



DEPARTMENT OF HIGHER EDUCATION & WORKFORCE DEVELOPMENT

March 25, 2022

Dr. Joe Gilgour
President, Mineral Area College
Sent via electronic mail to jgilgour@mineralarea.edu

Dr. Carlos Vargas
President, Southeast Missouri State University
Sent via electronic mail to cvargas@semo.edu

Dear Dr. Gilgour and Dr. Vargas:

I am writing in response to Mineral Area College's proposals to offer programs at the Cape College Center and the comments we have received in response to those proposals. The proposals fall into three groups: Programs MAC is already authorized to offer in Cape, programs I understand MAC plans to offer in the near future, and programs MAC may choose to offer in the more distant future. We intend to review each group separately.

DHEWD staff will not require MAC to seek approval to establish a residence center in Cape. MAC has been operating in Cape for more than 15 years. Our information indicates that all or substantially all programming has been offered on the campus of the Cape Girardeau Public School District's Central High School. In 2013-2014, then-Department of Higher Education staff undertook an effort to identify all locations at which public colleges and universities were offering programming. At the conclusion of that process, department staff decided not to require institutions to seek residence center authorization for existing sites. A February 2014 CBHE board book provides, "As it is impracticable, not to mention unfair, to ask institutions to seek CBHE approval retroactively for off-campus sites, MDHE holds that off-campus sites that have operated for many years have de facto approval by both the CBHE and the higher education community." I find that argument persuasive, particularly in light of the fact that students are currently enrolled in the existing programs and would be gravely harmed by a decision not to allow MAC to continue those programs.

Programs MAC is Already Approved to Offer in Cape

Mineral Area has operated in Cape Girardeau for more than 15 years. The Coordinating Board has authorized MAC to offer the following programs in Cape:

- Automotive Collision Technology (certificate, AAS) (approved before 2007)
- Automotive Technology (certificate, AAS) (approved before 2007)
- Construction/Building Technology (certificate, AAS) (approved before 2007)

- Design & Wood Manufacturing (AAS) (approved 2008)
- Digital Media Technology (AAS) (approved before 2007)
- Electrical Technology (certificate, AS) (approved 2008)
- Graphic Arts/Printing Technology (certificate, AAS) (approved before 2007)
- Heating, Air Conditioning, & Refrigeration (certificate, AAS) (approved 2010)
- Physical Therapy Assistant (AAS) (approved 2010)
- Respiratory Therapy (AS) (approved before 2007)
- Welding Technology (certificate, AAS) (approved before 2007)

MAC's request to offer these programs in Cape is unnecessary, as they already have authority to do so. MAC may continue to offer these programs in Cape.

Requesting Additional Information

MAC has indicated that they plan to prioritize offering the **Associate of Arts in Liberal Arts & Sciences** degree in the near future. DHEWD staff will ask MAC for additional information to confirm that we agree with MAC's attestations on the routine review form and have addressed all concerns raised in the public comment period.

Consider in the Future

MAC has indicated that they may offer the following programs in the more distant future, and has submitted requests for authorization to offer them. DHEWD staff will ask MAC for additional information to confirm that we agree with MAC's attestations on the routine review form and have addressed all concerns in the public comment period at a later date.

- Business & Commerce General (certificate, AAS)
- Child Development (certificate, AAS)
- Child Care (certificate)
- Computer Networking Technology (certificate, AAS)
- Criminal Justice (certificate, AAS)
- Digital Media Technology (certificate)
- Electrical/Electronics Technology (certificate, AAS)
- Emergency Medical Technician (certificate)
- Engineering Technology (AAS)
- Engineering Technology-Design Drafting (certificate)
- Engineering Technology-Manufacturing (certificate)
- General Studies (AGS)
- Industrial Maintenance (certificate, AAS)
- Logistics Technician (certificate)
- Machine Tool Technology (certificate, AAS)

- Nurse Assistant (certificate)
- Nursing (AS)
- Physical Therapy Assistant (AAS)
- Practical Nursing (certificate)
- Production Technician (certificate)
- Teaching (AAT)

Next Steps Overall

I continue to believe that the best solution for the Cape Girardeau community and both institutions is a partnership. I strongly encourage you to seek to reach an agreement through which you can work together to serve students, and encourage you to work informally with a third party to help you reach an agreement.

Dr. Vargas, I noted the reference to dispute resolution at the conclusion of your March 18, 2022, letter, and I acknowledge the provision of § 173.125, RSMo, that describes when parties must submit to dispute resolution. You will both form your own conclusions, but I think that many members of the community you serve would be disappointed to learn that you were unable to reach an agreement without involving the state. A formal dispute resolution process that involves the Coordinating Board and the Commissioner will also likely be more time-consuming and expensive than an informal process you undertake on your own.

Dr. Vargas, I also note your request that I set up a meeting with me and/or the CBHE, Dr. Gilgour, and yourself. The board has an hour-long online meeting scheduled for April 19, 2022. We will work with board members to see if we can extend it to two hours. If we are able to arrange the meeting, that time will provide an opportunity to discuss the issues and give the board an opportunity to hear from MAC and SEMO.

Sincerely,



Zora Mulligan
Commissioner of Higher Education

cc: Coordinating Board for Higher Education Members
Gerren McHam, DHEWD Special Assistant for External Relations
Kristin Stokely, DHEWD General Counsel
Dr. Mara Woody, DHEWD Assistant Commissioner for Postsecondary Policy