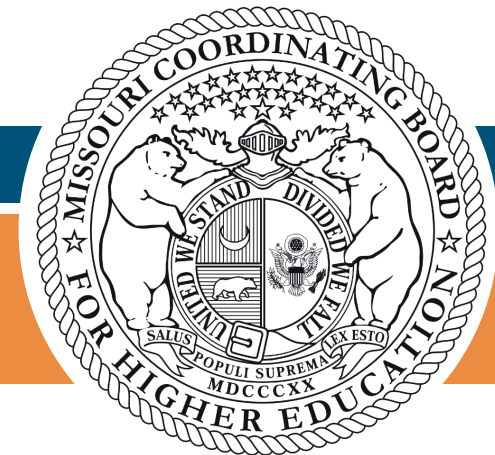


Coordinating Board for Higher Education

Meeting

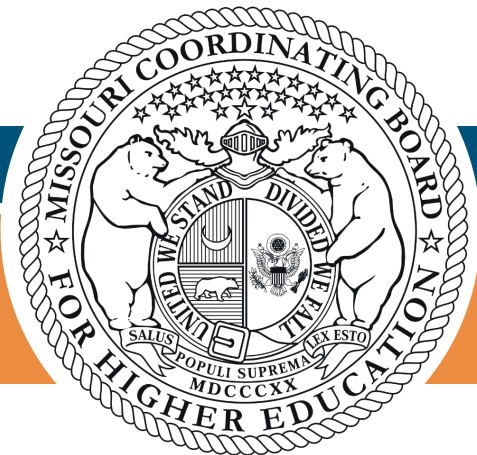
April 19, 2022

Welcome!



Online Meeting Rules of the Road

- All participants will be muted upon entry.
- Please keep your phone or computer microphone on **MUTE**.



Coordinating Board for Higher Education

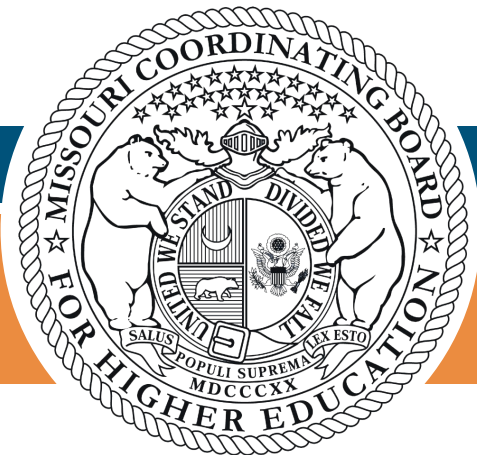
April 19, 2022

Call to Order

Roll Call

Determination of Quorum

Action Item

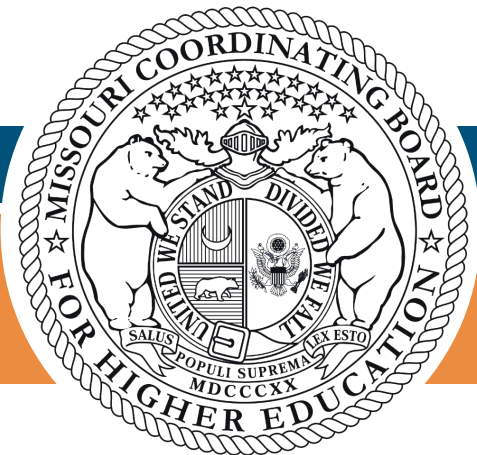


General Business

Coordinating Board for Higher Education

April 19, 2022

Academic Affairs & Workforce Needs Committee



Coordinating Board for Higher Education

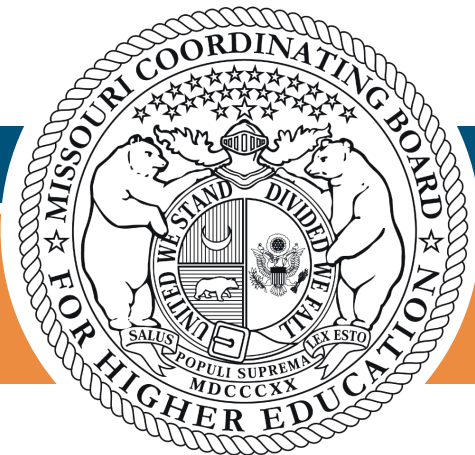
April 19, 2022

MAC/SEMO

Dispute Resolution

Action Item

Zora Mulligan
Commissioner



ACADEMIC AFFAIRS & WORKFORCE NEEDS COMMITTEE

TAB 1

Coordinating Board for Higher Education

April 19, 2022

Organizational Notes



ACADEMIC AFFAIRS & WORKFORCE NEEDS COMMITTEE

TAB 1

Coordinating Board for Higher Education
April 19, 2022

All Materials Available

Board members have received paper binders

Online materials are available [here](#)



ACADEMIC AFFAIRS & WORKFORCE NEEDS COMMITTEE

TAB 1

Coordinating Board for Higher Education
April 19, 2022

Materials

The information provided in this deck represents monumental effort on the part of DHEWD staff to identify and synthesize all relevant background. Staff reviewed board books, correspondence, statutes, regulations, and policies. That being said, staff acknowledge that other parties may recall additional details or perceive events and conversations differently.

In an effort to identify these differences, DHEWD staff provided this deck and the board items it accompanies to MAC and SEMO on April 8, 2022. Staff invited MAC and SEMO to identify in writing any clarifications or objections they might have. Staff will provide those clarifications and objections to the board and board book distribution list before the April 19, 2022, meeting and will acknowledge them as they present the board item.



Objectives for Today's Meeting

1. Provide the board with contextual information
2. Present and discuss a recommendation on whether this matter is the kind of dispute that can and should be resolved through dispute resolution
3. Make a decision about how students currently enrolled in career and technical education programs and transfer degree programs will continue to be served

To be Discussed at Future Meetings

1. What is the impact of the Public Policy Guidelines on Lower Division Coursework?
2. What review applies to MAC's proposal?
3. Has MAC provided the elements required for that review?



Dispute Resolution



ACADEMIC AFFAIRS & WORKFORCE NEEDS COMMITTEE

TAB 1

Coordinating Board for Higher Education
April 19, 2022

Dispute Resolution Statute

SB 389 (2007) included a provision on dispute resolution. Section 173.125, RSMo, provides:

Dispute resolution requirements. — As a condition of receiving state funds, every public institution of higher education shall agree to submit to binding dispute resolution with regard to disputes among public institutions of higher education that involve jurisdictional boundaries or the use or expenditure of any state resources whatsoever, as determined by the coordinating board. In all cases, the arbitrator shall be the commissioner of higher education or his or her designee, whose decision shall be binding on all parties. Any institution aggrieved by a decision of the commissioner may appeal such decision, in which instance the case shall be reviewed by the full coordinating board, at which time the full coordinating board shall have the authority to make a binding and final decision, by means of a majority vote, regarding the matter.



