in this critical public good. A strong economy for everyone cannot be realized if higher education is viewed as an expenditure and not as an investment. The Commission is working in partnership with University leadership to coordinate the importance of this message.

In striving to meet these goals, Dr. Hunter Reed said that the Commission is measuring student debt as well. While loans allow students of all demographics to continue education beyond high school, too many Colorado students are assuming more debt than they can reasonably handle or they end up in default without a postsecondary certificate or degree. Even if students obtain a credential, overly burdensome debt can prevent them from purchasing a home, getting access to other credit, and climbing the economic ladder.

The challenge in Colorado, but which is not unique to Colorado, is that in 2000, the state paid 68% of the cost of attending college. Now, families pay 64% and the state pays 36% of the cost of attending college. This switch is occurring at a time when a degree is not a luxury, but a necessity.

Higher education has the largest percentage increase in the Governor's budget proposal, \$86.9 million. This could buy down tuition to a state average of 3% for students, allow \$14 million in additional need-based aid and, for the first time in our state, allow for an emergency grant so that each campus has funds to assist a student dealing with a life experience that threatens their college career. The Commission wants to turn the tide and ensure that Colorado is leading the way when it comes to investment in its students. Dr. Hunter Reed asked for attendees' support and engagement. In speaking with policy makers, she asked that they make their voices heard in speaking about the importance of investing in higher education and the value of its benefits. Some of the narrative has been lost and if faced with messaging that "Jack will benefit from the degree so Jack should pay for it," or that higher education is a private good, stress that the community will also benefit from it, society will benefit, and families will benefit. Part of the message is that although there are individual benefits of higher education such as a higher income, a healthier lifestyle, those benefits correlate to a lowered need for state support and

public safety nets, less reliance on scholarships, and an increased likelihood of contributing to the community. Repetitive messaging is critical, she said.

For this campus, the Commission is proposing an increase in the funding formula for Pell students, both for enrollment and completion, to ensure that the students who need the most support have additional revenue and additional resources.

Trustee Shoemaker emphasized that MSU Denver is a Colorado institution that serves primarily Colorado students, and that most of these students are working as they go to school. When they graduate, they want to stay in Colorado. One of the reasons they're hired so quickly and excitedly by employers is that they have already been working and they know what it means to get and retain work and move forward. Trustee Shoemaker pledged to do whatever possible to encourage this state to fund higher education at a better level than it is. It is significant and tragic that in the last 17 years, the state has gone from paying 68% to paying just 34% of the cost of higher education, and that is unsustainable. The challenge faced by the legislature, he said, is the conundrum of the TABOR Amendment, the Gallagher Amendment, and Amendment 23.

Trustee Shoemaker pointed out the fact that state-supported funding for Adams State is \$7,931 per student; at Western it's \$7,253 per student. At Fort Lewis it's \$7,138 per student. MSU Denver receives \$3,495 state-supported funding per student, and a two-to-one gap is not appropriate or sustainable. MSU Denver's students need the most help, and will benefit most from proper funding and support for higher education, and it needs the help of the state.

Dr. Davidson said that with regard to the Commission's goal of closing the equity gap, MSU Denver is the place to accomplish that. Its enrollment is 42% students of color, and MSU Denver is one of the few HSIs in the country. With regard to affordability and innovation, she pointed to several of the University's programs, such as Aerobatics, and Athletics, and how innovative they are. President Davidson thanked Dr. Hunter Reed for allowing MSU Denver to become the Commission's partner in reaching its attainment goals and closing the equity gap.

Trustee Carroll offered his assistance and asked Dr. Hunter Reed what might help close the attainment gap. She responded that when she held the roundtable discussions with students, they told her that the secret sauce for student success contains three things: A sense of place or belonging; engagement (as in, "There is a person who knows me by name and face and cares if I'm successful"); and third, relevance of what the student is doing in terms of time and money to what they aspire to do. First-generation, minority students' self-talk is, "I don't belong here." And when they are made to jump through hoops just to enroll in a course, the experience amplifies that feeling. The challenge, she said, is to embrace that student and say, "Welcome. Here is the person who's going to help you, here is a peer mentor," those types of things. That's what has to happen to ensure that students are successful.

Trustee Grogan said that MSU Denver is going to be Dr. Hunter Reed's strongest partner. The goals of the Commission and the goals of the University are in total alignment. Trustee Grogan said that MSU Denver has the "secret sauce," but that the funding gap is preventing the University from progressing toward its goals. If MSU Denver's portion of the money that the

Governor is putting into higher education is based percentagewise on the amount it currently receives in state funding, the gap will only get bigger. MSU Denver's students have the greatest need, and it receives the least funding, by an enormous percentage. She asked that in working together, this inequity be addressed and resolved.

Trustee Mulligan said that MSU Denver students are the highest percentage of students who stay in Colorado and become Colorado's workforce.

Trustee Berman agreed with Dr. Hunter Reed that the message to the public about the importance of higher education and in particular, public institutions, must be better conveyed. She suggested that if all the institutions of higher education were willing, perhaps the Commission could facilitate their collaboration to strengthen the message.

President Davidson thanked Dr. Hunter Reed for coming to MSU Denver and said that, because the Commission's goals are so aligned with the goals of MSU Denver, she believes that their partnership will help each to attain their goals.

B. Board Oversight of Educational Quality and Student Success.
i. Aerobatics Flight Program/Precision Flight Team.

Dean Sandra Haynes said that the University's Aviation program, like its Athletics program, has been a hidden gem. Engagement is key to the flight teams' success, in academics and in life.

Dr. Jenn Capps, interim dean of the College of Professional Studies, introduced Dagmar Kress, coach of the Aerobatics and Glider team, and Karen Seaton, coach of the Precision Flight Team.

Coach Kress said that she is very happy with the performance of the Aerobatics team. They finished first in the nation in their second year of competition, beating out eight-time national champion, University of North Dakota, as well as the Air Force Academy, which finished in third place.

Coach Seaton said that the Precision Flight team placed third in its regional competition and will attend the national competition known as SAFECON, in May. Each semester students prepare for the competition that is put on by the National Intercollegiate Flying Association, which has 80 teams across the country. The program focuses on safety and precision, including navigation to the tenth of a gallon and tenth of a minute. Its five principles of leadership are accountability, integrity, courage, passion, and humility. Coach Seaton has committed \$50,000 for scholarships in the Aviation program over the next five years and the University has matched those funds.

Bill Jones is an Aviation program student and recipient of one of the scholarships, as is Sam Samberson. Mr. Jones said that beyond aviation, the most valuable lessons he gained from his experience on the flight team were leadership skills. He said that MSU Denver's team is set apart from its peers by not having its own aircraft. Whenever the team wants to practice, it must rent an airplane. If there were funding for aircraft, Mr. Jones said, the flight team's growth would go off the charts.

Ryan Jurientz is a senior in the Aviation program who will be graduating next week. He listed the high cost of renting aircraft, and said he recognizes how fortunate he is to have the support of his parents in participating on the flight team. His situation is unique, he realizes, and he stated that there is a real need for funding and aircraft for flight team members.

Trustee Shoemaker asked what range of funding is needed for the flight team to attend the nationals. Coach Kress responded that in the aerobatics competition, the championship is a week-long competition. The cost, aside from students having to take time off work, includes getting the airplanes to the championship, renting hotel rooms and rental cars, and food. She estimated the cost to be between \$5,000 and \$10,000 to get the entire team to a competition.

Coach Kress said it's important that the program grow members each year to replace competitive members who have graduated and gone away.

President Davidson noted that Coach Kress is a world-renowned, championship aerobatics pilot, and that she coaches on a volunteer basis and provides the airplane for the Aerobatics students.

Chair Lucero said that the health care industry looks to the airline industry to adopt safety measures and leadership perspectives, and told the flight team students that the values and leadership skills they are learning are invaluable.

VII. REPORTS & ACTION ITEMS:

A. President's Report: President Davidson reviewed the five focus areas of her vision for the University, which are:

1) Strengthen student success. Students are the top priority at MSU Denver, and their success defines the University's mission. Dr. Davidson said she is committed to ensuring that students receive the support they need to graduate, get good jobs, and move up the economic ladder. To do that, the University will re-design its student services structure to apply best practices in creative programs that enhance the entire student life cycle, from recruitment and retention to graduation and career services. Reorganization of the Academic and Student Success area will offer more focus and will coordinate work across disciplines and areas. A new Vice President for Student Success will be hired. The position will be posted nationally with the search led by an outside search firm. This vice president will work in close coordination with newly titled Vice President for Academic Affairs Sandra Haynes to align the Academic and Student Success programs in a more holistic way, focused on developing students all the way to graduation and beyond. The new Vice President for Student Success will oversee the new Career Pathways Office and work to enhance and link the University's externally-facing efforts with industry and employers to the University's internal efforts in career preparation, including internships and apprenticeships.

Because over half of MSU Denver's students are transfer students, the new vice president will also review the University's transfer process in an effort to ensure that transfer students feel the same sense of place as first-time students. The initiative will strive to be a model of streamlining what has traditionally been a frustrating process for transfer students. As a first step toward this

goal, MSU Denver has formalized an MOU with Community College of Denver that will provide automatic acceptance for CCD students once they apply to graduate from CCD with their associate's degree.

President Davidson announced that Dawn Matera Bassett, Associate Professor of Social Work at MSU Denver, was awarded two grants from the Health Resources and Services Administration. The grants will provide more than \$750,000 per year over the next four years for workforce development. Congratulations to Professor Matera Bassett.

Through a partnership with BBVA Compass Bank, students in the Hotel, Tourism and Events program participated in a pop-up dinner challenge as part of BBVA's annual Cooking Tour Experience. Twelve MSU students and several culinary instructors helped plate ten courses alongside Jordi Roca, a pastry chef and the youngest of three famous brothers who run the El Celler de Can Roca in Spain, consistently ranked as one of the top three restaurants in the world. Two students were awarded a prestigious four-month, all-expense-paid training at the El Celler to study under the Roca brothers. BBVA Compass is a Spanish banking group and has a partnership with this particular restaurant. It has sponsored El Celler's Cooking Tour Experience since 2013. This was its only stop in the U.S. Although Denver is home to Johnson and Wales, a chef's college, MSU Denver was chosen. MSU Denver was the most responsive, and Jackson Lamb deserves the credit for that, President Davidson said.

