

**STATE OF COLORADO
DEPARTMENT OF HIGHER EDUCATION
PERFORMANCE CONTRACT**

This Performance Contract, effective the date of approval by the Colorado Commission on Higher Education (hereinafter referred to as the "Commission"), is by and between the Department of Higher Education (hereinafter referred to as the "Department") and the Board of Trustees for Metropolitan State College of Denver (hereinafter referred to as the "Governing Board").

RECITALS

WHEREAS, in its passage of SB 04-189, known as the College Opportunity Fund, the General Assembly has found that it is imperative that an increased number of Coloradans pursue education beyond high school.

WHEREAS, the General Assembly has determined that a postsecondary educational experience for Coloradans is essential for the State to compete in the new global economy and to develop a new generation of leaders and active participants in state and local civic affairs.

WHEREAS, the General Assembly has found that it is critical that the rate of postsecondary participation by low-income Coloradans, males, and minorities, who are currently under-represented, be increased at every State institution of higher education.

WHEREAS, the General Assembly has determined that it is appropriate to support programs that are designed to encourage participation in postsecondary education, that increase citizens' awareness of the value of and need for a postsecondary education, and that make citizens aware of the financial support provided by them through the General Assembly to students and institutions of higher education.

WHEREAS, the General Assembly enacted the College Opportunity Fund Act, Title 23, Article 18, Section 101 et seq., Colorado Revised Statutes, which states that performance contracts should provide for greater flexibility and a more focused accountability for institutions of higher education to students and the people of Colorado.

WHEREAS, Title 23, Article 5, Section 129, Colorado Revised Statutes sets forth that each governing board of a State institution of higher education should negotiate a performance contract with the Department that specifies the performance goals the institution shall achieve during the period that it operates under the performance contract.

WHEREAS, Title 23, Article 5, Section 129, Colorado Revised Statutes provides that a State institution of higher education's compliance with the goals specified in the performance contract may be in lieu of requirements in Article 1 and Article 13 of Title 23, Colorado Revised Statutes for the period during which the performance contract is in force.

WHEREAS, Title 23, Article 5, Section 129, Colorado Revised Statutes requires that the specified procedures and goals set forth in the performance contract must be measurable and tailored to the role and mission of each institution and may include, but shall not be limited to: (1) improving Colorado residents' access to higher education; (2) improving quality and success in higher education; (3) improving the efficiency of operations; and (4) addressing the needs of the State.

AGREEMENT

NOW THEREFORE, in consideration of the foregoing and intending to be bound hereby, the Parties agree as follows:

1. Scope of Contract. This contract and Addenda A and B, which are hereby expressly incorporated herein (the "Performance Contract"), sets forth the performance goals of Metropolitan State College of Denver (hereinafter referred to as the "Institution"), with the statutory role and mission of a comprehensive baccalaureate institution with modified open admission standards, except that nontraditional students who are at least twenty years of age shall only have as an admission requirement a high school diploma, a GED high school equivalency certificate, or the equivalent thereof. This Performance Contract sets forth the agreement regarding the services provided by the Institution, including the offering of a variety of liberal arts and science, technical, educational programs; a limited number of professional programs; and all services as defined in the Performance Contract Goals and Assessments set forth in Addendum A.

2. Term of Contract. This Performance Contract shall be effective after execution by the Governing Board and the Department and on the date the Performance Contract is approved by the Colorado Commission on Higher Education and shall remain in effect until June 30, 2009.

3. Statutory Requirements Exempted by This Performance Contract. Title 23, Article 5, Section 129(2)(a), Colorado Revised Statutes provides that a State institution of higher education's compliance with the goals specified in the performance contract may be in lieu of the requirements of Article 1 of Title 23 and the "Higher Education Quality Assurance Act," Article 13 of Title 23, for the term of this Performance Contract. As of the Effective Date of this Performance Contract, the Institution's compliance with the terms set forth in this Performance Contract will be in lieu of the Institution's compliance with the requirements of Article 1 of Title 23 and the "Higher Education Quality Assurance Act," Article 13 of Title 23 set forth in Addendum B.

4. Academic and Vocational Program Approval. While operating pursuant to this Performance Contract, the Governing Board will not be required to obtain approval from the Commission to create, modify, or eliminate academic and vocational programs offered by the Institution, so long as such creations, modifications, and eliminations are consistent with the Institution's statutory role and mission. The Commission shall have the authority pursuant to Title 23, Article 5, Section 129(6)(b), Colorado Revised Statutes, to override any creation or modification of an academic or vocational program if the change made by the Governing Board is inconsistent with the Institution's statutory role and mission. The Governing Board will

comply with the Commission's Policy and Procedures for the Approval of New Academic Programs in Public Institutions of Higher Education in Colorado Operating Under a Performance Contract adopted on October 7, 2004.