Dispute Resolution Policy

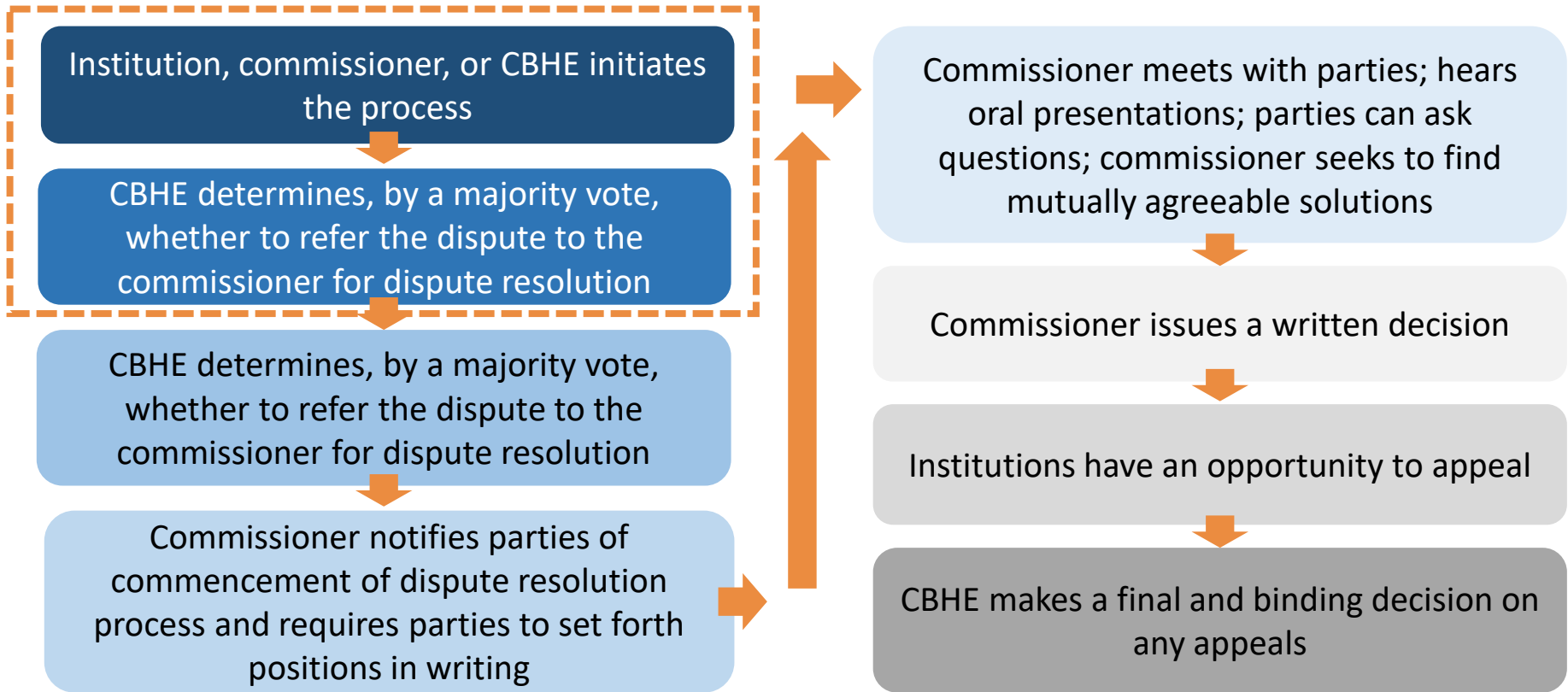
In December 2007, the CBHE adopted a policy on dispute resolution that explained how the department will implement the new law.

The full text of the policy is in Tab B in the REFERENCE section of your binders.



Process Described by Dispute Resolution Policy

The policy sets forth details, the highlights of which include:



Dispute Resolution Triggers -- Statutory

Section 173.125, RSMo, provides:

Statutory Language

- Applies to public institutions of higher education
- Pertains to disputes “that involve jurisdictional boundaries or the use or expenditure of any state resources whatsoever, as determined by the coordinating board”



ACADEMIC AFFAIRS & WORKFORCE NEEDS COMMITTEE

TAB 1

Coordinating Board for Higher Education
April 19, 2022

Dispute Resolution Triggers -- Policy

The CBHE's Policy on Dispute Resolution provides that dispute resolution may be appropriate in situations including:

Policy Language

- Tensions in an area reach a critical mass, resulting in potentially detrimental effects on the delivery of academic programs
- All reasonable informal attempts to resolve the dispute have failed



Background and History



ACADEMIC AFFAIRS & WORKFORCE NEEDS COMMITTEE

TAB 1

Coordinating Board for Higher Education
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Region and Institutions



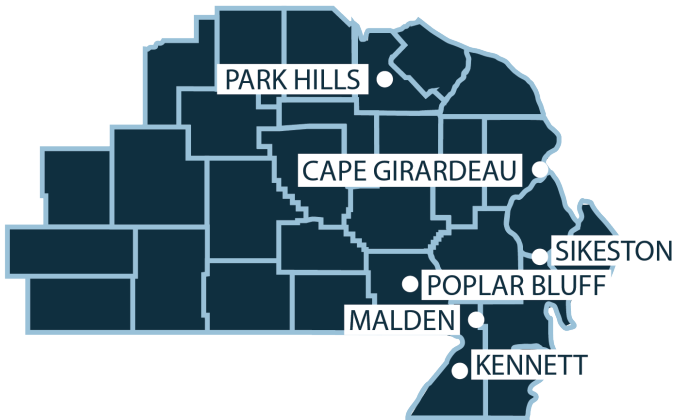
ACADEMIC AFFAIRS & WORKFORCE NEEDS COMMITTEE

TAB 1

Coordinating Board for Higher Education
April 19, 2022

Important Context

Three public institutions have historically served the Cape Girardeau area



Southeast Missouri State University

- Established as a normal school in 1873
- Located in Cape Girardeau, with regional campuses in Kennett and Sikeston
- Moderately selective admissions policy
- Offers bachelor's and master's degrees
- Enrollment currently runs about 7,800 (FTE); they're down 15.4% over the last five years, which puts them roughly in the middle of the pack among public universities*



ACADEMIC AFFAIRS & WORKFORCE NEEDS COMMITTEE

TAB 1

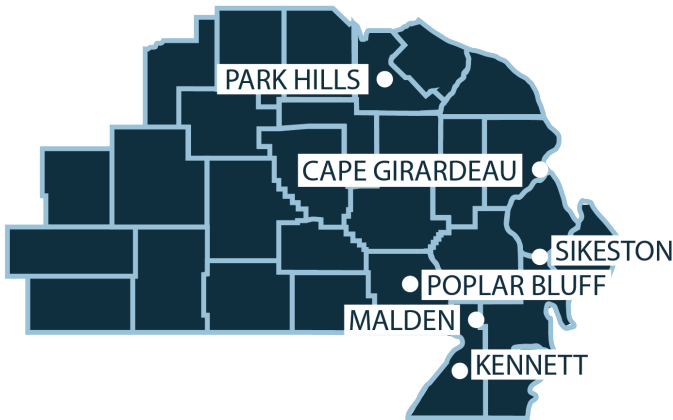
Coordinating Board for Higher Education
April 19, 2022

*Source: DHEWD, Enrollment Report for Missouri Public & Comprehensive Independent Institutions, Fall 2021. [LINK](#).

