

CHAPTER 349

**EDUCATION - UNIVERSITIES AND COLLEGES**

**SENATE BILL 94-198**

BY SENATORS Bishop, Casey, Cassidy, Johnson, Mares, Martinez, Norton, Peterson, Rizzuto, Tanner, Thiebaut, and Traylor;  
also REPRESENTATIVES Foster and Prinster.

**AN ACT**

**CONCERNING THE PROVISION OF HIGHER EDUCATION IN WESTERN COLORADO.**

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** 23-53-101 (1), Colorado Revised Statutes, 1988 Repl. Vol., is amended to read:

**23-53-101. College established - role and mission - effect of name change.**

(1) There is hereby established a college at Grand Junction, to be known as Mesa state college, which shall be a general baccalaureate AND SPECIALIZED GRADUATE institution with moderately selective admissions. Mesa state college shall offer liberal arts and sciences programs and a limited number of professional, ~~and~~ technical, AND GRADUATE programs. ~~but shall not offer any graduate programs.~~ Mesa state college shall also maintain a community college role and mission, including vocational and technical programs. Mesa state college shall receive resident credit for two-year course offerings in its commission-approved service area.

**SECTION 2.** Article 53 of title 23, Colorado Revised Statutes, 1988 Repl. Vol., is amended BY THE ADDITION OF THE FOLLOWING NEW SECTIONS to read:

**23-53-115. Graduate programs - implementation program - creation of fund - solicitation of moneys.** (1) THE GENERAL ASSEMBLY HEREBY FINDS THAT THE PROVISION OF GRADUATE COURSES AND PROGRAMS IS UNRELIABLE AND INCONSISTENT AND IS NOT COST EFFECTIVE FOR PERSONS IN WESTERN COLORADO. THE GREATER GRAND JUNCTION AREA IS THE LARGEST METROPOLITAN AREA IN THE STATE THAT LACKS A LOCAL INSTITUTION OF HIGHER EDUCATION WITH GRADUATE PROGRAM AUTHORITY. THE GENERAL ASSEMBLY FURTHER FINDS THAT PERSONS LIVING IN

*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

WESTERN COLORADO HAVE AN INCREASING NEED FOR ACCESS TO GRADUATE COURSES AND PROGRAMS THAT CANNOT BE MET SOLELY BY INSTITUTIONS LOCATED IN EASTERN COLORADO. THE GENERAL ASSEMBLY THEREFORE AUTHORIZES MESA STATE COLLEGE TO OFFER GRADUATE COURSES AND PROGRAMS IN SELECTED AREAS TO ENSURE THAT PERSONS LIVING IN WESTERN COLORADO WILL HAVE RELIABLE, CONSISTENT, AND COST-EFFECTIVE ACCESS TO NECESSARY GRADUATE COURSES AND PROGRAMS.

(2) EFFECTIVE JULY 1, 1995, THE TRUSTEES OF THE STATE COLLEGES IN COLORADO SHALL DEVELOP AN IMPLEMENTATION PLAN UNDER WHICH MESA STATE COLLEGE SHALL OFFER GRADUATE COURSES AND PROGRAMS. IN FORMULATING THE IMPLEMENTATION PLAN, THE TRUSTEES OF THE STATE COLLEGES IN COLORADO SHALL UTILIZE APPROPRIATE PROFESSIONAL AND ACADEMIC CRITERIA AND STANDARDS. THE GRADUATE COURSES AND PROGRAMS SPECIFIED IN THE IMPLEMENTATION PLAN SHALL BE APPROVED BY THE COLORADO COMMISSION ON HIGHER EDUCATION.

(3) UNDER THE IMPLEMENTATION PLAN DEVELOPED PURSUANT TO SUBSECTION (2) OF THIS SECTION, MESA STATE COLLEGE SHALL OFFER GRADUATE COURSES IN BUSINESS BEGINNING JULY 1, 1996. MESA STATE COLLEGE MAY OFFER ADDITIONAL GRADUATE PROGRAMS IN ACCORDANCE WITH THE IMPLEMENTATION PLAN DEVELOPED PURSUANT TO SUBSECTION (2) OF THIS SECTION AND CONSISTENT WITH DOCUMENTED COMMUNITY NEED.

(4) THE TRUSTEES OF THE STATE COLLEGES IN COLORADO, ON BEHALF OF MESA STATE COLLEGE, MAY RECEIVE AND SPEND ANY MONEYS FROM PUBLIC OR PRIVATE GIFTS, GRANTS, OR DONATIONS AND ANY MONEYS THAT MAY BE APPROPRIATED BY THE GENERAL ASSEMBLY FOR USE IN DEVELOPING GRADUATE COURSES AND PROGRAMS IN ACCORDANCE WITH THE IMPLEMENTATION PLAN DEVELOPED PURSUANT TO SUBSECTION (2) OF THIS SECTION, INCLUDING THE HIRING OF GRADUATE FACULTY AND THE PROCUREMENT OF LIBRARY AND OTHER LEARNING RESOURCE MATERIALS AND APPROPRIATE SUPPORT SERVICES. IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE COMMISSION ON HIGHER EDUCATION, IN ESTABLISHING THE GENERAL FUND DISTRIBUTION FORMULA, PURSUANT TO SECTION 23-1-105 (3), C.R.S., BEGINNING WITH THE 1995-96 FISCAL YEAR AND FOR FISCAL YEARS THEREAFTER, SHALL INCLUDE THE ENROLLMENT OF STUDENTS IN GRADUATE PROGRAMS AT MESA STATE COLLEGE IN THE ALLOCATION TO THE TRUSTEES OF THE STATE COLLEGES IN COLORADO.

