

## AGENDA ITEM SUMMARY

### **AGENDA ITEM**

Lincoln University/State Fair Community College Resolution  
Coordinating Board for Higher Education  
February 7, 2002

### **DESCRIPTION**

The *Missouri State Plan for Postsecondary Technical Education (The Plan)*, authorized by Section 178.637(2), RSMo and adopted by the CBHE in 1996 has resulted in an expanded technical education delivery system throughout the state. The presence of community college courses in support of technical education in Jefferson City has also resulted in the potential for unnecessary duplication between two publicly supported open-enrollment institutions, especially in the area of general education delivery. Despite three collaborative agreements between Lincoln University (LU) and SFCC, issues related to duplication of effort continue to surface. The intent of this board item is to clarify the board's public policy framework for delivery of technical programs in Jefferson City and to reduce tension between LU and SFCC.

### **Background**

LU, located in Jefferson City, is an 1890 land-grant master's-level institution with open-enrollment admissions focusing on access to learning success, with primary delivery to mid-Missouri residents. SFCC, located in Sedalia, is a public-supported associate-level comprehensive community college with open-enrollment admissions, specializing in workforce development. The taxing district for SFCC includes the school districts of Benton and Pettis Counties and the R-6 School District of Cooper County. SFCC delivers, within its taxing district, credit courses in support of certificate, Associate of Arts (AA) transfer, and AAS technical degree programs

In the 1970s, SFCC began offering lower-division courses in Jefferson City at the local Area Vocational Technical School (Nichols Career Center). The need for an expanded technical education delivery system throughout the state was acknowledged by the CBHE in September 1993. At that time, the board approved twelve regions, covering the entire state, to facilitate the coordination and delivery of postsecondary instruction for quality vocational/technical education and Tech Prep programming. These regions, similar to the ones used for the Community Colleges' Job Training Fund (Sections 178.892 through 178.896, RSMo; established in 1988 through HB 1034), are known as community college voluntary service regions. Jefferson City is located within the voluntary service region for SFCC.

Senate Bill 101, passed and signed into law in 1995 (Section 178.637(2), RSMo) also called for greater access to postsecondary technical education throughout the state. In 1996, the CBHE

adopted the *Missouri State Plan for Postsecondary Technical Education*, which reaffirmed the use of the twelve community college voluntary service regions and established a Regional Technical Education Council (RTEC), for each community college service region. *The Plan* also identified Jefferson City, along with fourteen other Missouri communities, as a regional trade and emerging industrial center in need of access to additional AAS degree delivery.

*The Plan* calls for community colleges to serve as lead institutions with local educational providers and business leaders in their region. As envisioned, RTEC partners are expected to identify regional needs and then determine collaboratively institutional responsibilities for course delivery that will expand access to technical education for communities in their region.

From the inception of RTECs, LU has been a member of the SFCC RTEC. The RTEC plans submitted to the CBHE by the SFCC RTEC included plans to deliver several one-year certificates and AAS degree programs in Jefferson City. As a result, SFCC was authorized to offer the following one-year certificate and AAS degree programs in Jefferson City:

- Computer Information Systems Accounting, AAS
- Computer Information Systems Networking, AAS
- Computer Information Systems, Programming AAS
- Industrial Electronics/Electricity Technology, One-year Certificate and AAS
- Industrial Maintenance Technology, One-year Certificate and AAS

*The Plan* encourages a collaborative process between community colleges and local providers. SFCC and LU have signed several contractual agreements concerning their relationship in Jefferson City. The first agreement, signed by LU and SFCC in April 1999, outlined a collaborative initiative between the two institutions concerning the delivery of general education. The second agreement (February 2000) and the third agreement (July 2001) extended these arrangements and further clarified the responsibilities assigned to each institution. The current agreement ends at the completion of the summer 2002 term. Despite the existence of these signed agreements, LU has expressed concern that the gradual expansion of SFCC in Jefferson City goes beyond the authorization for a limited array of one-year certificates and AAS degrees for students seeking technical degrees.