MSU Denver was honored as winner of the ALL IN Campus Democracy Challenge award for having the highest undergraduate student voting rate (65.3%). The challenge is a national awards program designed to encourage students to participate in the democratic process. Since its launch in 2016, nearly four million students have joined in this national effort to increase voter registration and participation among college students.

Musician-in-residence Ron Miles was inducted into the Colorado Music Hall of Fame. Miles has performed with greats such as the Duke Ellington Orchestra, Ginger Baker, the Bill Frisell Quartet and many others, and continues to be an active leader in Denver's thriving jazz scene. He recently performed at the induction concert, "Jazz Masters and Beyond" alongside fellow inductees Bill Frisell, Dianne Reeves, and members of Earth, Wind, and Fire. Congratulations to Ron Miles.

2) Address shrinking resources. With state support at an all-time low and continuing to decline, MSU Denver must develop a plan to ensure that it gets the most out of its limited resources to keep the dream within reach of all students. President Davidson's plan has two parts: legislative outreach and fundraising.

With regard to fundraising, Dino Hernandez was recently hired as Vice President for Advancement, a newly created position. Mr. Hernandez is working on a holistic strategy for fundraising at MSU Denver. He will hire a new Director of Corporate and Foundation Relations to enhance activities in the Denver business community and coordinate P3 efforts. Mr. Hernandez will also hire an Associate Vice President for Advancement who will assist him in

running a serious capital campaign next year, the research for which is already under way. President Davidson welcomed Mr. Hernandez.

On the public funding side, the University is recrafting its message to clearly frame the choices it faces: MSU Denver currently receives the lowest amount of funding per student from the state. This chronic underfunding over the years has placed the University in a precarious situation, with years of deferred maintenance and the inability to provide adequate cost-of-living adjustments for faculty and staff. Even if state funding is increased this year, if MSU Denver remains at the bottom of the funding list among its peer institutions, it may have to make some difficult choices. If, on the other hand, it were to receive the same average level of funding per student as its peer institutions, that would provide an additional \$3,000 per student which could be invested at this institution in ways that would significantly change things for Colorado. The Commission's stated goal to narrow the attainment gap and the state's need to invest in the Colorado workforce are perfectly aligned with MSU Denver's mission.

President Davidson will be presenting to the JBC on January 4 between 10:30 and noon with Mesa University President Tim Foster, and will convey the University's new strategy and underscore the message that MSU Denver is the perfect institution to help the Commission achieve its master plan goals to lower the attainment gap for students in Colorado. To truly move the needle on attainment in Colorado, best practices must be followed focused on graduating and placing Colorado students into the Colorado workforce. This is the precise focus of MSU Denver.

At an editorial board meeting with The Denver Post President Davidson submitted a guest column in which she outlined the University's new strategy and repeated the message that MSU Denver is the perfect institution to partner with the Commission to achieve shared goals for students in Colorado.

3) Invest in people. Faculty and staff are essential to student success and delivery of the University's mission. President Davidson remains steadfast in her commitment to MSU Denver becoming a destination of choice for faculty, staff, and students. Employee engagement, recognition, and continued empowerment provide the foundation of this focus area.

President Davidson announced that David Fine was recently hired as general counsel; Cathy Lucas was promoted to Chief of Staff and Vice President for Strategy. A search is under way for a new Equal Opportunity Director and a new Ombudsman. Joan Foster, Dean of the College of Letters, Arts, and Sciences, will return to teaching next year and a search will be launched for a new dean in that area.

4) Deliver on the promise. Progress on Dr. Jordan's past priorities will continue. Dr. Jordan's innovative approach to the Advanced Manufacturing and Aerospace Sciences Department is in part the inspiration for the new career-oriented Student Success model being formed. Another important focus area for Dr. Jordan was HSI attainment, and MSU Denver's Hispanic student population has now reached 26.4%, just above the HSI threshold. Dr. Davidson is working with

the Department of Education to have its HSI status formally acknowledged, which will allow the University to apply for a variety of federal grants.

Dr. Davidson thanked the Board for their support with regard to DACA students at MSU Denver. Several panels and resource events have been held for DACA students, and a Foundation account was established to provide financial assistance to help Roadrunners eligible to renew their DACA status. More than 60 donors, including Daz Bog, gave over \$10,000 to support DACA students. President Davidson has asked staff across the University, including the Counseling Center, Immigration Services, and student centers, to form a more holistic task force, and this effort is being led by Braelin Pantel and General Counsel David Fine. President Davidson worked with the DREAMers Now Association to write a guest column co-authored by Mayor Michael Hancock. The column, about the importance of DREAMers to our society, has been submitted to The Denver Post and may appear in other national publications. The University will continue to explore ways to support its DACA students and is monitoring the situation in Washington closely. March is going to be a critical deadline.

5) Lead inclusively and with intention. Inclusive leadership is the “secret sauce” to innovation and problem-solving in leading a large, complex organization, which MSU Denver is, Dr. Davidson said. In September, the creation of university-wide advisory councils was announced. These advisory councils will tackle complex issues facing the University which came up repeatedly during Dr. Davidson’s listening tour. Six university-wide advisory councils are tasked with providing recommendations to the President, the cabinet, and the Board. The framework for each advisory council was created from information-gathering meetings held in October as well as through conversations with the campus community and local leaders. The advisory councils will be comprised of people from a wide range of backgrounds, experiences, and expertise in order to generate a diversity of ideas. MSU Denver is a large organization with a pool of very talented people, Dr. Davidson said, and leveraging their creative energy will move the University forward in significant ways. The leaders of each advisory council are as follows:

- Strategy Council: Dr. Matt Makley and Dr. Anthony Grant
- Academic Excellence and Student Success: Dr. Jeff Loats and Dr. Angela Marquez
- Culture and the Workplace: Dr. Layton Curl and Dr. Josh Mackey
- The Built Environment and Infrastructure: Dr. Liz Hinde and Tina Wells, Director of Facilities Planning and Space Management
- University Policy Group: Nick Stancil, Assistant General Counsel, and Dr. Sheila Rucki
- Financial Responsibility: Dr. Rey Hernández-Julián and Dino Hernandez

The first task of each advisory council will be to draft a charter and build a diverse core team relevant to the task at hand. Following this concept phase, their timelines and goals will be fleshed out in greater detail. Dr. Davidson noted that the advisory councils are not intended to replace identity-based stakeholder groups which are already in place, such as the Council of Chairs and Directors or Faculty Senate. Their work will cover University-wide, strategic issues too large to address during the normal course of business. The advisory councils are designed to be adaptive, with the flexibility to address issues as they arise. Dr. Davidson expects that within two years the advisory councils will address challenges quite different than those it faces today.

President Davidson will participate in an Inclusive Leadership Summit in the Spring with department chairs, deans, and administrators, to discuss the University's philosophy of inclusive leadership and how to actualize, operationalize, and implement it across the University to accomplish its mission.

Trustee Grogan asked how the word can be spread about MSU Denver's many outstanding programs and their achievements. Trustee Bisio said that he had contacted anchorwoman Anne Trujillo at Channel 7, an MSU Denver graduate, and relayed the story about Aviation Coach Dagmar Kress who donates her time and airplane to MSU Denver students. Additionally, he told Ms. Trujillo that on Sunday the Aviation students are flying to VFWs across Colorado to deliver toys to be distributed to children.

President Davidson said that in addition to the media, other ways of raising awareness are through community activities and events.

Chair Lucero congratulated Ms. Lucas and her team for diversifying their message.

Trustee Berman expressed her excitement about the work going on at the Foundation and said she would like to hear more about its strategic plan and any capital campaigns being planned so that Trustees can be informed advocates when they are out sharing the information in the community. She said that Dr. Davidson has a thousand-percent support in the priority she places on students.

President Davidson and the Board welcomed Nick Stancil as deputy general counsel to the University.

B. State Legislative Report.

Christine Staberg reminded attendees that 2018 is a big election year, and many candidates are interested in running for governor. When Trustees meet with legislators, she asked that MSU Denver's state funding issues be kept top of mind. Ms. Staberg, Alejandra, and Cathy Lucas are working to make sure that faculty, alumni, and other University's constituents have the information to enable them to speak fluently about the funding issue when they meet legislators or attend town hall meetings. The University will need supportive voices from every constituency to provide the groundswell needed outside the Capitol to make progress on the funding issue.

The Governor submitted his budget request in early September. Dr. Davidson and Ms. Staberg have met with JBC members to make sure they are aware of the funding issue. The process, Ms. Staberg explained, is that the Governor submits a budget which is ultimately approved by the legislature with whatever changes they want. That process is under way. Historical data and analysis has been provided to the committee, and staff will then come up with their own recommendations. Ms. Staberg is giving information to JBC members and staff in an effort to shape what those suggestions might look like. The Department of Higher Education and the higher education institutions then have three days to present back to the committees and

following that, figure-setting will begin in approximately February. Ms. Staberg and her team will be very engaged in that process and will keep the Board posted.

The Capital Development Committee is meeting on December 20 and MSU Denver will give its presentation and update on that date, and will coordinate with AHEC. AHEC submitted a \$47 million capital request for the King Center. The Governor's budget has a significant amount of money put into capital, but AHEC estimates that an additional \$162 million would be needed to get the King Center request high enough on the list to be considered, and then \$47 million to cover it.

Some of the sponsors of last year's legislation that turned the hospital provider fee into an enterprise to free up money for capital that's in the Governor's budget believe that the money is only for new construction, not for controlled maintenance. So requests for controlled maintenance are an issue to be worked out among the state architects, the Governor's office, and all the institutions, but for now, it is a sticking point.

The legislature convenes on Wednesday, January 10. The Governor's state-of-the-state address is the following day. The top issue this year is the election, and every issue has to be viewed through that lens which is really about who will be in control following the election. In addition to the governor's race, four or five seats in the Senate will potentially be in play. PERA will be a top issue of this session. There is an imminent need to get something done this year about PERA, but so far there is no agreement about exactly how to tackle this significant, costly issue.

