



**Auraria Higher
Education Center**

STATUTORY OVERVIEW



Statutory Need for ABOD

The Auraria Higher Education Center was created in Article 70, Title 23 of the Colorado Revised Statutes. The underlying purposes of Title 23 are to:

- Provide for the planning and construction of AHEC.**
- Provide the land, physical plant, and facilities to house the Constituent Institutions within AHEC.**
- Establish the Auraria Board.**
- Facilitate public-private-partnerships to develop facilities.**
- Facilitate the performance of the responsibilities of the governing boards of the Constituent Institutions.**
- Facilitate cooperation among the Constituent Institutions, their governing boards, and the Auraria Board.**

AURARIA BOARD MEMBERSHIP IS COMPRISED OF:

9 VOTING MEMBERS



PUBLIC MEMBERS APPOINTED BY THE GOVERNOR, WHO MUST RESIDE IN THE GREATER DENVER METRO AREA



CHAIRS OF THE GOVERNING BODIES OF THE CONSTITUENT INSTITUTIONS - DESIGNEES ARE LIMITED TO CHANCELLOR/PRESIDENTS OF THE CONSTITUENT INSTITUTIONS.



AN APPOINTED MEMBER FROM EACH OF THE GOVERNING BODIES OF THE CONSTITUENT INSTITUTIONS

2 ADVISORY MEMBERS

 **ONE FROM STUDENT ADVISORY COMMITTEE TO THE AURARIA BOARD**

 **ONE FROM FACULTY ADVISORY COMMITTEE TO THE AURARIA BOARD**

DUTIES OF INDIVIDUAL BOARD MEMBERS

- **Support the constitutions of Colorado and the United States and the laws of Colorado.**
- **Faithfully perform the duties of a Board member.**
- **Act in accordance with their role as a public representative.**
- **Participate in annual training on Board operations and applicable law (scheduled for March 29).**
- **Abstain from any official act that provides the member with an economic benefit.**
- **Have no interest in any contract made by the Board or AHEC.**

DUTIES OF THE AURARIA BOARD

- Acquire, plan, construct, own, lease, operate, maintain, manage or dispose of all of the physical plant, facilities, buildings and grounds on the Auraria Campus.
- Allocate and assign space within AHEC for use by the Constituent Institutions.
- Designate joint facilities of the Constituent Institutions.
- Provide all non-academic programs and activities for the Auraria Campus.
- Develop and maintain a long-range plan for operation of AHEC.
- Explore innovative ways to deliver educational services using existing assets.
- Traditionally these duties have been carried out through the Chief Executive Officer

POWERS OF THE AURARIA BOARD

- **Employ a chief executive officer and such other staff as are necessary to perform the functions and carry out the duties of the Board.**
- **Acquire, plan, construct, own, lease, operate, maintain, manage, or dispose of all real and personal property.**
- **Enter into contracts.**
- **Elect officers and promulgate bylaws.**
- **Assess a special student fee, after approval by the Constituent Institutions, which may be pledged for debt servicing.**
- **Borrow funds and issue revenue bonds.**
- **Sue or be sued.**

POWERS OF THE AURARIA BOARD (CONT.)

- **All things necessary to carry out the statutory duties and powers of the Board.**
- **Includes approval of a special district within AHEC.**
- **Promulgate rules and regulations for the safety of students, employees, and property on the Auraria Campus.**
- **Promulgate rules and regulations providing for the registration, operation, and parking of vehicles on the Auraria Campus.**
- **Receive gifts and bequests of money or property.**

PUBLIC PRIVATE PARTNERSHIP POWERS OF THE AURARIA BOARD

- **The Auraria Board is one of the few agencies with individual P3 authority.**
- **Applies to “complimentary facilities” that:**
 - **Generate revenue for AHEC;**
 - **Provide occupational and educational opportunities consistent with the missions of the Constituent Institutions; or**
 - **Facilitate integration of AHEC with the adjacent Denver area.**
- **Complimentary facilities include office, retail, restaurant, residential, and mixed-used spaces.**

OFF-CAMPUS AUTHORITY OF THE AURARIA BOARD

- **The Auraria Board may exercise any of its powers with respect to land and facilities not located on the Auraria Campus, subject to the approval of the Commission on Higher Education.**
- **The Auraria Board has approval authority over any off-campus building or facility acquired by a Constituent Institution, including the renewal of existing leases.**

INTER-INSTITUTIONAL DISPUTE RESOLUTION AUTHORITY OF THE AURARIA BOARD

- **The Auraria Board is authorized to resolve all conflicts between the institutions on the Auraria Campus concerning the operation, administration, or use of the physical facilities at AHEC.**
- **The Commission on Higher Education is authorized to resolve all conflicts concerning an academic related issue on the Auraria Campus, but is encouraged to delegate this authority to the Auraria Board to the greatest extent possible.**
- **The decisions of the Auraria Board and Commission are final.**

RELATED DUTIES OF CONSTITUENT INSTITUTIONS

- **Responsible for their respective statutory programs that do not otherwise fall under the authority of the Auraria Board.**
- **Must provide for a common academic calendar.**
- **Must provide for the transfer of credits between the Institutions, insofar as they meet applicable degree and grade requirements.**
- **Must prepare an MOA with the Executive Director of the Commission on Higher Education covering interinstitutional issues that provides guidance and direction to the Auraria Board but is not binding and does not limit the Board in its authority to manage the Auraria Campus.**