Important Context

Three public institutions have historically served the Cape Girardeau area

Mineral Area College



- Successor to Flat River Junior College, which was established in 1922
- Located in Park Hills; also has centers around the region; has offered customized training and career and tech ed in Cape Girardeau for as far as our records go back (first mention is 2000)
- Voluntary service area expanded to include Cape Girardeau in February 2022 through an agreement with Three Rivers
- Open enrollment admissions policy
- Enrollment currently runs about 1,600 (FTE); they're down 51.2% over the last five years, which is the most dramatic enrollment decline among public institutions*



ACADEMIC AFFAIRS & WORKFORCE NEEDS COMMITTEE

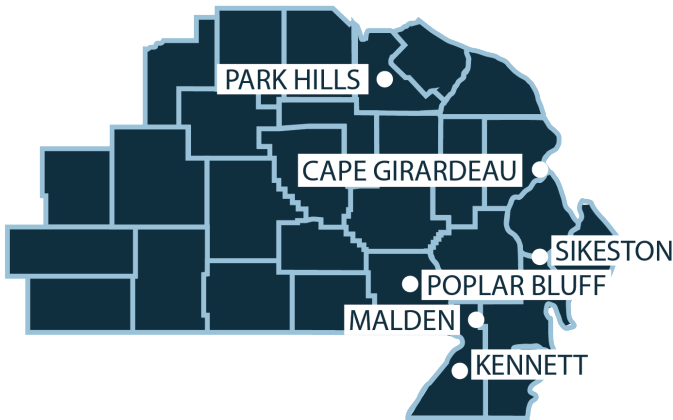
TAB 1

Coordinating Board for Higher Education
April 19, 2022

*Source: DHEWD, Enrollment Report for Missouri Public & Comprehensive Independent Institutions, Fall 2021. [LINK](#).

Important Context

Three public institutions have historically served the Cape Girardeau area



Three Rivers College

- Originally called Three Rivers Community College; founded in 1966
- Located in Poplar Bluff; also has campuses in Dexter, Kennett, and Sikeston
- Voluntary service area no longer includes Cape Girardeau
- Open enrollment admissions policy
- Enrollment currently runs about 1,800 (FTE); they're down 26.2% over the last five years, which puts them at about the middle of the pack for community colleges*



ACADEMIC AFFAIRS & WORKFORCE NEEDS COMMITTEE

TAB 1

Coordinating Board for Higher Education
April 19, 2022

*Source: DHEWD, Enrollment Report for Missouri Public & Comprehensive Independent Institutions, Fall 2021. [LINK](#).

Quick History



ACADEMIC AFFAIRS & WORKFORCE NEEDS COMMITTEE

TAB 1

Coordinating Board for Higher Education
April 19, 2022

Quick History

Policy Guidelines for Lower Division Coursework, Lower Division Certificate, and Associate Degree Delivery

- Developed by a task force that included COPHE and MCCA members in response to the changing higher education landscape of the early 2000s
- Approved by the CBHE in December 2003
- Generally, the policy:
 - Identifies the need for flexibility, as there are no one-size-fits-all solutions
 - Highlights the importance of collaboration and collegiality
 - States it is important for colleges and universities to serve the changing needs of their communities
 - Includes guidance and conflict resolution sections
 - Highlights the importance of reducing a compliance and regulatory environment
 - Acknowledges that duplication does, in fact, occur in some situations to meet community needs
 - Has been viewed as giving a public university the “right of first refusal” on the delivery of lower-division coursework in a county outside a community college’s taxing district



Quick History

Tensions between SEMO and Three Rivers

- 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 efforts



Quick History

Tensions between SEMO and Three Rivers

- 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
- The board never acted on TRC's request
- 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



Quick History

Resolution of tensions between SEMO and Three Rivers

- 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



Quick History

Cape College Center

2009 Cape Girardeau County Partnership Agreement

- The Cape Girardeau Public Schools' Career & Technology Center (CTC) and Southeast Hospital's College of Nursing and Health Sciences were also partners and signatories
- Key elements of the agreement appear to include:
 - SEMO and TRC would split costs, revenues, and course offerings evenly
 - MAC would offer the career and tech ed portions of programs already offered at the CTC and have the right of first refusal for all future associate of applied science degree programs, with the exception of nursing and allied health
 - Students would be simultaneously admitted to both institutions
 - All courses would be listed in SEMO's and TRC's catalogs, and transcribed at both institutions
 - Financial aid processed was complicated, but appears to have been attempting to make sure students could use A+
 - Students enrolled in the CCC could not take classes or live on campus at SEMO



Quick History

Cape College Center

2016 Cape College Center Partnership Agreement

- In May 2016, MAC, SEMO, and TRC updated their partnership agreement
- The Cape Girardeau Public Schools' Career & Technology Center (CTC) continued to be a signatory but Southeast Hospital's College of Nursing and Health Sciences was not
- Key changes to the agreement appear to include:
 - Southeast Hospital College of Nursing & Health Sciences no longer included
 - Remove commitment to annual review of partnership
 - Removed references to "pilot" project
 - Removed SEMO's right of first refusal for expansion of dual credit courses in area high schools
 - Removed provision that non-instructional staff are SEMO employees, and that Three Rivers and SEMO would make joint hiring decisions