Other issues on the horizon include teacher preparation and the K-12 teacher shortage. Dr. Liz Hinde and her team have been very engaged over the past two years in offering suggestions and ideas. The Governor set aside \$10 million of marijuana tax money in his budget to look at the issue and fund some proposals around it. Ms. Staberg said that MSU Denver has a very important role to play in teacher preparation.

CSU Global and the Community College System are both interested in bringing bills to expand their missions to allow them to offer programs that they don't offer currently. Concurrent/dual enrollment is a hot topic that has generated lots of bipartisan interest.

Trustee Grogan asked what Ms. Staberg's initial impressions are from her meetings with the JBC. Ms. Staberg said that the biggest challenge she sees is that the Governor's budget proposal includes the highest percent increase going to higher education, and of that, the highest percentage increase would go to MSU. On its face, that seems like a great thing, but it will be constituents' job to point out to JBC members the serious foundational flaw in the funding formula, and how this proposal does not address it. Additionally, if the hospital provider fee had not passed last year, higher education would be facing massive cuts this year, which leads the JBC to argue that at least that scenario has not come to pass. The Governor's budget did put significant additional resources into financial aid, and the method in which it was done helps MSU Denver's students. That was a real win for the University this summer.

Trustee Berman asked how the math could be corrected to resolve the disadvantageous position that MSU Denver was placed when the state funding formula was adopted. Ms. Staberg stated that a lump sum from the state would be the easiest way to achieve parity with its peer institutions. Before the state funding formula was adopted, all increases or decreases in funding were a percentage, across the board. The funding formula was built on a base that was very unequal and MSU Denver will continually fall behind.

Vice President Kreidler reviewed the numbers to ensure that everyone is working from accurate information. This year's average percent increase across all institutions was 8.6%. MSU Denver's percent increase is 9.4%, or only 8/10% more than the average. Last year, MSU Denver was below the average and received only \$200,000 additional funding last year. The first year, MSU Denver was slightly higher than the average. It's important to understand that as the formula was rebuilt over and over, he said, the effect it had was to move MSU Denver back so that it receives only the third highest increase on a percentage basis. The highest percentage increase goes to University of Colorado at 10.3%; second is Mesa at 9.53%. MSU Denver is third at a 9.4% increase, and the Community College System is at 9%. President Davidson pointed out that a 10% increase of a small number is a lot smaller than a 10% increase of a big number, and this is a big discrepancy.

Trustee Berman suggested that the Board hold a work session or create a committee to ensure that Trustees understand the situation exactly and can deliver a consistent message about the issue and proposals for how to correct it. Trustee Grogan said that the Board needs this information and a strategy before January.

C. Academic & Student Affairs Committee:

i. Approval of Phase One Review Process for New Degree Programs. Chair Berman stated that the committee had robust conversations at its meeting yesterday regarding the Phase One Review Process for new degree programs, approval of new minor programs, approval of new certificates, and approval to discontinue certificate/concentration in the College of Professional Studies. Chairwoman Lucero **moved for approval** of:

(i) the Phase One Review Process for the following new degree programs:

1. Bachelor of Arts in Broadcast Journalism, College of Professional Studies
2. Bachelor of Arts in Dance, College of Professional Studies
3. Bachelor of Arts in History with Secondary Social Studies Licensure and a Culturally and Linguistically Diverse (CLD) Teaching Focus, College of Letters, Arts, and Sciences and School of Education;

(ii) approval of new Minor programs in:

1. Lifestyle Medicine, College of Professional Studies
2. Sport Management, College of Professional Studies;

(iii) approval of a new certificate in Unmanned Aerial Systems, College of Professional Studies Certificate; and

- (iv) approval to discontinue certificate/concentration in the College of Professional Studies
1. Tourism Management Certificate
 2. Human Performance and Sport, K-12 Physical Education Concentration

Trustee Pogge **seconded** the motion, which was **unanimously adopted**.

Dean Foster noted that approval of the Music Entrepreneurship Minor in the College of Letters, Arts, and Sciences, was pulled from the list of new minor programs shown in the meeting agenda.

Trustee Berman requested an update on the Health Institute. Dr. Jenn Capps said that in the update provided to the Academic & Student Affairs Committee yesterday, a phased approach is planned for the Health Institute beginning in the Spring semester. Dr. Capps stated that Emily Matuszewicz, Ph.D., who is currently serving as chair of the Department of Health Professions, will become the interim director of the Institute, using existing reassigned time. In this phased approach, in the Spring semester the first steps will include low-cost initiatives. A collective website bringing together health-related majors and programs within the Institute will be redesigned to make it easier for students and faculty to work together collaboratively, and create a less competitive environment.

In this phase a strategic advising plan will be developed to target health-related majors to ensure they are receiving the resources they need. Also a mentoring piece was created a partnership with Denver Health, and ten students are enrolled in it. Dr. Capps said that an alumni event is planned at which some health-related graduates will be profiled. The Institute also plans a student-focused event to increase the profiles of health-related majors and direct them to the redesigned website, to help them collect information and understand pathways to success. This current phase is really low cost, and later the Institute will move to mid-range with curriculum development and more interaction with the community.

Jim Mulligan asked if a business model could be shared with the Trustees. Dr. Capps said she would make sure they receive that.

Dr. Capps thanked the Trustees for their time and energy in suggesting elements to include in the Institute. Those suggestions will be forwarded to an active, ongoing advisory council formed by President Davidson that will launch in the Spring.

President Davidson thanked Dr. Capps for her leadership and said that the soft launch phase is an important opportunity to build the buzz, get the advisory council in place, and build up to the bigger vision. Continuing research on the competition and the demand will be critical. She said that she prefers to proceed on conviction and not on ignorance.

Dean Haynes added that health disparities will be key in the Institute's curriculum. She believes that mentorship is a very important element as well. Research shows that students of color and other underrepresented students would be more likely to enter into health care professions if they had mentorships. Encouraging underrepresented students at MSU Denver to enter the health professions and focusing on health disparities is where the Institute sees its blue ocean strategy.

D. Finance Committee:

i. External Audit for FY 2016 -17 & Financial Ratios. Trustee Pogge reported that student auditors conducted an audit of the University's financial statements and reported their results to the Finance Committee. He congratulated the students on having done a fantastic job.

CliftonLarsonAllen, LLP (CLA) conducted the annual external audit of the financial statements of the University for fiscal year 2016-17, and it reported no findings or recommendations for the current year. All prior-year recommendations had been implemented and all issues resolved. Vice President Kreidler remarked that this is the cleanest audit he has seen in his career. It contained no findings and no recommendations.

Vice President Kreidler recognized and thanked George Middlemist and his team for their efforts in delivering an outstandingly clean audit on the performance side. On the results side, the University paid down some debt and its net position increased slightly, aside from the PERA liability which must be reflected on the University's books.

Trustee Mulligan **moved** to accept the audited financial statements and report for fiscal year 2016-17, and Trustee Dominguez **seconded** the motion. The motion was **unanimously approved**.

ii. HLC Bond refinancing and potential approval. Vice President Kreidler said that a refinancing of the HLC@Metro, Inc. bonds is being explored. A major incentive for that is the uncertainty surrounding the Build America bonds subsidy which provides approximately \$1 million a year in federal payments for the bondholders. It appears to be somewhat risky as the federal government works to overhaul the tax code. The possibility of refinancing will be examined further and may be brought to the Board at the February meeting, or earlier, if needed, by special session via telephone or otherwise. The option currently being reviewed would save approximately \$7 million, which would be very advantageous for its students and for taxpayers.

E. Foundation Report: Trustee Mulligan said that the Foundation has gone through another set of reorganizations this year under the leadership of Marilee Utter. Among other exciting changes this year, he said, President Davidson came on board, and Dino Hernandez, Vice President for Advancement, came on board. The retreat, attended by both the Foundation board and the Board of Trustees, was terrific, he said.

Trustee Mulligan distributed an update of the Foundation's fundraising achievements as compared to its goals. The update goes from fiscal year to fiscal year, and Trustee Mulligan noted that the fiscal year is only 50% over.

- Cash and pledges are at 35% of the stated goal of \$7.5 million. An additional \$1.8 million is anticipated in the next 60 to 90 days, bringing the total up to 60% of the Foundation's goal for the year;
- Alumni donors, 48% of goal;

- Engaged alumni, 68% of goal;
- The Major Gift pipeline is \$15,600,000 and there are 104 proposals contained within that pipeline;
- The value of Planned Gifts to date is \$425,000.

Trustee Mulligan expressed his excitement that President Davidson, the Board of Trustees, the Foundation board, and the Vice President for Advancement are all working in such a focused and aligned way.

The Foundation board is working with Dino Hernandez to review consultants to advise it on the feasibility of a capital campaign.

The Foundation board has recommended that the investiture inauguration concept be moved to September.

The audit was very clean and had no recommendations and no management letter.

F. Faculty Trustee Report: With regard to inclusive leadership, Trustee Kenn Bisio reported that at the next Executive Council meeting he plans to introduce the idea of having the President and the Provost brought into Faculty Senate as voting members.

Trustee Bisio and David Fine are planning a lunch with trustees featuring Emily Ondracek-Peterson, a world-class concert violinist. Last month, Trustee Bisio hosted a lunch at Degree Restaurant with Trustee Berman, Trustee Mulligan, Marilee Utter from the Foundation board, and AJ Annjanette Alejano-Steele, one of the associate deans in the College of Professional Studies, who spoke about her efforts to stop human trafficking. Carl Payne, a Photojournalism major, was able to attend the Eddie Adams Workshop. (Eddie Adams was the photographer who photographed the famous photo of the execution in Saigon.) Mr. Payne was one of 100 students chosen to attend that workshop. Also in attendance was Elaine Roos, a documentary filmmaker.

Trustee Bisio has plans for additional lunch meetings in the future.

G. Student Trustee Report: Student Trustee Lacey Hyde thanked the Trustees for including a student trustee on the Board, and expressed her excitement at the opportunity this afforded her.

Students in Student Activities and Student Government recently had pizza with President Davidson. They are currently planning Homecoming, which will be in February, and have plans to include canvas-painting, ice skating, a Greek yard show, a carnival, a Roadrunner Give Back activity which is a volunteer activity, and concluding with the basketball games on Friday and Saturday.

Student Trustee Hyde said that it is sometimes challenging to get students to attend events. She has some marketing ideas, however, and is currently looking for someone who can build a large box for students to place their votes in.