5. Reporting of Budget and Proposed Tuition Increases. Title 23, Article 5, Section 129(6)(c), Colorado Revised Statutes requires the Governing Board to report to the Commission its plans for any tuition increases for the following academic year for the Commission to forward to the General Assembly during the annual budget process. The Governing Board shall submit this information in accordance with the requirements of the Title 24, Article 37, Colorado Revised Statutes and in the form and manner prescribed by the Commission. The General Assembly has expressly retained the authority in Title 23, Article 5, Section 129, Colorado Revised Statutes, to approve tuition spending authority for the Governing Board of the Institution.

6. Resident Applicant Admission Requirements. While operating pursuant to this Performance Contract, Title 23, Article 5, Section 129(7)(b), Colorado Revised Statutes, directs that the Governing Board shall continue to require the Institution to admit Colorado resident applicants within the requirements of Title 23, Article 1, Section 113.5, Colorado Revised Statutes, who meet the admissions criteria of the Institution.

7. Data Reporting Requirements. The Governing Board shall transmit to the Department all annual reports and data required in this Performance Contract including that specified in Addendum A, attached hereto, in the form and manner prescribed herein or as required by Commission Policy. The Institution shall continue to provide all data required by the Student Unit Record Data Systems (SURDS) and the United States Department of Education through the Department. When possible, the Department shall provide notice and consult with the institutions before requiring any additional or new SURDS data. All data must be handled by the Commission and Department consistent with the statutory requirements set forth in Title 23, Article 1, Section 108(9), Colorado Revised Statutes.

8. Performance Goal Achievement. This Performance Contract sets forth those goals, standards and requirements upon which the Department and the Governing Board have mutually agreed. The ability of the Institution to fulfill the terms of this Performance Contract expressly assumes funding at a level which approximates the Department funding appropriated by the General Assembly during fiscal year 2003-2004. Any material change in the level of general funds available to students as stipends, to institutions under fee-for-service contracts under the College Opportunity Fund, and state general fund financial aid allocated through the Commission, shall cause the parties to this agreement to meet and discuss whether a change in any provisions of this agreement is appropriate. The actions undertaken by the Governing Board and Institution pursuant to this Performance Contract shall be performed consistently with applicable state and federal law.

9. Issue Resolution. In the event that a party to this Performance Contract fails to take those actions agreed upon herein or perform as set forth in this Performance Contract, the other party shall notify the first party of the failure to act or perform (a "Performance Failure"). The notice shall indicate the nature of the Performance Failure and

request that responsive action be taken to correct the alleged Performance Failure. If the party fails to use its best efforts to resolve the alleged Performance Failure within a reasonable period of time, the official representatives of the parties, as designated in the Performance Contract, shall promptly meet to discuss a remediation plan for resolution of the alleged Performance Failure or modification of this Performance Contract as may be required by the circumstances.

10. Performance Report. Performance on this Performance Contract shall be reported by the Department to the Governor and General Assembly pursuant to Title 23, Article 5, Section 129(5), Colorado Revised Statutes.

11. Point of Contact and Notices. For the purposes of this Performance Contract, the individuals identified below are hereby designated as the official representatives of the respective parties. Either party may from time to time designate in writing new or substitute representatives. All notices given hereunder shall be deemed given and sufficient if delivered in writing by (i) United States mail or (ii) overnight delivery such as Federal Express to:

For the Department:

Richard F. O'Donnell
Executive Director
Colorado Department of Higher Education
1380 Lawrence Street, Suite 1200
Denver, CO 80202

For the Governing Board:

Dr. Ray Kieft
Metropolitan State College
1006 11th Street, Campus Box 1
Denver, CO 80217

12. No Third-Party Beneficiary. Nothing in this Performance Contract shall be construed or implied to confer third-party beneficiary status on any person or entity.

13. Severability. To the extent that this Performance Contract may be executed and performance of the obligations of the parties may be accomplished within the intent of the contract, the terms of this Performance Contract are severable, and should any term or provision hereof be declared invalid or become inoperative for any reason, such invalidity or failure shall not affect the validity of any other term or provision hereof.

14. Governing Law. This Performance Contract shall be governed by and construed in accordance with the laws of the State of Colorado.