Quick History

Cape College Center – Provisions on How to Address Concerns

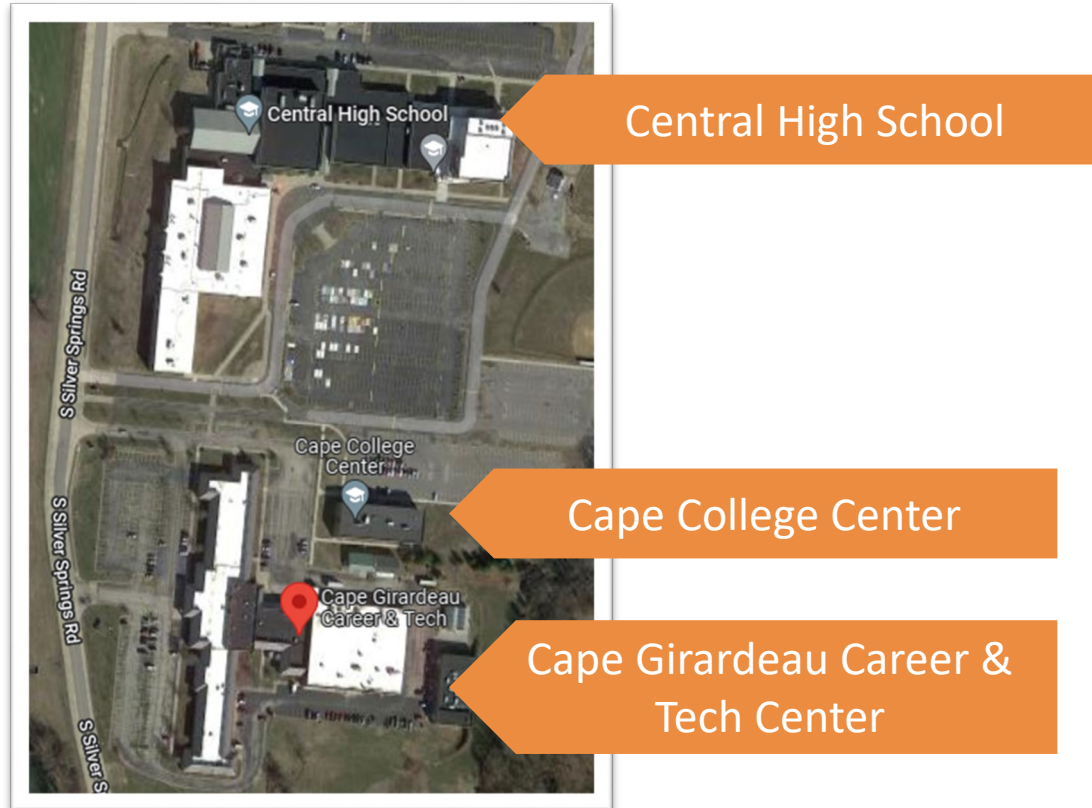
The May 2016 agreement sets forth steps the parties should take to address concerns about the partnership:

- Discuss with chair and vice chair of advisory committee
- Ask the commissioner of higher education to help resolve the issue
- If no mutually agreeable solution can be reached, any party can dissolve the agreement
- If the partnership is dissolved, the institutions agree to provide all currently enrolled students with an opportunity to complete their academic work in a reasonable timeframe
- If the partnership is dissolved, all course and program approvals from the CBHE are null and void and any future delivery systems must be approved through procedures set forth in CBHE regulations



Quick History

Cape College Center and CTC – Location



ACADEMIC AFFAIRS & WORKFORCE NEEDS COMMITTEE

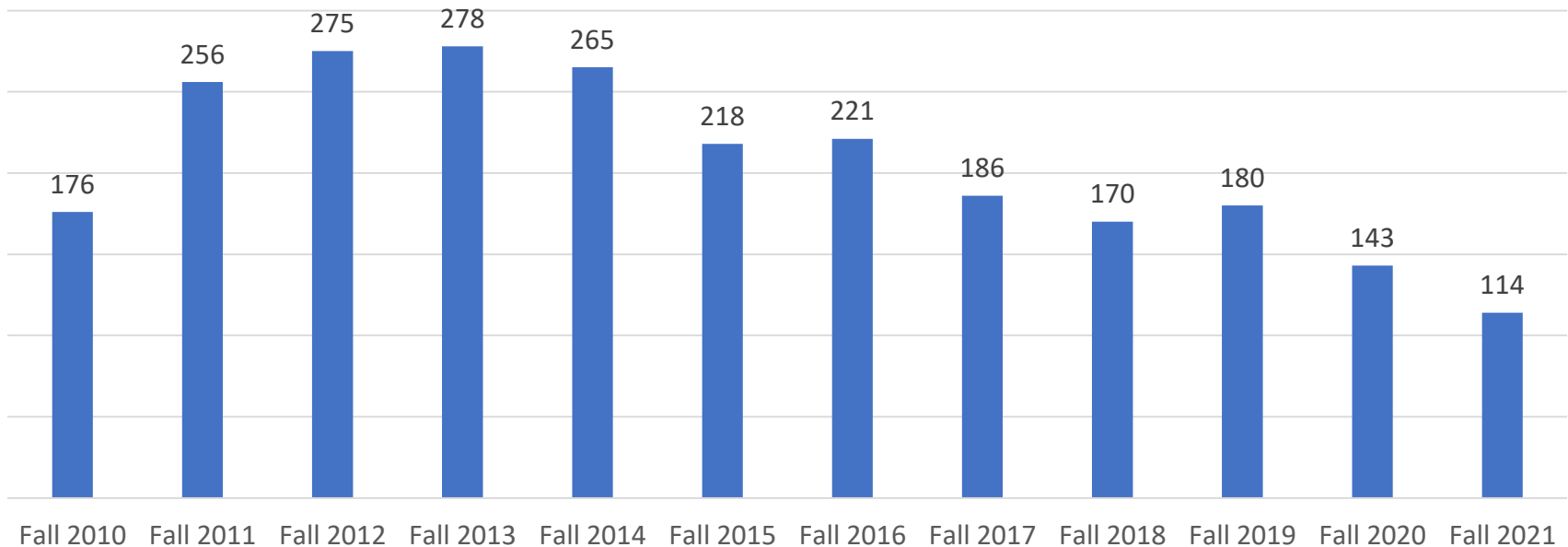
TAB 1

Coordinating Board for Higher Education
April 19, 2022

Quick History

Cape College Center – Performance

Enrollment in Associate of Arts Degree Program Offered by SEMO and TRC



ACADEMIC AFFAIRS & WORKFORCE NEEDS COMMITTEE

TAB 1

Coordinating Board for Higher Education
April 19, 2022

Quick History

MAC's longstanding technical offerings in Cape Girardeau

- Cape Girardeau was in MAC's economic development region, MAC developed technical programs with CTC as part of Tech Prep Programs before 2007
- By 2007, MAC had 13 technical education program collaborations with the Cape Career & Technical Center
- By 2010, MAC had 21 technical education program collaborations
- Currently, MAC has 18 technical education program collaborations
- In 2021, 16 students graduated from MAC in a CTC-MAC collaboration programs
- From 2016 to 2021:
 - 137 students from Cape County attended MAC and did not complete
 - 109 students from Cape County attended one of the CTC-MAC programs and did complete