The Urban Leadership Program, a volunteer scholarship program, teaches students about leadership and connects them with the Denver metro area. As part of this program, Trustee Hyde has visited various businesses, including Knotty Tie and Sage Hospitality, to learn about their operations.

H. Alumni Report: Alumni Trustee George thanked Jamie Hearst and her team for all of their hard work, dedication, and accomplishments. On October 24, they began holding their regular meetings.

These entities are charged with growing and sustaining alumni engagement at MSU Denver: The Alumni Association and its board; the Foundation board; the Alumni Engagement Work Group; and the Alumni Relations and Giving staff.

Engagement avenues for the Alumni Association include targeted communications, Call Center and emails.

Strategy going forward: All alumni events are intended to produce a specific outcome beyond just attendance, but the ultimate goal, by reframing, reengaging and support from the huge alumni base which is mainly in the metro area, communications, volunteer opportunities, programs, and benefits.

In FY'17 the Alumni Association launched the MSU Denver Mug Club with the Tivoli Brewing Co., to turn beer money into scholarships. Since its launch in 2017, the Mug Club has a membership of 235 and has raised over \$11,000 for student scholarships.

Some final FY'17 numbers from Jamie Hearst:

- Alumni donors, 2,207 (the goal was 1,690, so this group is up 131%);
- Engaged alumni: 5,575 (the goal was 3,906);
- New donors: 866;
- Retained donors: 702;
- Recovered donors: 639;
- Recurring donors: 212;
- Alumni Giving total at this point, \$307,813;
- Annual giving total \$1,492,586;
- The Call Center has generated \$189,020 in donations and pledges;
- Learn On, 160.
- The Alumni Association re-engaged Mug Club, Athletics, credit card contacts, and others.

There were approximately 400 attendees at Alumni Weekend, 85% of whom were new engagements. The Association has approximately \$260,000 in its endowment account, \$67,000 of which is for immediate payout for scholarships and focusing on students who are in what the Alumni Association calls “the final mile,” students who are working, have a family, and life gets

in the way and they can't finish that last six to nine credits. Those are the students the Alumni Association seeks to reach with these endowment scholarships.

I. Faculty Senate Report: Matt Makley said that the heart of what faculty members do at this institution is based in curriculum and interactions with students. He stated his appreciation of Academic & Student Affairs Committee's report relative to the programs, classes, and various other curriculum items that have made their way to the Board. Those made their way here through an intensive review process at the faculty level. There is one person at this institution who drives all of that, Dr. Makley said, and that is Erica Buckland. She is the curriculum master at this institution. Congratulations and thanks to Dr. Buckland on her excellent work.

With respect to inclusion and curriculum, Dr. Makley teaches an American History class, and his students are reading *Barefoot Heart: Stories of a Migrant Child*. A number of his students are first-generation students as well as DACA students. The essays they are writing are unbelievable, he said. Students frequently write that, "This is the first time I've ever seen my story, or a story similar to mine, in a classroom of any kind." When we talk about including people, it's not just clubs or that sort of thing, but it is building it from the curriculum side to recognize students. One of the targets with curriculum is to make sure it includes people.

One of the associate deans from the College of Letters, Arts and Sciences is, Dr. Ibon Izurieta. He worked with Dr. Luis Torres on a resolution that came before Faculty Senate. The President hasn't had the opportunity yet to read it, but we have presented it to Faculty Senate. It is a resolution in support of our DACA students. It passed Faculty Senate with 68 votes in favor, one against, and one abstention, reflecting the will and heart of the faculty at this institution.

J. Student Government Report: Josh Gardner, Student Government Representative, said that SGA was very active this semester, serving on committees and building relationships with other SGAs on the Auraria campus. As a group, students on the various SGAs agreed that they share many of the same struggles and challenges. They began holding monthly group meetings in an effort to become effective advocates for their campus and schools.

SGA helped sponsor several DACA workshops throughout this semester, including the MSU Denver mission and vision of this Board.

SGA hosted a weeklong series of events to raise awareness and increase prevention on campus of sexual abuse, sexual violence, bullying, and interpersonal violence.

Students in SGA have served Food Bank of the Rockies, and are currently helping with the xxx Holiday ? this weekend.

Last month SGA hosted several candidates running for governor of the state of Colorado and hopes to host more in the near future.

They also hosted a National Student Government Leadership Conference on campus. Seventy representatives from all across the country came to MSU Denver to learn more about what it means to effectively advocate for students, to network and brainstorm, and gain new insights.

Next semester and beyond, SGA plans to launch legislative advocacy, whether that's state funding or other issues that might come through the state legislature. SGA wants to be there advocating for students. To that end SGA is also working on rebuilding the Colorado State Student Government Coalition. The coalition is acknowledged by the state legislature and CDHE. In the future, a national network similar in structure is envisioned so that SGA can advocate for students on a national level as well.

Chairwoman Lucero said that she is so impressed with MSU Denver's students' and student leaders' ability to speak concisely and articulately. Trustee Grogan said that she is really inspired by the fact that so many students voted in the election, exercising their right as citizens.

VIII. INFORMATION ITEMS: *(Requires no approval by the Board of Trustees)*

- A. Office of Human Resources revised report of personnel actions for the Board's information which have occurred since the last Board meeting on September 9, 2017.

IX. PUBLIC COMMENT:

There were no public comments.

X. ADJOURNMENT:

Chairwoman Lucero asked for a motion to adjourn the Board of Trustees meeting. Trustee Mulligan **moved** to adjourn, and Trustee Carroll **seconded** the motion. The motion was **unanimously approved** and the meeting officially adjourned at 11:55 a.m.

AGENDA ITEM: **Office of Human Resources report of personnel actions for the Board's approval which have occurred since the last Board Meeting on Friday, December 8, 2017.**

RECOMMENDATION:

The President recommends Board of Trustee approval of the following personnel actions.

BACKGROUND:

Report includes appointments of non-temporary faculty and administrators which require Board approval.

APPOINTMENTS:

Administrators

Holly Blaschke, Executive Assistant to the President, Effective December 11, 2017.

Lauren Coleman, Administrative Assistant, Effective December 18, 2017.

Timothy Hawkins, Proposal Development Specialist, Effective December 18, 2017.

Elizabeth Gallegos, Financial Aid Counselor, Effective January 2, 2018.

Roberto Nava, Associate Dean, Effective January 2, 2018.

Diana Ibarra, Assistant Director, Student Activities, Effective January 2, 2018.

Karina Packer, Field Education Coordinator, Effective January 15, 2018.

Kyle Bisio, Web Content Specialist, Effective January 15, 2018.

Nicole Cozzi, Student Success Professional, Effective January 15, 2018.

AGENDA ITEM: Educational Quality and Student Success: Colorado Challenge Program at MSU Denver

BACKGROUND:

The Colorado Challenge Program is a CDHE initiative that started in January 2014 to improve college persistence and completion rates among first-generation and low-income students. This program provides comprehensive student success support for approximately 430 students at MSU Denver each year. The students at MSU Denver that participate in Denver Scholarship Fund, Daniels Fund, Gear Up, Youth Empowerment Support Services (YESS), and Educational Training Voucher (ETV) simultaneously receive support from Colorado Challenge. Participants meet regularly with one of four assigned Colorado Challenge counselors that are funded by the grant but work full-time on campus. Colorado Challenge counselors work with students throughout their college career, focusing on assisting students in discerning pathways to graduation, navigating the academic world, developing soft skills, and adjusting to the emotional and social challenges of post-secondary education, all while pushing students toward greater independence and self-advocacy.

ANALYSIS:

- The Colorado Challenge Program has been integrated as an important piece of scholarship support within the newly created Roadways area of MSU Denver Enrollment Management. Roadways will provide admissions-to-alumni support for MSU Denver students, and scaling the Colorado Challenge model will be foundational for Roadways' success.
- Colorado Challenge has contributed extremely effectively to increased persistence and graduation rates for the population served. It has also been effective in addressing equity gaps for low-income and first-generation students as well as students of color.
 - 7 institutions statewide participate in Colorado Challenge.
 - MSU Denver has the largest population of students supported: 964 students from 2014-2016.
 - MSU Denver Colorado Challenge participants outperformed the state-wide Non-Challenge control group in assessments of retention, persistence, and GPA.
 - 84% served identify as Black or Hispanic.
 - 84% served are Pell Grant eligible.
 - Students served by Colorado Challenge exhibited an 82% fall-to-fall retention rate, first-to-second year, while the MSU Denver retention rate for 2015-2016 was 61% for all first-year students.
 - The Colorado Challenge retention rate for students identifying as Black and Hispanic was 82%, while the MSU Denver retention rate for Black and Hispanic students was 57% during the same time period.
 - 197 students served by Colorado Challenge have graduated since 2014.
- The Colorado Challenge is effective because students have a single go-to person at the university to help them navigate the complexities of enrollment, academics, and financial aid, and a coach who can help them with problems that often arise when first-generation/low-income students attend college. Colorado Challenge advisors give

students one-on-one attention because the advisor-to-student ratio is low and they are able to work more closely and for longer periods of time with students. The Colorado Challenge team builds intentional relationships with the students served, and can assist with navigating both personal and college life. Currently, the advisor-to-student ratio is about 1:130 (except for the supervisor, who has a 1:69 caseload).

- CDHE's funding of the current Colorado Challenge program concludes on June 30, 2018.
- The Colorado Challenge Program has provided excellent support with outstanding results to MSU Denver students. Keeping this level of support for students is critical to meeting retention and persistence goals.

Article V: Sexual Misconduct Policy and Procedures

Metropolitan State University of Denver prohibits sexual misconduct in any form, including sexual assault or sexual abuse, sexual harassment, and other forms of nonconsensual sexual conduct, including stalking and electronic harassment. Forms of intimate partner violence, such as domestic and dating violence, are also prohibited under this policy. Retaliation in any form for reporting such sexual misconduct or for cooperating in a sexual misconduct investigation is strictly prohibited and will be addressed as a separate violation of the code of conduct. Students, faculty, staff, and visitors should be able to live, study, and work in an environment free from sexual misconduct. It is the policy of MSU Denver that sexual misconduct in any form will not be excused or tolerated. This policy is promulgated under Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. §§ 1681 et seq., and its implementing regulations, 34 C.F.R. Part 106; Title IV of the Civil Rights Act of 1964 (42 U.S.C. § 2000c).