(5) MESA STATE COLLEGE MAY SOLICIT PRIVATE AND PUBLIC MONEYS OTHER THAN STATE MONEYS TO ASSIST IN MEETING COSTS ASSOCIATED WITH THE INITIAL OFFERING OF GRADUATE COURSES AND PROGRAMS.

**23-53-116. Western Colorado graduate center - advisory board - duties - creation of fund.** (1) EFFECTIVE JULY 1, 1995, THE WESTERN COLORADO GRADUATE CENTER, REFERRED TO IN THIS SECTION AS THE "CENTER", IS ESTABLISHED ON THE CAMPUS OF MESA STATE COLLEGE. THE CENTER'S MISSION IS TO ENSURE RELIABLE, CONSISTENT, AND COST-EFFECTIVE ACCESS FOR RESIDENTS OF WESTERN COLORADO TO GRADUATE COURSES AND PROGRAMS THAT ARE NECESSARY TO MAINTAIN OR STRENGTHEN EMPLOYMENT KNOWLEDGE AND SKILLS. THE CENTER IS NOT AUTHORIZED TO PROVIDE GRADUATE COURSES OR PROGRAMS. THE CENTER SHALL BE UNDER THE AUTHORITY AND GOVERNANCE OF THE TRUSTEES OF THE STATE COLLEGES IN COLORADO WHO SHALL DEVELOP A PLAN OF IMPLEMENTATION AND OPERATION FOR THE CENTER CONSISTENT WITH THE CENTER'S MISSION. THE CENTER

SHALL OPERATE INDEPENDENTLY OF MESA STATE COLLEGE AND SHALL COMMENCE OPERATION ON JULY 1, 1996.

(2) THE TRUSTEES OF THE STATE COLLEGES IN COLORADO SHALL APPOINT A SEVEN-MEMBER ADVISORY BOARD TO ADVISE THEM IN OPERATING THE CENTER. THE ADVISORY BOARD SHALL INCLUDE TWO MEMBERS OF THE TRUSTEES OF THE STATE COLLEGES IN COLORADO OR DESIGNEES OF SUCH MEMBERS. THE REMAINING ADVISORY BOARD MEMBERS SHALL BE REPRESENTATIVE OF WESTERN COLORADO.

(3) THE CENTER IS AUTHORIZED TO:

(a) RECEIVE AND EXPEND PUBLIC AND PRIVATE MONEYS IN PURCHASING GRADUATE COURSES AND PROGRAMS FROM INSTITUTIONS OF HIGHER EDUCATION;

(b) RETAIN ANY MONEYS THAT MAY BE GENERATED; AND

(c) EMPLOY STAFF AND ACQUIRE OFFICE SPACE AS MAY BE NECESSARY TO OPERATE THE CENTER.

(4) THE CENTER SHALL:

(a) DEFINE THE NEEDS FOR GRADUATE COURSES AND PROGRAMS WITHIN WESTERN COLORADO;

(b) DEVELOP REQUESTS FOR PROPOSALS FOR GRADUATE COURSES AND PROGRAMS THAT MESA STATE COLLEGE DOES NOT OR CANNOT OFFER;

(c) NEGOTIATE WITH INSTITUTIONS OF HIGHER EDUCATION TO OFFER GRADUATE COURSES AND PROGRAMS; AND

(d) PROVIDE DIRECT FUNDING TO THE INSTITUTIONS OF HIGHER EDUCATION THAT OFFER THE GRADUATE COURSES AND PROGRAMS.

(5) THE TRUSTEES FOR THE STATE COLLEGES IN COLORADO, ON BEHALF OF THE CENTER, MAY RECEIVE AND SPEND ANY MONEYS FROM PUBLIC OR PRIVATE GIFTS, GRANTS, OR DONATIONS AND ANY MONEYS THAT MAY BE APPROPRIATED BY THE GENERAL ASSEMBLY FOR OPERATION OF THE CENTER AND FOR CONTRACTS ENTERED INTO BY THE CENTER FOR THE PROVISION OF GRADUATE COURSES AND PROGRAMS. IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE COMMISSION ON HIGHER EDUCATION, IN ESTABLISHING THE GENERAL FUND DISTRIBUTION FORMULA, PURSUANT TO SECTION 23-1-105 (3), BEGINNING WITH THE 1995-96 FISCAL YEAR AND FOR FISCAL YEARS THEREAFTER, SHALL INCLUDE THE ENROLLMENT OF STUDENTS IN GRADUATE PROGRAMS AT THE CENTER IN THE ALLOCATION TO THE TRUSTEES OF THE STATE COLLEGES IN COLORADO.

**SECTION 3. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 6, 1994