

## Tab VI-M

# Background on the Southeast Missouri State University/Three Rivers College Dispute

A board member asked department staff to explain why the staff recommendation regarding Mineral Area College's request to offer associate degrees in Cape Girardeau is different than previous requests from Three Rivers College to establish a presence in Cape Girardeau in 2010 and State Fair Community College to establish a presence in Jefferson City in 2003/2004. Department staff has previously provided an [update](#) to the board detailing the attempted partnership between Lincoln University and State Fair Community College. The following information provides background about SEMO and Three Rivers.

## BOTTOM LINE UP FRONT

- The CBHE encouraged SEMO, MAC, and Three Rivers and Lincoln and State Fair to identify collaborative arrangements to provide postsecondary education and resolve disputes among institutions.
- The resulting partnerships did not expand access to career and technical education programs.

## DETAIL

As the April 2022 CBHE meeting slide deck indicates:

- Before 2005, SEMO and TRC provided services at outreach centers in Kennett, Malden, and Sikeston; SEMO owned the centers.
- In February 2005, SEMO notified TRC that TRC's lease would be terminated in May 2005.
- In March 2005, the commissioner of higher education tried to get the parties to reach a mutually agreeable solution to the conflict; then-Commissioner Greg Fitch submitted a draft agreement for the institutions' consideration.
- Before a settlement could be reached, TRC filed a lawsuit against SEMO relating to the termination of the lease agreement for the centers in Kennett, Malden, and Sikeston.
- TRC also announced plans to establish new higher education sites at various locations throughout southeast Missouri.
- In December 2005, the CBHE directed department staff to monitor off-campus/out-of-district residence centers and ensure institutions pursued collaborative approaches.
- In 2006, department staff kept the board updated on developments in the dispute and worked to develop a mechanism for reviewing off-campus/out-of-district centers.
- In December 2007, TRC asked the board to approve a proposal to establish a residence center in Cape Girardeau County, was informed they would need to conduct a needs analysis; a Needs Analysis Coalition comprised of the Cape Girardeau Public Schools' Career & Technology Center (CTC), Southeast Hospital's College of Nursing and Health Sciences, the Cape Girardeau Area

Chamber of Commerce, and several businesses was formed and raised money to conduct needs analysis. CLARIFICATION FROM APRIL 2022 CBHE MEETING DECK: Additional review of the board items indicates that TRC did not actually submit a proposal. Rather, in August 2007 they notified the board/department of their intent to establish a residence center and asked for clarification on the process for doing so. At the board's October 2007 meeting, staff clarified the process and emphasized the importance of performing a needs analysis.

- The board never acted on TRC's request. CLARIFICATION FROM APRIL 2022 CBHE MEETING DECK: TRC never formally submitted a request, therefore the CBHE never had a request on which to act.
- In early 2008, members of the Cape Girardeau community sent letters asking MCCA to change their service regions to allow Mineral Area College to serve Cape rather than TRC; MCCA declined.
- In June 2008, the lawsuit TRC filed against SEMO regarding the residence center lease termination was dismissed without prejudice at the request of TRC's board.
- In April 2009, consultants presented the results of the needs analysis to the CBHE.
- In November 2009, MAC, SEMO, and TRC reached a partnership agreement.
- During the CBHE's December 2009 meeting, MAC, SEMO, TRC, the CTC, and Southeast Hospital presented the partnership agreement that led to the creation of the Cape College Center.

#### RELEVANCE OF THIS PRECEDENT

- In the current situation, the parties have been unable to reach an agreement.
- The agreement negotiated for the Cape College Center resulted in a complicated experience for students and created a financial model that limited the growth of technical programs.
  - Public comments describe the CCC experience as:
    - “[D]ifficult for students to maneuver.” *Submitted by Danielle Poyner, page 43 of the public comments packet.*
    - “These arrangements, although somewhat effective, never allowed for a seamless flow of classes, and at times territorial disputes caused student confusion. With Mineral Area being the sole provider, it will allow for economy of scale, straight forward non confusing offerings, and opportunities for the reluctant student to begin his or her college experience.” *Submitted by Harold Tilley, page 62 of the public comments packet.*
    - “While at times, the CCC has helped students to reach their goal of continuing on with additional higher education at another institution, it has NEVER been an easy process. As the Director of the [Career & Technology Center], which houses the Cape College Center, I have had a unique (and at time directly in the line of fire) position from which to view the positives and negatives of the CCC. Because students were enrolled in TRC and SEMO (& at times MAC &/or CTC) classes, students would have multiple email addresses and multiple [learning management

systems] to log in to and track. Depending on their enrollment combination, students may even have had financial aid & billing from more than one institution. The current CCC arrangement could work – with tolerable obstacles – for students enrolled strictly in general education courses.

“However, students wanting to complete technical associate degrees offered by Mineral Area College had an especially difficult time. While most of the courses required were dual credit courses taught by Cape CTC, students would have to obtain at least 15 credit hours directly from MAC. Because MAC was not involved in offering the general education courses at CCC, these students would have to take courses online or at a MAC site in Perryville. Being enrolled in multiple institutions causes issues with financial aid, etc..... Every single student seemed to present individual challenges – many of which were enough to deter first generation students from persisting to completion.” *Submitted by Dr. Wendy Guilliams, former director of the Cape Girardeau Career & Technology Center, pages 73-75 of the public comments packet.*

- In addition, MAC has indicated that the financial model on which the CCC operated will not allow MAC to offer career and technical programs in Cape Girardeau. President Gilgour’s March 31, 2022, letter states, “MAC can offer many technical programs but must offer the Associate of Arts to make our presence financially viable.”

The situation in Cape Girardeau appears to have similarities to the situation in Jefferson City in the early 2000s, which is detailed in a [summary](#) provided by Commissioner Mulligan to the CBHE on May 13, 2022. As an April 2004 CBHE board item indicates, the collaborative arrangement between Lincoln University and State Fair Community College was unsuccessful. At the [April 2004 CBHE meeting](#), State Fair’s president “referenced the difficulty of administering a financially viable program in Jefferson City unless SFCC receives permission to expand its offerings. One option that was mentioned include[d] the development of an AA degree in Jefferson City.”

- One additional factor in the Lincoln/State Fair issue is that both institutions were open enrollment institutions.