Sexual misconduct is a broad term encompassing any nonconsensual behavior of a sexual nature that is committed by force or intimidation, or that is otherwise unwelcome. The term includes sexual assault, sexual exploitation, and sexual harassment as those behaviors are described later in this section. Sexual intimacy requires that all participants consent to the activity.

Procedures promulgated pursuant to this Policy provide for prompt, thorough, and impartial resolution of complaints by students at MSU Denver who are victims/survivors of sexual misconduct.

Because this policy is part of the MSU Denver Student Code of Conduct, all policies, procedures and definitions in the code of conduct apply to this policy.

In this policy you will find the following:

- Definitions
- How to report sexual misconduct
- Adjudication of complaints in the student conduct process
- Options for Victims/Survivors
- Community Resources

Definitions

Consent

Consent between two or more people is defined as an affirmative agreement – through clear actions and words – to engage in sexual activity. Consent is informed, knowing and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable permission regarding the conditions of sexual activity.

Consent to one form of sexual activity cannot imply consent to other forms of sexual activity. Previous relationships or consent cannot imply consent to future sexual acts. Consent

cannot be procured by use of physical force, compelling threats, intimidating behavior, or coercion. Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear to you that they do not want sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction by their actions, words or attitude, continued pressure beyond that point may be coercive.

In order to give effective consent, one must be of legal age. Consent may be withdrawn at any time.

In Colorado, consent is defined in state statute 18-3-401 and means cooperation in act or attitude pursuant to an exercise of free will and with knowledge of the nature of the act. A current or previous relationship shall not be sufficient to constitute consent under the provisions of this part 4. Submission under the influence of fear shall not constitute consent. Nothing in this definition shall be construed to affect the admissibility of evidence or the burden of proof in regard to the issue of consent under this part 4.

Incapacitation

Sexual activity with someone known to be, or should be known to be mentally or physically incapacitated (by alcohol or other drug use, unconsciousness or blackout), is in violation of this policy. Incapacitation is a state where one cannot make a rational, reasonable decision because they lack the ability to understand the who, what, when, where, why or how of their sexual interaction.

This policy also covers someone whose incapacity results from mental disability, sleep, involuntary physical restraint, or from the taking of any drug, including but not limited to ethyl alcohol, which would facilitate unwanted sexual activity or incapacitate the person's ability to make a rational consensual choice.

Use of alcohol or other drugs will never function to excuse behavior that violates this policy.

Sexual Harassment

Sexual Harassment is gender-based verbal or physical conduct that unreasonably interferes with or deprives someone of educational access, benefits or opportunities.

1. Quid pro quo sexual harassment occurs when submission to, or rejection of, unwelcome sexual conduct is used as a basis for academic, educational, or employment decisions affecting an individual.

Quid pro quo sexual harassment is perpetrated by someone who is in a position of authority over the victim. Such harassment can occur between members of the opposite or same sexes. The law does not require the victim of sexual harassment to expressly notify the perpetrator that the conduct is unwelcome. Nor does the law require that the perpetrator explicitly or deliberately base a decision on submission to or rejection of the conduct. Circumstantial evidence linking

sexual conduct with an adverse or favorable employment or educational decision may justify a finding of quid pro quo sexual harassment by a jury, court, or administrative tribunal.

Examples of quid pro quo sexual harassment include, but are not limited to:

- Direct propositions of a sexual nature that expressly or by implication link employment, work status, promotion, wage increases, course or program status, grades, letters of recommendation, or other tangible employment or educational actions to submission to sexual advances;
 - Direct or implied promises or threats linking employment, work status, promotion, wage increases, course or program status, grades, letters of recommendation, or other tangible employment or educational actions to submission to sexual advances.
1. Hostile environment sexual harassment is unwelcome conduct, generally, although not necessarily, of a sexual nature, that insults, demeans, ridicules or evinces hostility toward a person because of his or her gender, and that is sufficiently severe or pervasive that it alters the conditions of education and creates an environment that a reasonable person would find hostile, intimidating, or offensive.

In determining whether conduct has created an impermissibly hostile environment, all of the relevant circumstances must be considered. These circumstances include, but are not limited to, the severity and frequency of the conduct, its context, and whether it is physically threatening or humiliating. Hostile environment sexual harassment can be perpetrated by students, faculty, staff, or administrators, and by some third parties authorized to use the college facilities, such as contract employees, and service and repair personnel.

Hostile environment sexual harassment can occur between peers (co-workers and fellow students) and between members of the opposite or same sexes. The conduct must offend the victim, but it does not have to be offensive to everyone. Conduct that offends the victim but would not offend a reasonable person in his or her position does not constitute hostile environment sexual harassment. The test is whether, considering all of the circumstances, the conduct would offend a reasonable person in the victim's position. As with quid pro quo sexual harassment, a finding of hostile environment sexual harassment may be justified even if the perpetrator did not intend to offend the victim.

The following subparagraphs describe some, but not all, kinds of conduct that may constitute sexual harassment if they are sufficiently severe or pervasive to alter the conditions of employment or education and create an environment that a reasonable person would find hostile, intimidating, or offensive:

- Direct propositions of a sexual nature;
- Conduct that is offensive or humiliating in nature that includes, but is not limited to:
 - Sexually explicit comments, statements, questions, jokes or anecdotes; comments, statements, questions, jokes anecdotes, or innuendoes with sexual connotations;
 - Display of sexually explicit materials in the workplace or classroom or their use in the classroom without a defensible academic purpose;

- Unnecessary touching, patting, hugging, or brushing against a person's body;
- Remarks about sexual activity or speculation about sexual experiences;
- "Wolf whistling," obscene sounds, or obscene gestures;
- Nonsexual physical or verbal conduct that insults, demeans, ridicules or otherwise evinces hostility toward a person because of gender. Examples include, but are not limited to, hazing, pranks, horseplay, and ridicule.

Sexual Misconduct Expanded Definition

Sexual misconduct is a form of sexual discrimination and is prohibited by Title IX.

Sexual misconduct includes, but is not limited to, the following examples of prohibited conduct:

Sexual Assault

Sexual assault is any type of sexual contact or behavior that occurs without the explicit consent of the recipient.

Examples of sexual assault under this policy include, but are not limited to, the following behaviors when consent is not present:

- Sexual intercourse (vaginal, anal, oral)
- Penetration of an orifice (anal, vaginal, oral) with the penis, finger, or other object
- Unwanted touching of the genitals, buttocks, breast, or other body part inside or outside of the clothing
- Coercion or force to make someone else touch one's genitals, buttocks, breast, or other body part
- Inducing sexual activity through drugs or alcohol
- Engaging in sexual activity with a person that is unable to provide consent due to the influence of drugs, alcohol, or other condition

In Colorado, sexual assault is defined in state statute 18-3-402 as:

(1) Any actor who knowingly inflicts sexual intrusion or sexual penetration on a victim commits sexual assault if: (a) The actor causes submission of the victim by means of sufficient consequence reasonably calculated to cause submission against the victim's will; or (b) The actor knows that the victim is incapable of appraising the nature of the victim's conduct; or (c) The actor knows that the victim submits erroneously, believing the actor to be the victim's spouse; or (d) At the time of the commission of the act, the victim is less than fifteen years of age and the actor is at least four years older than the victim and is not the spouse of the victim; or (e) At the time of the commission of the act, the victim is at least fifteen years of age but less than seventeen years of age and the actor is at least ten years older than the victim and is not the spouse of the victim; or (f) The victim is in custody of law or detained in a hospital or other institution, and the actor has supervisory or disciplinary authority over the victim and uses this position of authority to coerce the victim to submit, unless the act is incident to a lawful search; or (g) The actor, while purporting to offer a medical service, engages in treatment or examination

of a victim for other than a bona fide medical purpose or in a manner substantially inconsistent with reasonable medical practices; or (h) The victim is physically helpless and the actor knows the victim is physically helpless and the victim has not consented.

Sexual Exploitation

Sexual exploitation is defined as taking nonconsensual, unjust or abusive sexual advantage of another. Examples include, but are not limited to:

- Prostituting another person
- Nonconsensual video or audio-taping of sexual activity
- Going beyond the boundaries of consent (such as knowingly allowing another to surreptitiously watch otherwise consensual sexual activity)
- Engaging in non-consensual voyeurism
- Knowingly transmitting or exposing an STD or HIV to another student without the knowledge of the student

Indecent Exposure

Indecent exposure is defined as the exposure of the private or intimate parts of the body, in a lewd manner, in public or in private premises, when the accused may be readily observed. This could include masturbation in public.

Gender/Sex-Based Stalking

Stalking is a pattern of behavior directed at a specific person based on sex or gender that would cause a reasonable person to feel fear or emotional distress. Stalking behaviors include but are not limited to: Nonconsensual communication, including face-to-face communication, telephone calls, voice messages, e-mails, written letters, gifts, or any other communications that are undesired and place another person in fear.

The State of Colorado definition of stalking, found in state statute 18-3-602, is: A person commits stalking if directly, or indirectly through another person, the person knowingly:

- a. Makes a credible threat to another person and, in connection with the threat, repeatedly follows, approaches, contacts, or places under surveillance that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship; or
- b. Makes a credible threat to another person and, in connection with the threat, repeatedly makes any form of communication with that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship, regardless of whether a conversation ensues; or
- c. Repeatedly follows, approaches, contacts, places under surveillance, or makes any form of communication with another person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship in a manner that would cause a reasonable person to suffer serious emotional distress and does cause that

person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship to suffer serious emotional distress. For purposes of this section (c), a victim need not show that he or she received professional treatment or counseling to show that he or she suffered serious emotional distress.

Dating Violence

The federal definition of dating violence is violence committed by a person (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) the length of the relationship, (ii) the type of relationship, and (iii) the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence. Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Currently, the State of Colorado does not have a specific definition of dating violence.