Commissioner Stroup and CBHE staff have encouraged collaboration between LU and SFCC and have clarified the board's public policy framework concerning an expanded postsecondary technical education delivery system. As part of its Clarifying Comments for programs and courses delivered at external sites, the board, in February 2001, stated that public funds shall not be used to promote unnecessary duplication within communities. Furthermore, the board emphasized that public institutions should work collaboratively with existing local partners by building on currently available general education and occupation-related coursework and by utilizing the human resources and facilities of local partners.

Section 162.191.4, RSMo, requires community colleges to receive CBHE approval for courses delivered outside a college's taxing district. In 1997, the board revised its policy concerning external course delivery by decentralizing decision making. Public two- and four-year

institutions agreed to communicate openly with each other and to work collaboratively to resolve their differences. Should difficult situations arise, institutions agreed that they would work with a Chief Academic Officer (CAO) Conflict Resolution Committee in an attempt to reach consensus. According to the policy, unresolved conflicts are sent to the CBHE for review and action.

### **Request for Formal Resolution of Conflict**

In October 2001, LU requested that a CAO Conflict Resolution Committee be appointed to help resolve differences between LU and SFCC about delivery of courses in support of SFCC's technical programs in Jefferson City. A CAO Conflict Resolution Committee, which was appointed by the public two and four-year CAO groups, met with the presidents of LU and SFCC and institutional staff representatives on November 14, 2001. Dr. Robert Stein, associate commissioner, CBHE, attended the meeting to provide resources and perspectives about state policy and procedure. In preparation for the meeting, the CAO Conflict Resolution Committee reviewed relevant materials and issued a discussion framework. Although progress was made, when it became apparent that the differences between LU and SFCC were not resolved, the CAO Conflict Resolution Committee issued the attached report to the board.

At its December 6, 2001 meeting, the CBHE asked the staff to collect all relevant materials and to provide the board with all of the documents on the LU-SFCC conflict in advance of the board's February 7, 2002 meeting. At a special planning session held on January 7, 2002, the board reviewed pertinent annotated correspondence, statutes, CBHE policies, prior actions associated with the conflict, information on the CAO Conflict Resolution Committee, and supplemental information.

### **Clarification of Issues**

### **Authorization for Delivery in Jefferson City**

As part of the *Missouri State Plan for Postsecondary Technical Education*, Jefferson City was identified as a community in need of greater access to technical education. The SFCC RTEC, which includes membership by LU, identified a select number of SFCC one-year certificates and AAS degree programs that have been authorized for delivery in Jefferson City.

### **Residence Center and 1456 Status**

The establishment of a residence center involves an institutional commitment to provide a permanent presence at an external site. By practice, cooperative ventures involving RTEC outreach have not required residence center approval. Instruction at an external site is expected to be self-supporting unless arrangements have been made for additional state support. As a result of HB 1456, the CBHE has authorization to recommend funding for selected external sites Sections 163.191(3) and 173.030(4), RSMo. The CBHE may also encourage institutions to seek 1456 status. The SFCC RTEC outreach site in Jefferson City is not a candidate for such designation.

### **Breadth of Offerings**

By common practice, requirements for AAS degrees include between 25-50 percent of general education coursework. The faculty of each institution have responsibility for determining the curriculum content associated with particular degrees that are granted by their institution. Since both SFCC and LU are open-enrollment institutions with differential price structures, the number of general education courses and sections offered as SFCC courses in Jefferson City has remained a source of tension. This is further exacerbated by increased demand from students who enroll in SFCC general education courses with no intent of completing a technical program. Financial incentives sparked by the establishment of the A+ schools program established by Section 160.545, RSMo have increased the interest for local access to a greater array of community college services in Jefferson City. Since Jefferson City High School is an A+ school, its graduates who meet the A+ student eligibility requirements may receive reimbursement for tuition, books and fees when they attend a community college. Since the SFCC RTEC outreach in Jefferson City is neither a 1456 site nor a full service community college site, the breadth of SFCC offerings in Jefferson City should be limited to those courses absolutely necessary for technical students to complete the one-year certificates and AAS degrees authorized for delivery.