Quick History of MAC's CTE Programs

Programs:

Approved before 2007:

- Culinary Arts (certificate, AAS) (inactivated 2011)
- Automotive Collision Technology (certificate, AAS)
- Automotive Technology (certificate, AAS)
- Construction/Building Technology (certificate, AAS)
- Digital Media Technology (AAS)
- Graphic Arts/Printing Technology (certificate, AAS)
- Respiratory Therapy (AS)
- Welding Technology (certificate, AAS)

Approved 2008:

- Design & Wood Manufacturing (AAS)
- Electrical Technology (certificate, AS)

Approved 2010:

- Occupational Therapy Assistant (AAS) (inactivated 2011)
- Heating, Air Conditioning, & Refrigeration (certificate, AAS)
- Physical Therapy Assistant (AAS)

Types of Programs

Before 2009:

- All programs were dual credit programs
- MAC offered general education courses on-site

2010 - 2016:

- All programs were dual credit programs
- MAC lost ability to offer general education courses onsite
- MAC offered general education courses through online or in-person on main campus, or through other established location(s) outside Cape County

2017-Current

- RT and PTA programs are dual credit programs
- All other programs are changed to articulated programs due to reported MAC lost funding and low enrollments
- MAC offers general education courses through online or in-person on main campus, or through other established location(s) outside Cape County



Quick History of MAC's CTE Programs

Programs:

Approved before 2007:

- Culinary Arts (certificate, AAS) (inactivated 2011)
- Automotive Collision Technology (certificate, AAS)
- Automotive Technology (certificate, AAS)
- Construction/Building Technology (certificate, AAS)
- Digital Media Technology (AAS)
- Graphic Arts/Printing Technology (certificate, AAS)
- Respiratory Therapy (AS)
- Welding Technology (certificate, AAS)

Approved 2008:

- Design & Wood Manufacturing (AAS)
- Electrical Technology (certificate, AS)

Approved 2010:

- Occupational Therapy Assistant (AAS) (inactivated 2011)
- Heating, Air Conditioning, & Refrigeration (certificate, AAS)
- Physical Therapy Assistant (AAS)

Types of Programs

Dual Credit Programs:

- CTC offered technical courses as dual credit courses with MAC
- MAC transcribed every CTC course for every student in the program(s)
- Pre-2010, MAC offered general education courses on-site
- Post-2010, MAC offers general education courses through online or in-person on main campus, or through other established location(s) outside Cape County

Articulated Programs:

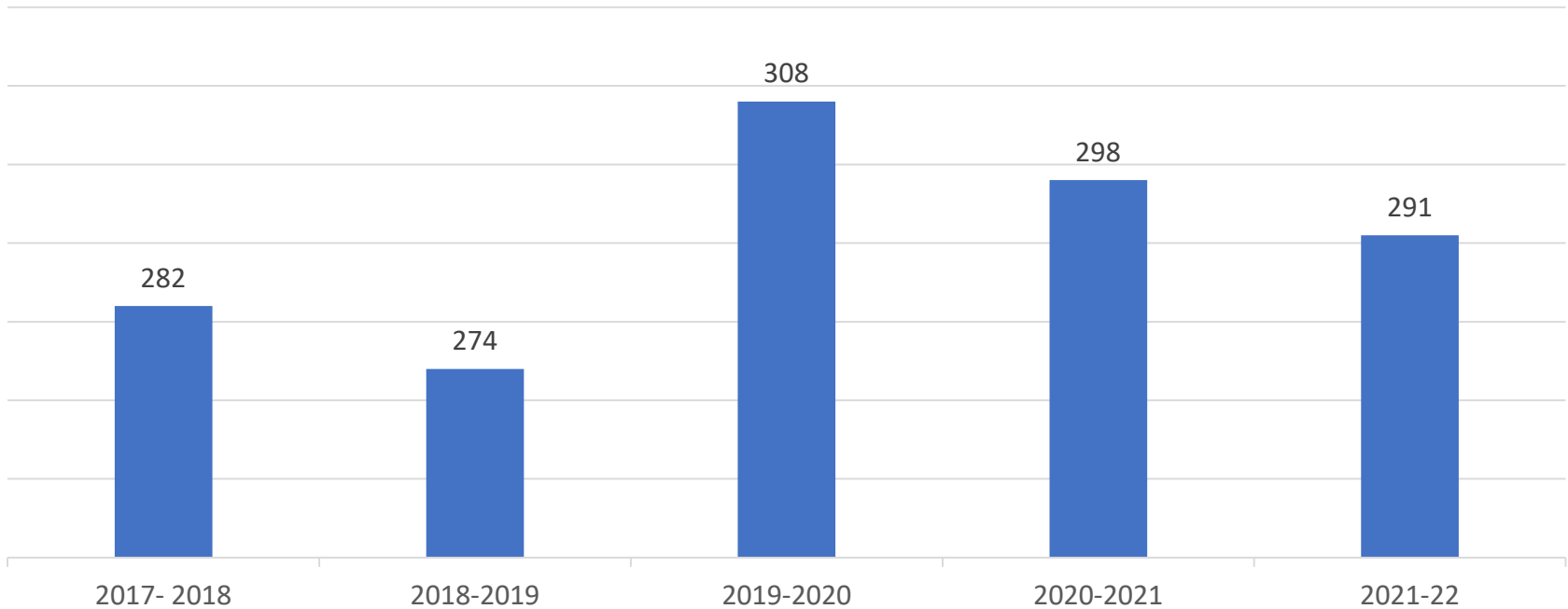
- CTC offers technical courses as non-credit courses
- MAC accepts technical courses as transfer credit through annual articulation agreements
- MAC only accepts transfer courses for students that enroll at MAC to complete general education courses
- MAC offers general education courses through online or in-person on main campus, or through other established location(s) outside Cape County