Domestic Violence

In the State of Colorado, domestic violence, defined in state statute 18-6-800.3, is: An act or threatened act of violence upon a person with whom the actor is or has been involved in an intimate relationship. "Domestic violence" also includes any other crime against a person, or against property, including an animal, or any municipal ordinance violation against a person, or against property, including an animal, when used as a method of coercion, control, punishment, intimidation, or revenge directed against a person with whom the actor is or has been involved in an intimate relationship. An "intimate relationship" means a relationship between spouses, former spouses, past or present unmarried couples, or persons who are both the parents of the same child regardless of whether the persons have been married or have lived together at any time.

Rights and Options for Victims/Survivors through the University

There are a number of options and rights that victims/survivors have available to them should they choose to report sexual misconduct to their school. These include:

- Inform victim/survivor of available grievance procedures, how to file a formal complaint within the institution, provide a clear and complete explanation of the complaint process, provide information on the protocol for reporting to campus police, provide the police protocol once information is received, and provide information on reporting the incident to the Office of Civil Rights.
- Provide appropriate referral (with victim/survivor's permission) to the Campus office responsible for investigation of employee sexual misconduct, if the perpetrator is a faculty or staff member.

- Ensure victim/survivor knows that their identity will remain confidential unless they are willing to reveal identity through a formal complaint. Discuss the institution's confidentiality policy, reporting requirements, and opportunity for anonymous reporting.
- Provide an anonymous report of the incident, date and location for Clery Act reporting (the Clery Act is a federal law that requires anonymous statistical reporting of a number of crimes, including sexual misconduct. The numbers appear in an annual crime report).
- Discussing potential educational support interim actions for students who may have experienced sexual misconduct. Support and interim actions may include, but are not limited to, changes in course enrollment, support with on-campus transportation, or financial aid. Students may contact the Dean of Students Office with questions regarding support and interim actions.

Reporting

To Report Confidentially

MSU Denver encourages students impacted by sexual misconduct to talk to somebody about what happened so that support may be provided and the University can respond appropriately. This section is intended to make students aware of the various reporting and confidential disclosure options available to them so they can make informed decisions about where to turn should they become a victim of sexual misconduct.

An individual who speaks to one of the confidential resources noted in this section must understand that, if the individual wants to maintain confidentiality, the University may be unable to conduct an investigation into the particular incident or pursue disciplinary action against the alleged perpetrator. An individual may speak to a confidential resource and then later decide to file a report with the University to have the incident fully investigated.

If you desire that details of the incident be kept confidential you may speak to on-campus counselors in the MSU Denver Counseling Center, Auraria Health Center licensed medical practitioners, The Phoenix Center, or off-campus rape crisis resources, which will maintain confidentiality to the extent possible by law.

The Auraria Health Center may be reached by calling 303-556-2525 or by visiting Plaza 150. The Health Center's Victim Assistance Services may be reached by calling 303-352-HELP (4357).

The MSU Denver Counseling Center may be reached by calling 303-556-3132 or by visiting Tivoli 651 during the hours of 8 a.m.-5p.m. Campus counselors are available to help you free of charge and may be seen on an emergency basis. If you need assistance between 5 p.m.-8 a.m., or on the weekends, you may contact the After Hours Mental Health and Victim Assistance Crisis Line by calling 303-352-4455.

As an MSU Denver student, you also may contact the Phoenix Center at Auraria for confidential victim's assistance to the extent possible by law. You may call its 24/7helpline at 303-556-CALL. It can assist in reporting and connect you to both on-campus and local resources. The

Phoenix Center at Auraria provides advocacy services for victims, including accompanying them to the hospital to receive an examination and evidence collection, court advocacy for orders of protection, or through criminal proceedings and advocacy through the reporting process.

Reporting Sexual Misconduct, Including Sexual Assault and Sexual Harassment, to the University

MSU Denver strongly encourages prompt reporting of complaints and information rather than risking any student's well-being. Although there is no time limit on the reporting of formal charges with the campus, the institution ultimately may be limited in its investigation if too much time has passed or if the accused student has graduated.

Amnesty for students reporting sexual misconduct:

MSU Denver recognizes that an individual that has been drinking or using drugs at the time of an incident may be hesitant to make a report because of potential Student Code of Conduct consequences for his/her own conduct. An individual that reports sexual misconduct will not be subject to disciplinary action by MSU Denver for his/her own personal consumption of alcohol or drugs at or near the time of the incident, provided that any such violations did not and do not place the health and safety of any other person at risk. MSU Denver may, however, initiate an educational discussion or pursue other educational remedies regarding alcohol or other drugs.

Students have multiple reporting options:

1) Dean of Students Office - This office is responsible for investigating any allegation of sexual misconduct where the respondent (accused) is a student. You can expect to have incidents of sexual misconduct taken seriously and responded to quickly. Incidents will be investigated and properly resolved through administrative procedures as described in the conduct process. If you request confidentiality, MSU Denver may be limited in its ability to take disciplinary action against the alleged harasser. Moreover, if you request confidentiality, MSU Denver must evaluate your request in the context of its commitment to provide a reasonably safe and nondiscriminatory environment for the campus community. Thus, MSU Denver cannot ensure confidentiality of a complaint. Information will be shared to the extent necessary for MSU Denver to pursue other steps to limit the effects of the alleged harassment and prevent its recurrence. To discuss questions or concerns related to confidentiality prior to reporting an incident to the University, you may contact the Dean of Students Office and ask to speak with Title IX staff. To report to the Dean of Students Office, a student may visit the Office of Student Engagement and Wellness in Tivoli 311 or call 303-556-3559 to speak with the Title IX Investigator. Students may also file a report online at www.msudenver.edu/conduct.

2) Auraria Police - The Dean of Students Office can assist you in reporting any incident of sexual misconduct to the Police. An incident may be reported to MSU Denver or the Auraria Police Department even if the victim/survivor has not decided to take legal action. If the assault took place off campus, Auraria Police or the Dean of Students Office can assist you in contacting the police that have jurisdiction over that area. Auraria Police may be reached by calling 911 from any campus phone or by calling 303-556-5000 from any non-campus phone.

3) Title IX Coordinator/Equal Opportunity - If your complaint involves a faculty or staff member, you would file a report with the Office of Equal Opportunity to be investigated and properly resolved. You can contact the Office of Equal Opportunity in the Student Success Building, room 440 or by calling (303) 556- 4746.

4) MSU Denver community members also may contact the Department of Education Office of Civil Rights (OCR). The Denver OCR may be reached by calling 303-844-5695 or emailing OCR.Denver@ed.gov. The OCR national office may be reached by calling 800-421-3481 or emailing OCR@ed.gov.

Actions and investigations initiated under this policy are separate from civil or criminal proceedings that may relate to the same incident. Investigations or conduct proceedings by the institution are not postponed while criminal or civil proceedings are pending unless otherwise determined by the Title IX investigation.

An individual reporting sexual misconduct may report to the University and to law enforcement at the same time. The individual may also decide to report to one entity and not the other. The decision to pursue legal action through the law enforcement/criminal justice system does not impact an individual's ability to proceed with filing a report with the University.

If an administrator, staff, or faculty member, other than those identified in the "To Report Confidentially" section, becomes aware of a complaint or other violation of this policy, the administrator, staff, or faculty member is required to bring the information to the Title IX Coordinator/ Equal Opportunity Office or the Dean of Students Office so that concerns are heard and services can be offered to the affected students.

Medical Assistance and Preservation of Evidence

Individuals that experience sexual misconduct are strongly encouraged to seek immediate medical attention in order to treat injuries, test for and treat sexually transmitted infections, and access emergency contraception (if requested), as applicable. In addition, a hospital can perform a sexual assault evidence collection procedure. If possible, an individual that has been sexually assaulted is advised not to shower, bathe, douche, or change clothes or bedding before going to the hospital or seeking medical attention. If the individual decides to change clothes, the individual is advised not to wash the clothes worn during the assault and should bring them to the hospital or medical facility. Do not delete emails, texts, voicemails, or social media messages, as evidence may exist in those formats.

These steps are important to help preserve evidence for possible use in legal actions or requests for a civil restraining order or order of protection. Because evidence dissipates quickly, individuals that wish to preserve evidence are encouraged to seek medical attention within 48 hours of the incident.

MSU Denver community members (students, faculty, staff) may contact the Auraria Health Center by calling 303-556-2525 or 303-352-4455 (after hours) in order to seek treatment or support in accessing other medical or community resources. The Auraria Health Center can

provide transportation support to a local hospital for sex assault examinations or other medical services.

Federal Timely Warning & Reporting Obligations

Victims/survivors of sexual misconduct also should be aware that institutional administrators, including the Auraria Police Department, must issue timely warnings for incidents reported to them that pose a substantial threat of bodily harm or danger to members of the campus community. The institution will make every effort to ensure that a victim/survivor's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger.

Immediate Actions by the Institution

MSU Denver may take immediate interim actions to protect the safety of the Auraria community, to enable students with complaints and witnesses to continue studies, and to ensure the integrity of an investigation. The Dean of Students, or their designee, after considering the needs of the individual student and the community, will determine which action needs to be taken. These actions may include:

- Interim suspension of the accused student
- No-contact notices
- Modifying class or work schedules
- Addressing other academic concerns (e.g., absences, assignments, grades, leaves of absence, withdrawal, financial aid, visa or immigration status)
- Referral to health, mental health, victim advocacy, legal assistance, or other on- and off-campus resources
- Safety planning

Conduct Process and Sanctions

The Title IX Investigator and Conduct Officer shall coordinate the investigation of all formal charges of Sexual Misconduct brought forward. Investigations shall be conducted and completed in 60 calendar days (should the investigation take longer than 60 calendar days, all parties to the dispute will be notified) and shall use a preponderance-of-information standard (more likely than not). In cases where the respondent (accused) is a student, the Title IX Investigator will conduct a thorough investigation of the case, which may include gathering relevant information, and interviewing the complainant, respondent and witnesses. Conflict Resolution, including mediation, will not be used to resolve sexual assault complaints. If a party to a complaint declines to participate in the investigation and/or student conduct process, the process may move forward without them. Upon completion of an investigation, the reporting and responding parties will have an opportunity to review the report, provide additional information to include in the report, and discuss potential corrections to the report. The Title IX Investigator's report will be forwarded to the Conduct Officer to be determined if it will be referred to the conduct process. Parties to the dispute will receive a written notice of the final disposition of the complaint upon completion of the investigation. Students found responsible

could receive sanctions ranging from a warning through suspension or expulsion. This is separate from any potential criminal and civil proceedings in this case.