### **Use of Facilities**

When bringing technical programs to new communities through the *Missouri State Plan for Postsecondary Technical Education*, community colleges are encouraged to use the facilities of local providers. SFCC has indicated that LU and the local Area Vocational Technical School (Nichols Career Center) are not able to provide sufficient space at their facilities for the delivery of SFCC's authorized technical programs.

### **Involvement of CBHE in Conflict Resolution**

The CBHE promotes, through its public policies, a coordinated higher education system to meet the needs of Missouri's citizens for access to quality, efficient, and cost-effective postsecondary education and training. Institutions are encouraged to engage in collaborative approaches for the delivery of service, especially at external sites. Based on the different missions of colleges and universities and the differences among regions within Missouri, institutions are encouraged to resolve conflicts over delivery at the local level. Both the *Missouri State Plan for Postsecondary Technical Education* and the CBHE policy of Course Approval at External Sites include processes for institutions to appeal to the CBHE for resolution of conflicts. The CBHE participates in resolving conflicts about outreach sites when an institution officially requests CBHE intervention. During the CBHE's special planning session held on January 7, 2002, it was noted that once the request was made by LU to move toward formal conflict resolution, there was an immediate response. Within one month following LU's request, a CAO Conflict Resolution Committee was not only appointed but the CAO Conflict Resolution Committee had held its first meeting, issued a discussion framework, and scheduled a mediation meeting with the two presidents and their staffs.

## **Greater Oversight of SFCC Outreach in Jefferson City**

The CBHE has supported local planning and local decision-making through RTECs to promote a postsecondary technical education system that is flexible and responds to regional needs for technical education in a timely manner. In the vast majority of situations, movement away from an overly regulatory environment has worked well. Tensions between LU and SFCC indicate that unresolved differences remain in Jefferson City. In order to resolve this conflict, a return to greater oversight for all courses offered by SFCC in Jefferson City, as authorized by Section 163.191(4), RSMo, must occur. Specifically, SFCC should be required to submit, for CBHE review and approval, all courses intended for delivery in Jefferson City. In preparing its request, SFCC should work with its RTEC members and should analyze course enrollment and graduation data from previous terms to estimate the minimum number of courses and sections needed for technical program students.

## **STATUTORY REFERENCE**

Section 160.545 RSMo, A+ schools  
Section 163.191, .3, .4 RSMo, State aid to community colleges  
Section 173.005.2(3), RSMo, Residence centers  
Sections 173.005.2(1), 173.005.2(7), and 173.030, RSMo, CBHE new academic program approval  
Section 173.020(2), RSMo, Identifying state higher education needs related to students and labor force  
Section 173.020(3), RSMo, Developing missions and coordination of resource use  
Section 173.030(2), RSMo, Recommending program, facility, and policy changes to institutional boards  
Section 173.030(4), RSMo, Funding of off-campus instruction  
Section 173.030(7), RSMo, CBHE responsibility for conducting five-year mission review  
Section 178.637, RSMo, Five-year plan and Linn State Technical College  
Section 178.637.2, RSMo, Master plan for advanced technical and vocational training  
Sections 178.770, 178.780, and 178.790, RSMo, Organization and establishment of junior colleges  
Section 178.890 RSMo, Funding for external sites  
Sections 178.892-178.896, RSMo, and 178.896, RSMo, Establishes Missouri's Community College Job Training Fund  
Administrative Rule 6 CSR 10-6.020, adopted in September 1987, Standards for establishing residence centers  
Administrative Rule 6 CSR 10-6.030, Funding of off-campus and out-of-district instructional sites