Quick History

MAC – CTC CTE Programs

CTC Enrollment in Career & Tech Ed Programs



ACADEMIC AFFAIRS & WORKFORCE NEEDS COMMITTEE

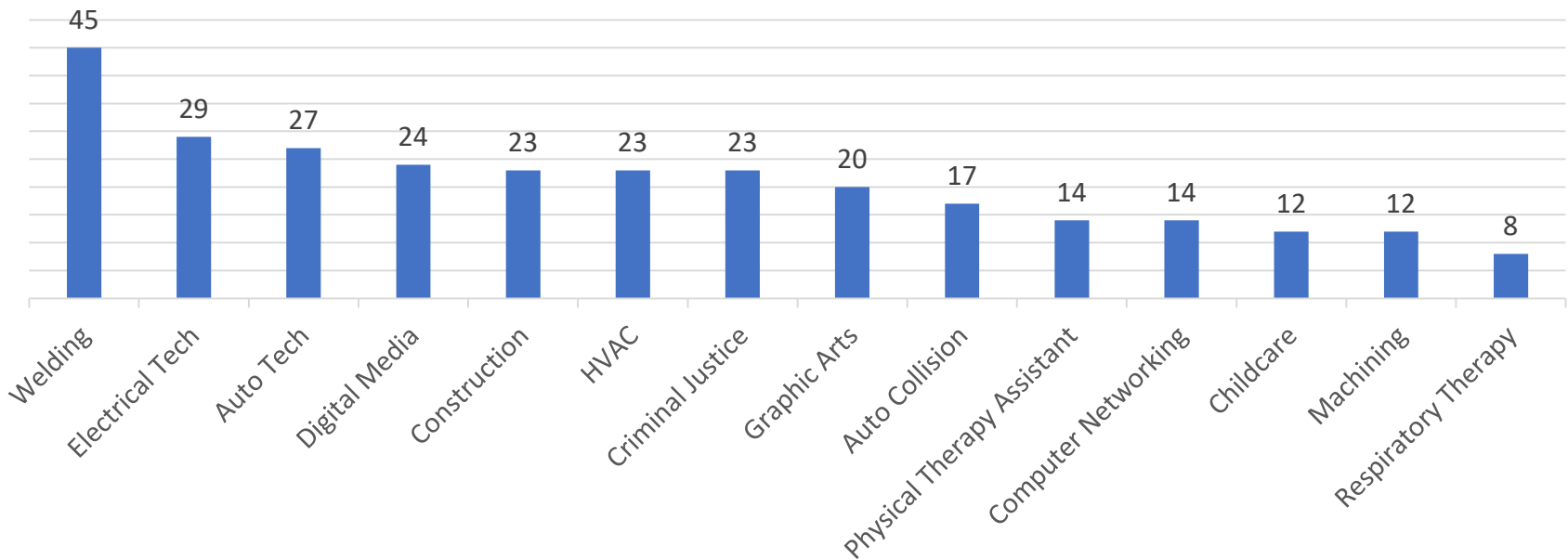
TAB 1

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Quick History

MAC – CTC CTE Programs

CTC Enrollment in Career & Tech Ed Programs 2021-2022



ACADEMIC AFFAIRS & WORKFORCE NEEDS COMMITTEE

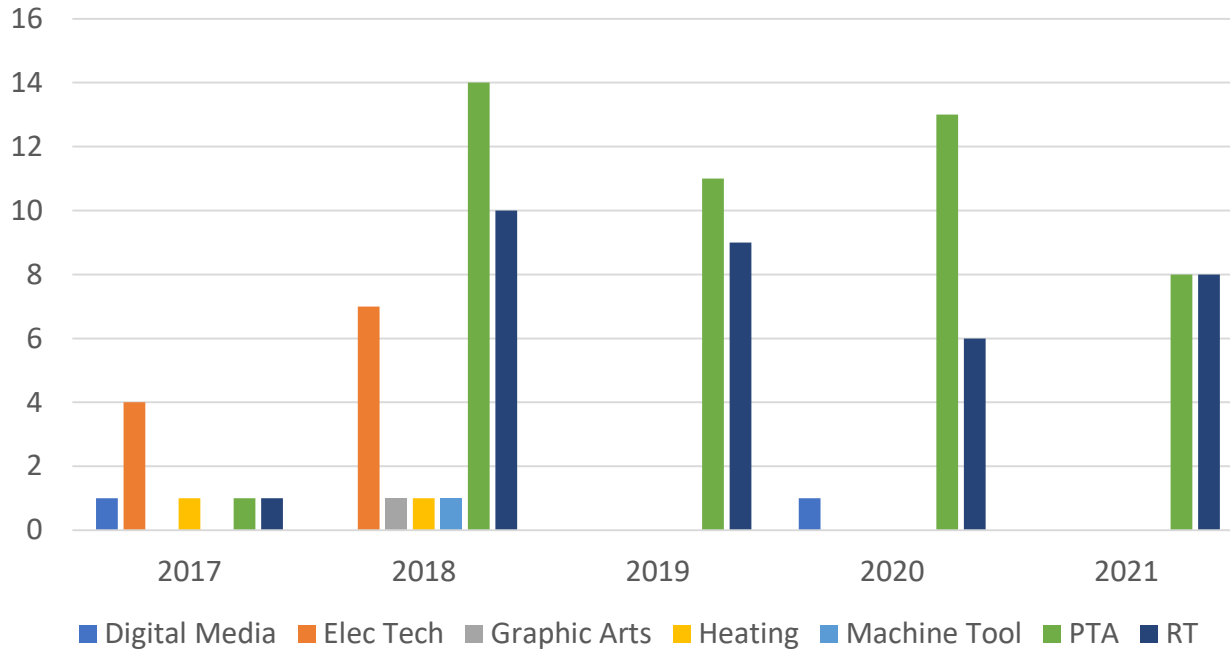
TAB 1

Coordinating Board for Higher Education
April 19, 2022

Quick History

Graduates in CTC-MAC CTE Programs (some data limitations)

MAC Enrollment in Career & Tech Ed Programs



Recent History

Attempts to Establish a New Community College Taxing District

- Our staff started learning from some community members in 2019 that they were interested in establishing a new community college in Cape Girardeau
- A community group called the Committee for Affordable Technical Education notified the CBHE of its intent to seek to organize a new community college taxing district in October 2020
- The committee commissioned a feasibility assessment
- The feasibility assessment did not support the creation of a new community college but did conclude that the region has gaps in postsecondary education that may be filled through additional or enhanced services
- The committee did not ultimately ask the CBHE to approve putting a measure to establish a new taxing district on the ballot; proposal was withdrawn at September 2021 CBHE meeting



Recent History

New Community College Conversation Brought the Parties Back to the Table

- DHEWD staff visited southeast and met with community leaders and business representatives in April 2021
- Community members expressed concerns about cumbersome processes at the CCC, lack of awareness of the options available at the CCC, limited availability of career and technical education classes, difficulty of accessing A+ dollars, and cultural issues about the value of career and technical education and postsecondary education in general
- Correspondence from SEMO indicates that MAC and SEMO have met on multiple occasions to try to reach an agreement



Mineral Area's Proposal(s)



ACADEMIC AFFAIRS & WORKFORCE NEEDS COMMITTEE

TAB 1

Coordinating Board for Higher Education
April 19, 2022

Mineral Area's Proposal(s)