Appeal

As this process is part of the student conduct policy, it is eligible for appeal under Article IV F of the student code of conduct. Both parties are eligible to appeal. If one party chooses to appeal, the other party will be notified so that the appeals may be submitted simultaneously. The decision by the appellate officer is final.

The criteria for the appeal are limited to the following:

1. To determine whether the original hearing was conducted fairly in light of the charges and evidence presented, and in conformity with prescribed procedures, giving the appealing party a reasonable opportunity to prepare and to present a rebuttal of those allegations.
2. To determine whether the decision reached regarding the accused student or organization was based on substantial evidence; that is, whether the facts in the case were sufficient to establish that a violation of the Student Code of Conduct did occur.
3. To determine whether the sanction(s) imposed was appropriate for the violation of the Student Code of Conduct that the student or organization was found to have committed.
4. To consider new evidence sufficient to alter a decision or other relevant facts not brought out in the original hearing because the person or organization appealing did not know such evidence and/or facts at the time of the original hearing.

Notification of Outcomes

The outcome of a campus conduct process is part of the educational record of the accused student, and is protected from release under a federal law, the Family Educational Rights and Privacy Act (FERPA). However, MSU Denver will observe the legal exceptions as follows:

- Complainants in nonconsensual sexual contact/intercourse, sexual exploitation, sexual harassment, stalking, and relationship violence incidents have an absolute right to be informed, in writing, of the outcome and sanctions of the campus conduct process as it relates to sexual misconduct without condition or limitation.
- Students that bring any sort of sexual misconduct complaint against faculty or staff may be informed of the outcome and sanction, because FERPA does not apply.
- The institution may release publicly the name, nature of the violation and the sanction for any student that is found in violation of a campus policy that is a “crime of violence,” including: aggravated assault, arson, burglary, robbery, criminal homicide, sex offenses, assault, destruction/damage/vandalism of property, intimidation, and kidnapping/abduction. The campus will release this information to the complainant in any of these offenses regardless of the outcome.

Retaliation

MSU Denver prohibits retaliation against an individual for making a complaint of sexual misconduct, for resisting such behavior, or for otherwise using or participating in the grievance process. Prohibited behavior includes any form of intimidation, threats, or harassment by the individual accused of misconduct or persons acting in support of or on behalf of that individual. Acts of retaliation are a separate violation of the code of conduct.

An individual experiencing retaliation may contact the Dean of Students Office by calling 303-556-3559.

False Complaints

MSU Denver also prohibits an individual from knowingly filing a false complaint or making misrepresentations of sexual misconduct. However, a complaint made in good faith is not considered false merely because the evidence does not ultimately support the allegation of sexual misconduct or sexual harassment. Knowingly filing a false complaint is a violation of the student code of conduct.

Past Sexual History/Character

The past sexual history or sexual character of a party will not be admissible by the other party in the conduct process unless the Conduct Officer determines such information to be highly relevant. The Conduct Officer may consider previous complaint information only if:

- The accused individual was previously found to be responsible;
- The previous incident was substantially similar to the present allegation;
- Information indicates a pattern of behavior and substantial conformity with that pattern by the accused student.

Resources available to assist anyone that has been the victim of sexual misconduct

Auraria Student Health Center

Phoenix Center at Auraria

List of Community Resources

AGENDA ITEM: **Approval of Sixth Supplemental Resolution for the purposes of refinancing the Series 2010 Bonds**

RECOMMENDATION:

The Finance Committee recommends that the Board approves the Sixth Supplemental Resolution for the purposes of refinancing the Series 2010 Bonds.

BACKGROUND:

A bond resolution has been approved by HLC@Metro, Inc. to refinance the Taxable Direct Pay Build America Bonds—Recovery Zone Economic Development Bonds) Series 2010” (the “Series 2010 Bonds”) according to the parameters outlined in Section 7 of the Sixth Supplemental Resolution.

MSU Denver, functions as the Guarantor for Series 2010 Bonds and, thus, must approve the Sixth Supplemental Resolution in order to allow HLC@Metro, Inc. and Metropolitan State College of Denver Roadrunner Recovery and Reinvestment Act Finance Authority (the “Authority”) to refinance the Series 2010 Bonds.

ANALYSIS:

Pursuant to advice and analysis from MSU Denver and HLC@Metro, Inc.’s Financial and Municipal Advisors, the following parameters were established to mitigate as much potential risk to the University as possible:

- Hotel refinancing bonds to be issued must not exceed \$50,000,000.
- Hotel refinancing bonds must not exceed a final maturity date of September 1, 2042.
- The net present value savings of the refinancing shall be no less than 10%.
- The rate to be paid by HLC@Metro, Inc. shall not exceed 4.40% per annum.

AUTHORITY:

Section 4.16 of the Trustee Policy Manual states that any tax exempt debt, including bank qualified debt, incurred by the College must be approved by the Board prior to the issuance of the debt instrument (e.g., bonds, lease purchase agreements, etc.).

AGENDA ITEM: **Recommendation for Tenure upon Appointment and Associate Professor Rank for Dr. Roberto Nava, Department of Special Education, Early Childhood and Culturally & Linguistically Diverse Education**

RECOMMENDATION:

It is recommended by the President of Metropolitan State University of Denver that the Board of Trustees approve tenure upon appointment and Associate Professor rank for Dr. Roberto Nava.

BACKGROUND:

Pursuant to Chapter V. § G.8. of the *Handbook for Professional Personnel*, tenure may be granted to an a faculty member upon appointment subject to the following:

8. Tenure Upon Appointment/Immediate Tenure: Tenure may be granted to a faculty member upon appointment subject to the following:
 - a. Upon a request of a Chair or a Department Search Committee that a faculty candidate be awarded tenure upon appointment, a majority of the tenured faculty of the affected Department must recommend to support such a request. Any such candidate must meet the following criteria:
 - (1) The appointee was previously tenured at a regionally accredited, baccalaureate-granting institution of higher education; or
 - (2) The appointee has achieved recognized, outstanding distinction in public service or the private sector.
 - b. If the tenured faculty members of the Department recommend that tenure upon appointment be awarded, that recommendation shall be reviewed by the Chair, the Dean, and the Provost, who shall each make a recommendation to the President.
 - c. After review of the prior recommendations, the President may recommend to the Trustees that a candidate be appointed with tenure.
 - d. Per Chapter V.E.9 above, the Board of Trustees retains the final decision-making authority regarding the conferring of tenure.

Between 2013 and 2017, Dr. Nava served as Associate Professor of Education at the Warner Pacific College, Portland, Oregon. Beginning in January 2018, he will assume the role of Associate Dean in the MSU Denver School of Education.

The tenured members of the MSU Denver Department of Special Education, Early Childhood and Culturally and Linguistically Diverse Education, the Chair of that Department, the Dean of the School of Education, and the Provost all recommend that Dr. Nava be granted tenure with the rank of Associate Professor effective January 2018.

AGENDA ITEM: **Approval of New Degree Program: Master of Science in Nutrition and Dietetics/Graduate Certificate**

RECOMMENDATION:

The Academic and Student Affairs Committee recommends Board of Trustee approval of the Master of Science in Nutrition and Dietetics/Graduate Certificate.

BACKGROUND:

As of January 1, 2024, a master's degree will be required as part of the entry-level registration eligibility education requirements for Registered Dietitian Nutritionists (RDNs). As approximately half of MSU Denver students majoring in HND apply to a dietetic internship in hopes of becoming an RDN, the addition of an HND master's program is necessary to ensure our students reach their career goals, help former alumni stay competitive professionally, and ultimately support one of President Davidson's five focus areas: to "strengthen our student success."

MSU Denver's Department of Nutrition has identified the following goals for the proposed Master of Science (MS) program in Human Nutrition and Dietetics:

Goal 1: To provide an Accreditation Council for Education in Nutrition and Dietetics (ACEND)-accredited Dietetic Internship (DI) Program that is to be combined with advanced study in nutrition in the combined MS/DI option.

Goal 2: To utilize educational opportunities in the Master's program in HND to prepare students to use evidence-based nutrition practice in their chosen profession.

Goal 3: To prepare students to secure nutrition-related employment in healthcare, government, industry, education or not-for-profit programs.

The proposed Master's Degree in Human Nutrition and Dietetics (HND) would provide the necessary educational background for students to apply for a dietetic internship and/or sit for the national registration examination. The Department of Nutrition proposes the development of a MS degree in HND that has three options. The first will be a combined program that merges the current Individualized Supervised Practice Pathway (ISPP) which will eventually be called a Dietetic Internship (DI) with the Master's Program and increases capacity from nine to approximately twelve interns. The second option will be a MS in HND that enrolls students who are not participating in the internship. The third will be a Graduate Certificate in Advanced Nutrition focused on providing continuing education opportunities for health care professionals (e.g. nurses, practicing dietitians, physicians, physician assistants). More details about each option are outlined below.

- a. Combined MS/DI in HND: Combines graduate level coursework in nutrition and a dietetic internship (DI) that provides students with a minimum of 1,200 practice hours in the field. Graduates of this program will earn an MS degree and will be qualified to sit for the RDN registration exam.
- b. MS in HND: Includes graduate level coursework in nutrition. Graduates of this program will earn a MS degree.

- c. Graduate Certificate in Advanced Nutrition: 12 credit hours of coursework: completed in approximately 7 months to 1.5 years.

MSU Denver's Master of Science in Human Nutrition and Dietetics will prepare graduates for a broad range of career options, including:

<i>Clinical dietitian nutritionist</i>	<i>Clinical nutrition manager</i>
<i>Sports dietitian nutritionist</i>	<i>Certified diabetes educator</i>
<i>Long-term care dietitian</i>	<i>Public health department nutritionist</i>
<i>Renal dietitian</i>	<i>Cooperative extension nutritionist</i>
<i>Pediatric dietitian</i>	<i>Worksite wellness program manager</i>
<i>Food service manager</i>	<i>Nutrition research assistant</i>

ANALYSIS:

According to the Bureau of Labor Statistics, jobs in the nutrition profession are expected to grow at a rate of approximately 16% over the next 8 years (compared to an average growth rate of 7% for all professions). This translates to approximately 11,000 new positions in areas such as hospitals, long-term care, community clinics, and school food-service, among many others, with a median full-time salary of \$63,700.