## **RELATED BOARD POLICIES**

Coordinating Board for Higher Education **Public Policies Affecting the Missouri Higher Education Delivery System**

- Chapter II: Statewide Planning for Higher Education
  - A: Blueprint for Statewide Planning
    - Value Statements
- Chapter III: Academic Affairs
  - B: Certificate/Degree Programs
    - B:1 Statewide Academic Program Inventory
    - B:2 Academic Programs Review Policies
      - B:2a New/Off-Site Program Review
      - B:2b Existing Program Review
    - B:3 External Course Delivery
      - B:3a Procedures for the Delivery of Courses at External Sites
      - B:3b Appropriation Levels for Off-campus and Out-of-district Sites
  - D: Other Activities
    - D:3 Technology and Instruction
    - D:4 Residence Centers and Consortia
      - D:4a Board's Standards for Establishing Residence Centers
- Chapter V: Community Colleges
  - B: Policies and Procedures for the Review and Approval of Out-of-district Courses Offered by Public Community Colleges
  - D: Access to Vocational Technical Programs
  - E: Relationship to State Plan for Postsecondary Technical Education
  - H: Appropriations Levels for Off-campus and Out-of-district Sites
  - I: Community Colleges' Mission, Role, and Scope Statements
- Chapter VI: Postsecondary Technical Education
  - A: Vocational Education
  - B: Access to Vocational Technical Programs
  - C: State Plan for Postsecondary Technical Education
  - D: State Planning and Coordination for Postsecondary Technical Education
  - E: Approved regional plans for the initial implementation of the State Plan for Postsecondary Technical Education and recommended distribution of state appropriations for FY 1997
  - F: Approval of fiscal year appropriation requests and distribution of technical education funds under the State Plan for Postsecondary Technical Education
  - G: Refined the State Plan for Postsecondary Technical Education
  - H: Linn State Technical College Five-year Master Plan
  - I: Postsecondary Technical Education Accountability Measures

## **CONSULTATIONS AND RELATED BOARD MEETING ITEMS**

This agenda item is the result of discussion with CBHE and institutional board members, presidents and chancellors and other institutional representatives, the Chief Academic Officer Conflict Resolution Committee, and legislators.

## **RECOMMENDED ACTION**

**It is recommended that State Fair Community College, in designing a delivery system for its authorized technical programs in Jefferson City, should, when feasible, build on currently available general education and occupation-related coursework and utilize the human resources and facilities of local providers, including the local Area Vocational Technical School.**

**It is further recommended that the CBHE require State Fair Community College to submit, on a semester-by-semester basis for CBHE review and approval, all courses intended for delivery in Jefferson City. In preparing its request, State Fair Community College should work with its RTEC partners and should analyze course-enrollment and graduation data from previous terms to estimate the minimum number of courses and sections needed for students in the authorized technical education programs. Requests should also include a description of any contractual arrangements made with local providers. Student demand to enroll in general education courses for other than technical program completion will not be considered in assessing demand.**

**It is also recommended that State Fair Community College review its advertising to ensure that it does not present itself as a full-service community college and that State Fair Community College take a minimalist approach in the number of courses it requests for approval for delivery in Jefferson City.**

**It is further recommended that as a local provider with a full complement of general education courses, LU should be given the opportunity for a first right of refusal to teach all general education courses offered as State Fair Community College courses. Furthermore, during these times of extensive financial stress to all of higher education, the Coordinating Board directs the Commissioner of Higher Education to reinforce, with Missouri's college presidents and chancellors, the importance of promoting collaboration, avoiding unnecessary duplication, and resolving conflicts quickly.**

**It is expected that as a result of this board action, there will be a significant reduction in the number of courses (both type and sections) offered as State Fair Community College courses in Jefferson City.**

## **ATTACHMENT**

CAO Conflict Resolution Committee Report