- Submitted on February 28, 2022
- Submitted through routine review process, which requires the submitting institution to attest that the proposed program:
 - Is within the institution's CBHE-approved mission and consistent with the institution's long-range plans
 - Will be offered at the institution's main campus or at a CBHE-approved off-site location
 - Will not unnecessarily duplicate another institution's programs
 - Will build on existing programs and faculty expertise
 - Can be launched with minimal expense and falls within the institution's current operating budget
 - Has been researched, and the research concluded that the program is likely to be successful in meeting present and future needs of the locale, state, and nation
- Commissioner can only recommend approval of routine reviews "once all concerns are resolved"



Mineral Area's Proposal(s)

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)

Additional Programs

- Business and Commerce General (certificate, AAS)
- Child Development (certificate)
- Child Care (certificate, AAS)
- Computer Networking Technology (certificate, AAS)
- Criminal Justice (certificate, AAS)
- Digital Media Technology (certificate)
- Electrical/Electronics Technology (certificate, AAS)
- EMT (certificate)
- Engineering Technology (AAS)
- Engineering Technology-Design Drafting (certificate)
- Engineering Technology-Manufacturing (certificate)
- General Studies (AGS)
- Industrial Maintenance (certificate, AAS)
- Liberal Arts and Sciences (AA)
- Logistics Technician (certificate)
- Machine Tool Technology (certificate, AAS)
- Nurse Assistant (certificate)
- Nursing (AS)
- Practical Nursing (certificate)
- Production Technician (certificate)
- Respiratory Therapy (AS)
- Teaching (AAT)



ACADEMIC AFFAIRS & WORKFORCE NEEDS COMMITTEE

TAB 1

Coordinating Board for Higher Education
April 19, 2022

Public Comments Received

- Total 142, 141 of which were in support of MAC and 1 of which was not
- Themes of supportive comments include:
 - Support for the expansion of educational opportunities in general, including increased access to programs students can use A+ to complete, lower-cost options, more educational options to choose from
 - Support for the economic opportunities associated with the availability of community college services in general
 - Support for specific programs, such as:
 - Transfer degrees that can benefit both MAC and SEMO
 - Increased access to career and technical education programs meets student interest and employer needs



SEMO's Public Comment

- Submitted on March 18, 2022
- Concerns expressed include:
 - MAC is actually proposing to establish a residence center and they have not submitted the information required by the administrative rule that governs that review
 - MAC's proposal is not supported by clear and convincing need, as evidenced, in part, by the 2021 community college feasibility study and DHEWD staff conclusions based on that study
 - MAC has not operated in good faith as required by CBHE policy
 - MAC's proposal is not consistent with CBHE policy, specifically the Public Policy Guidelines on Lower Division Coursework
 - MAC's individual program proposals are not supported by evidence of need and would unnecessarily duplicate programs already being delivered by SEMO
 - MAC cannot unilaterally dissolve the Cape College Center agreement
 - MAC's proposal is misleading and not clear



MAC's Response to SEMO's Public Comment

- Submitted on March 21, 2022
- Response includes:
 - Response to claim that MAC has not operated in good faith
 - Data from the 2021 feasibility study MAC argues supports their proposals
 - Descriptions of how MAC meets the criteria required for residence center proposals
 - Data MAC argues demonstrates clear and convincing need
 - An argument on why the CBHE Public Policy Guidelines on Lower Division Coursework do not apply
 - Response to the claim of unnecessary duplication
 - Explanation of the dissolution of the Cape College Center agreement
 - Answers to other questions raised in SEMO's letter (enrollment, business plan, financial viability, etc.)



Current Status



ACADEMIC AFFAIRS & WORKFORCE NEEDS COMMITTEE

TAB 1

Coordinating Board for Higher Education
April 19, 2022

This Appears to Be a Dispute

- Commissioner has concluded that she cannot, in good faith, conclude that all concerns have been resolved, as required by administrative rule on academic program approval
- Correspondence from MAC and SEMO indicates that there are clear areas of disagreement on matters of fact and law



ACADEMIC AFFAIRS & WORKFORCE NEEDS COMMITTEE

TAB 1

Coordinating Board for Higher Education
April 19, 2022

Dispute

Statutory Standards

Dispute resolution requirements. — As a condition of receiving state funds, every public institution of higher education shall agree to submit to binding dispute resolution with regard to **disputes among public institutions of higher education** that **involve jurisdictional boundaries** or **the use or expenditure of any state resources whatsoever**, as determined by the coordinating board. In all cases, the arbitrator shall be the commissioner of higher education or his or her designee, whose decision shall be binding on all parties. Any institution aggrieved by a decision of the commissioner may appeal such decision, in which instance the case shall be reviewed by the full coordinating board, at which time the full coordinating board shall have the authority to make a binding and final decision, by means of a majority vote, regarding the matter.

Section 173.125, RSMo

- SEMO and MAC are public institutions of higher education
- This dispute includes a jurisdictional boundary dispute because SEMO questions whether MAC has authority to offer lower-division coursework in the Cape area
- This dispute clearly includes the use or expenditure of state resources, including funds needed to provide community college services in Cape Girardeau, the cost of facilities and personnel, etc.



ACADEMIC AFFAIRS & WORKFORCE NEEDS COMMITTEE

TAB 1

Coordinating Board for Higher Education
April 19, 2022

Dispute

Policy Provisions

Dispute resolution may be appropriate in circumstances including but not limited to situations within the purview of the CBHE **where tensions in an area reach a critical mass, resulting in potentially detrimental effects on the delivery of academic programs**; where there is evidence of excessive duplication of services when multiple off-campus/out-of-district higher education sites exist within the same community; or where institutions engage in excessive competition with each other, resulting in less than efficient use of state funds. The dispute resolution process will be initiated only **after all reasonable informal attempts to resolve the dispute have failed**.

CBHE Policy on Dispute Resolution, Section 4.2.

- **Tensions in the Cape Girardeau area have reached a critical mass, resulting in potentially detrimental effects on the delivery of programming.** MAC's and SEMO's correspondence, as well as many of the public comments submitted in response to MAC's proposal(s), indicate that significant tension exists. Potentially detrimental effects on the delivery of programming include lack of access to career and technical education programs and transfer degrees.
- **All reasonable informal attempts to resolve the dispute have failed.** Evidence includes MAC's and SEMO's correspondence, the community's attempt to bring the parties to an agreement, and the direction to the parties in the commissioner's letters of March 25 and April 1, 2022.



Comments from MAC and SEMO

Under CBHE policy:

- The affected institution(s) will have an opportunity during the meeting to respond and describe all efforts they have made to resolve the dispute.
- The commissioner or the CBHE may set time limits on oral presentations at the CBHE meeting if he/she feels it is fair to do so.

The parties' correspondence, which is very thorough, has been provided to the Coordinating Board. The commissioner recommends that each party's comments be limited to 10 minutes. If the dispute proceeds, the parties may have an opportunity to address the board at greater length later in the process.