The Academy of Nutrition and Dietetics (AND) is the world's largest organization of food and nutrition professionals. The biennial compensation and benefits survey of the dietetics profession is administered by AND to provide objective data regarding salary, education and job placement. According to the 2015 survey, nearly half of practicing dietitians currently hold a master's degree and these dietitians make a markedly higher salary than those holding a bachelor's degree. RDNs with an advanced degree are also more likely to have greater budget and patient/client responsibility, which is directly linked to an increase in salary. Research has also suggested that dietitians with a master's degree exhibit greater involvement in research activities, overall greater job satisfaction, higher salaries and more professional involvement. All of these factors suggest that raising the entry-level requirements for dietitians and offering a Master of Science in Human Nutrition and Dietetics within the Department of Nutrition at MSU Denver will result in professionals with increased job satisfaction and career opportunities.

Coursework for MS in HND:

Course Number and Name	Credit Hours
NUTM 5000 - Introduction to Graduate Studies	1
NUTM 5010 - Macronutrients in Health and Disease	3
NUTM 5011 - Vitamins, Minerals, and Bioactive Compounds in Health and Disease	3
NUTM 5020 - Advanced Assessment and Intervention in Clinical Nutrition	3
NUTM 5021 – Advanced Clinical Practice Topics	3
NUTM 5030 – Maternal and Child Nutrition	3
NUTM 5040 – Approaches to Prevention I	3
NUTM 5041 – Approaches to Prevention II	3
NUTM 5050 – Nutrition Communication Strategies	3
NUTM 5060 – Nutrition Seminar I	1

NUTM 5061 – Nutrition Seminar II	1
NUTM 5070 – Global and Cultural Topics in Nutrition	3
NUTM 5080 – Nutrition Research Design and Evaluation	3
NUTM 5090 – Nutrition Research Practicum I	3
NUTM 5091 – Nutrition Research Practicum II	3
NUTM 6000 – Dietetic Internship Practicum	16
Total Hours to earn Master’s Degree in Human Nutrition and Dietetics	39
Total Hours to earn Combined Master’s degree in Human Nutrition and Dietetics	55
Total Hours to earn a Graduate Certificate in Advanced Nutrition (see requirements outlined below)	12

The Graduate Certificate in Advanced Nutrition program will have the following course requirements (sum of a total of 12 credit hours):

Required Coursework: NUTM 5010 Macronutrients in Health and Disease (3)
 NUTM 5011 Vitamins, Minerals, and Bioactive Compounds in
 Health and Disease (3)

Electives (select two): NUTM 5020 Advanced Assessment and Intervention in Clinical
 Nutrition (3)
 NUTM 5021 Advanced Clinical Practice Topics (3)
 NUTM 5030 Maternal and Child Nutrition (3)
 NUTM 5070 Global and Cultural Topics in Nutrition (3)



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Come for the price,
stay for the quality.

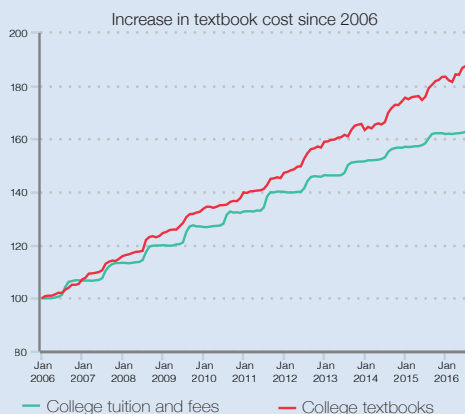
Photo by Nathan Anderson on Unsplash

What are Open Educational Resources?

The William and Flora Hewlett Foundation has defined open educational resources as: “teaching, learning, and research resources that reside in the public domain or have been released under an intellectual property license that permits their free use and re-purposing by others. Open educational resources include full courses, course materials, modules, textbooks, streaming videos, tests, software, and any other tools, materials, or techniques used to support access to knowledge.”¹

The Need for OER

Textbook costs have risen even faster than increases in tuition and fees, which means that a majority of students (nearly 66% in a recent study) forego purchasing a textbook.²



Although faculty have little influence over setting tuition and fees, one way they can help lower the cost of attendance for their students is by choosing, adapting, curating, and creating open educational resources.

What Colorado can do

The OER Council recommends a \$2.8m investment over 3 years to increase awareness, adoption, and creation of open educational resources to benefit Colorado students and their parents. Based on experiences in other states, Colorado can expect substantial student savings, a potential decrease in time-to-degree, and increased academic success for low-income students.

The Benefits of OER



Students enroll in more credits

Studies have shown that students in OER courses enroll in higher number of credits, even in the semester after an OER course, which can speed their time to graduation.⁴



Low-income students benefit

By allowing low-income students the same first-of-day access to learning materials as their peers, OER lower barriers to their academic success.



Faculty realize freedom to innovate

Without copyright barriers, faculty are free to correct errors in OER and to keep their content and approach very current.



Student learning gains hold steady, at much lower cost to them

Research shows students perform no worse when learning with OER compared to commercial offerings.



States see an excellent return on investment

States with programs that support OER adoption have had four-fold or larger returns on investment in individual years in the form of student savings. Courses switched to OER tend to stay that way, allowing savings to continue to accrue.

Colorado's statewide Open Educational Resources Council was charged by the Colorado Legislature and the Governor through SB 17 - 258 to develop recommendations for an OER initiative serving public higher education in the state of Colorado. The OER Council, which comprised representatives from 10 public institutions, the CDHE, and the State Librarian, worked with national OER experts on a statewide survey and conducted other research into OER benefits and existing institutional OER projects and support. The full report is available at:
https://higher.ed.colorado.gov/Publications/Reports/legislative/OER/OER_Nov2017.pdf

The OER Council recommends launching and funding a Colorado OER Initiative (COER) with a \$2.8m investment over three years to increase the awareness, adoption, and creation of open education resources across the state. Doing so will benefit students across the state and their parents. Based on experiences in other states, Colorado can expect substantial student savings, approximately \$1.8m after the first year of OER grants and an additional \$5.6m in the second and \$10m in the third year due to the compounding nature of the savings. Additionally, Colorado could potentially see a decrease in time-to-degree, as well as increased academic success for low-income students.

The Colorado Open Educational Resources Initiative (COER) has the following goals:

1. Scale the use of OER through targeted grant funding, including:

- **Institutional grants** to campuses for establishing an OER task force, setting their own OER priorities and disbursing grants.
- **Individual or small- group grants** for faculty and staff, especially at institutions without an institutional grant or OER initiative, to support OER creation, adoption, and promotion.

2. Ensure knowledge-sharing, professional development and community-building and sustaining opportunities such as:

- Regular **virtual meetings** of selected OER interest groups
- An **annual OER conference** of and for stakeholders from around the state, with keynotes and workshops on specific practical issues.

3. Establish enabling structure and staffing at the state level with:

- A standing **State OER Council** to guide statewide policy, oversee grant programs, and act as conference organizing committee, among other duties.
- A **full-time staff member in the Colorado Department of Higher Education** to support the above activities and to maintain information resources such as websites and collateral materials.
- An **annual report** to the Legislature describing COER activities and reporting on various metrics of success.

Questions?

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The following institutions were represented on the OER Council:



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<https://creativecommons.org/licenses/by/4.0/>

¹ <https://www.hewlett.org/strategy/open-educational-resources/>

² <https://campustechnology.com/articles/2016/08/24/report-students-shun-new-textbooks-to-reduce-education-expenses.aspx>

³ <https://www.bls.gov/opub/ted/2016/college-tuition-and-fees-increase-63-percent-since-january-2006.htm>

⁴ <https://link.springer.com/article/10.1007%2Fs12528-015-9101-x>

AGENDA ITEM: **Office of Human Resources report of personnel actions for the Board's information, which have occurred since the last Board Meeting on Friday, December 8, 2017.**

BACKGROUND:

Report includes appointments of temporary faculty and administrators, faculty promotions, resignations, terminations, and retirements, which are delegated to the President and do not require approval by the Board of Trustees.

APPOINTMENTS

Category II Faculty

Stacy Cook-LaPointe, Instructor of Early Childhood Education, Effective January 1, 2018.

Dennis DeBay, Lecturer of Elementary Education, Effective January 1, 2018.

William Gaines, Lecturer of Criminal Justice, Effective January 1, 2018.

Kimberly Harris, Lecturer of Speech Language and Hearing Sciences, Effective January 1, 2018.

Cody Jorgensen, Instructor of Elementary Education, Effective January 1, 2018.

Salim Lakhani, Lecturer of Computer Science, Effective January 1, 2018.

Andrew McMillan, Lecturer of Chemistry, Effective January 1, 2018.

Leslie Merrill, Lecturer of Human Performance and Sport, Effective January 1, 2018.

Erin Murray, Lecturer of Nutrition, Effective January 1, 2018.

Fredrick Plahuta, Lecturer of Alternative Licensure Program, Effective January 1, 2018.

Nicole Predki, Lecturer of Human Performance and Sport, Effective January 1, 2018.

Nancy Schoelkopf, Lecturer of Nursing, Effective January 1, 2018.

SEPARATIONS

Adam Million, Senior Development Writer and Grants Manager, Effective December 8, 2017.

Gemma James, Office Coordinator, Effective December 11, 2017.

Meishon Bell, Administrative Assistant, Effective December 21, 2017.

Scott Groom, Associate Athletic Director, Effective December 31, 2017.

Joel Hughes, Web Developer, Effective December 31, 2017.

Emily Frank, Career Services Counselor, Effective January 3, 2017.

Kim Bernie, Graduate Student Services Specialist, Effective January 5, 2017.

Michael Caston, Assistant Professor of Industrial Design, Effective December 31, 2017.

Michael Kornelsen, Professor of Music, Effective January 31, 2018.

Leroy Chavez, Director of Veteran's Upward Bound, Effective December 31, 2017.

Julie Reyes, Associate Director of Research, Effective December 15, 2017.

Kim Bubon, Assistant to the AVP of Curriculum, Effective December 15, 2017.

Ned Muhovich, Director of Academic Advising, Effective December 15, 2017.

Tomasz Imiocyk, Associate Director of Advising and Retention, Effective December 15, 2017.