ACADEMIC AFFAIRS & WORKFORCE NEEDS COMMITTEE

TAB 1

Coordinating Board for Higher Education
April 19, 2022

Recommendation

Staff recommend that the Coordinating Board for Higher Education:

1. Determine that a dispute exists between Mineral Area College and Southeast Missouri State University regarding the use or expenditure of state resources
2. Determine that disagreements about the provision of community college services in the Cape Girardeau region have reached a critical mass, resulting in potentially detrimental effects on the delivery of academic programs
3. Determine that all reasonable informal attempts to resolve the dispute have failed
4. Direct the commissioner to proceed with dispute resolution using the process outlined in the Policy on Dispute Resolution
5. The scope of the dispute resolution will include the matters listed on the next page



Recommendation (continued)

Matters to be Addressed through Dispute Resolution

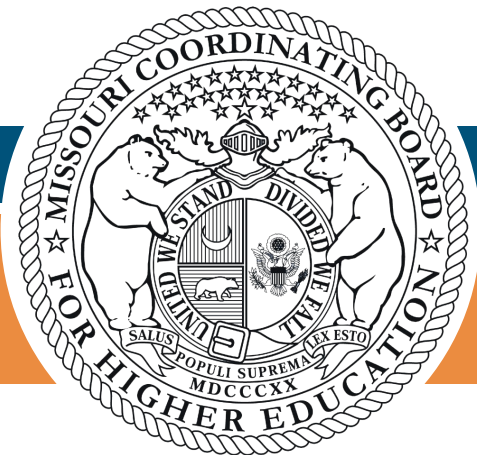
1. *Can the parties come to a mutually beneficial agreement on the delivery of lower-division coursework by working with a mediator?*
2. If the answer to that question is yes, the parties will document their agreement about how lower-division coursework will be delivered and the dispute resolution process will end. If the answer is no, the parties will address the following through arbitration.
 - a) *What review should be applied to MAC's proposals?*
 - b) *What is the effect of the Policy Guidelines on Lower Division Coursework?*



Meeting the Short-Term Needs of Students Currently Enrolled at Cape College Center and Career & Technical Education Center

Action Item

Zora Mulligan
Commissioner



ACADEMIC AFFAIRS & WORKFORCE NEEDS COMMITTEE

TAB 2

Coordinating Board for Higher Education

April 19, 2022

Background – Career & Technical Ed Students

Two groups of students are affected by the current dispute:

- Students enrolled the Associate of Arts program currently offered by SEMO and Three Rivers at the Cape College Center
- Students enrolled in CTE programs at the Cape Career & Technology Center who want to earn certificates and associate degrees from Mineral Area and need to earn general education credits to do so

DHEWD staff interpretation is that MAC can continue to offer the CTE programs, including the lower-division coursework. Staff acknowledge that this is disputed but encouraged SEMO to acquiesce in writing to MAC’s continued delivery of this programming, with the stipulation that MAC will not enroll any additional students until the disputes outlined above are resolved.

Updated information on SEMO’s response to this request will be provided at the meeting.



Background – Associate of Arts Students

DHEWD staff encouraged MAC and SEMO to work together to find a short-term solution that will meet the needs of students enrolled in the AA program. Those students must have an opportunity to complete work toward the degree without experiencing a significant increase in cost.

The deadline to send DHEWD a joint proposal or, if the parties are unable to reach an agreement, individual proposals was April 12. DHEWD staff alerted the parties that if they could not reach an agreement, DHEWD staff would present a proposed resolution to the Coordinating Board during the April 19 meeting.



SEMO's Teach out Plan

Summary	SEMO proposes it offer the AA courses to the current CCC students, at either its main campus or already established campus.
Pro's	<ul style="list-style-type: none">• Students at the CCC may already be familiar with SEMO• SEMO already offering courses in Cape County
Con's	<ul style="list-style-type: none">• Students would not be able to receive an AA• Minimal cost to students the 1st year is \$420 (this will increase in subsequent years)• Students not eligible to receive A+ Scholarship• SEMO only offers two associate degrees, so it is not clear what programs students would be enrolled in at SEMO



MAC's Teach out Plan

Summary	MAC proposes it offer the AA program and courses to students through either the Perryville Campus and online. MAC will not offer the courses in-person in Cape County unless the program request is approved.
Pro's	<ul style="list-style-type: none">• Students would be able to receive an AA• If receiving A+ Scholarship, cost to students would be \$0• Students eligible for A+ Scholarship
Con's	<ul style="list-style-type: none">• Students at the CCC may not be familiar with MAC• MAC would need to “start up” courses in Cape County, or if not approved to offer in Cape, students would have to complete online or at the Perryville Campus.

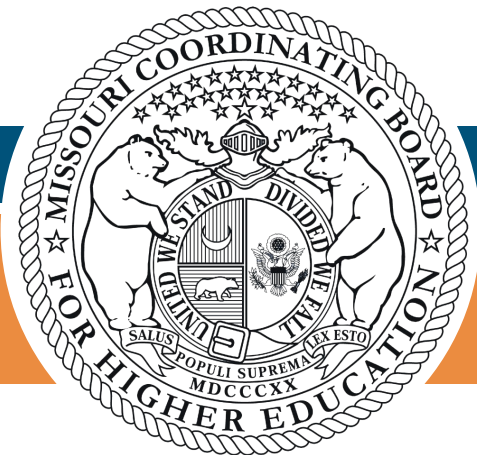


Recommendation

Staff recommend for students that want to complete the Associate of Arts degree, MAC be approved to teach the courses online or through its Perryville campus, while acknowledging this will not be ideal for students who cannot travel or may not be successful in online study. It is important as many students as possible do not face a disruption in service, are able to receive the A+ Scholarship and be granted an Associate of Arts degree at the completion of their courses, if they wish.



Adjourn Meeting

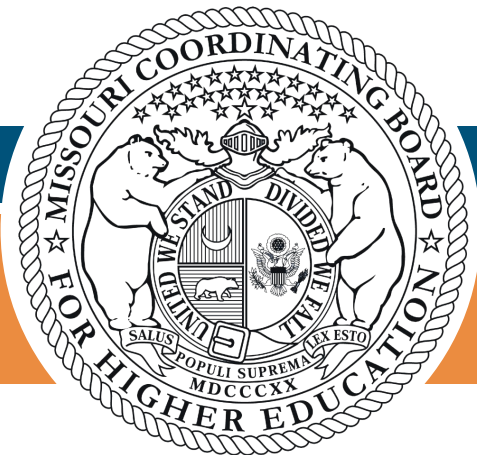


Coordinating Board for Higher Education

April 19, 2022

Coordinating Board for Higher Education Meeting

To request a copy of this presentation,
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Coordinating Board for Higher Education
April 19, 2022