15. Entire Agreement. This Performance Contract is intended as the complete integration of all understandings between the parties regarding performance contracts authorized by Title 23, Article 5, Section 129, Colorado Revised Statutes. No prior or contemporaneous addition, deletion or other amendment hereto shall have any force or effect whatsoever, unless

embodied herein in writing. No subsequent novation, renewal, addition, deletion or other amendment hereto shall have any force or effect unless embodied in a writing executed and approved by both parties to this Performance Contract.

16. Approval Required. Pursuant to Title 23, Article 5, Section 129(3), Colorado Revised Statutes, this Performance Contract and any modification or addition thereto shall not become effective until reviewed and approved by the Commission.

IN WITNESS WHEREOF, the parties have executed this Performance Contract this 8th day of February, 20005

For the Governing Board:

By Raymond N. Scott
Signature of Authorized Representative

For the Department of Higher Education:

By Richard F. O'Donnell
Richard F. O'Donnell
Executive Director

APPROVED:

Board of Trustees
By [Signature]
Chair

APPROVED:

Colorado Commission on Higher Education
By Judith P. Weaver
Chair

Dated: 2/2/05

Dated: 2-8-05

ADDENDUM A

Goal #1: Access and Success

WHEREAS, the Commission has determined that it is a highest priority of the State to ensure widespread access to Colorado's public colleges and universities with particular focus on expanding the number of students who are prepared, apply and enroll, and increasing retention and graduation rates with particular emphasis on increasing the participation and success of underserved students.

WHEREAS, the Department will develop and deliver a statewide marketing campaign with the goal of convincing every student and parent in the State of Colorado that college is accessible and affordable and that it is important to prepare academically for it in order to increase the college-going and completion of students, especially underserved students, which include low-income, male and minority students.

WHEREAS, the Department will work with the State and institutions to design efficient and effective financial aid strategies.

WHEREAS, the Department will work to make CollegeinColorado.org a fully integrated and user-friendly Pre-Collegiate Online Guidance System.

WHEREAS, the Department will lead the organization and operation of the Colorado College Access Consortium to coordinate and support K-12, pre-collegiate and college preparation programs.

WHEREAS, the Board of Trustees of Metropolitan State College of Denver is directed and authorized, by law, to govern, manage, and operate the College to the best of its ability in accordance with the constitution and laws of this State and within the limits of the resources available to the College.

NOW, THEREFORE, the Parties agree as follows:

Section 1: Retention Rates

1.1 By December 31, 2008, the Institution shall increase its fall-to-fall retention rate for first-time, full-time, degree-seeking freshman from 60.8% to 62.8%. The Institution shall increase its fall-to-fall retention rate for first-time, full-time freshman, including transfers to other institutions, from 71.1% to 73.1%.

1.2 The Governing Board shall report to the Department on or before December 31st of each year the results of its current efforts and any new or additional plans or programs to increase its fall-to-fall retention rates for first-time, full-time, degree-seeking freshman.

Section 2: Graduation Rates

2.1 By December 31, 2008, the Institution shall increase its six-year graduation rate for first-time, full-time, degree-seeking freshmen students from 20.8% to 21.8%.

2.2 The Governing Board shall report to the Department on or before December 31st of each year the results of its current efforts and any new or additional plans or programs to increase its 6-year graduation rate for first-time, full-time degree-seeking freshmen.

Section 3: Underserved Students

3.1 Title 23, Article 5, Section 129, Colorado Revised Statutes requires that each performance contract address “increasing enrollment of underserved students, including low-income individuals, males and minority groups.” For purposes of this Performance Contract, “underserved students” shall be defined as students who are: (a) low-income (would satisfy income requirements for a Federal Pell Grant); (b) members of an ethnic or racial minority group; (c) males; and/or (d) first-generation college students.

3.2 The Institution’s statutory mission, as a modified-open admission institution, is unique in Colorado. No other four-year institution has the directive to admit any student age 20 or older regardless of that student’s admission profile. Known as Colorado’s “College of Opportunity”, the Institution serves a disproportionately large share of low-income, first-generation students, many of whom are students of color. Such diversity of students creates the need for a wide array of services and programs designed to provide support and intervention services aimed at increasing the likelihood of student success. Given the diversity of the Institution’s student body and the statutory directive to be a modified-open admission institution, the Institution, on an annual basis as part of its planning and evaluation processes, shall determine which programs and services best meet the needs of its diverse student body. Assuming an adequate level of general funds available to students as stipends so as to provide sufficient funds for programs and services encouraging access and retention, the Institution may provide the following programs or similar programs that encourage access and support retention:

a. Admissions:

1. High school outreach places student ambassadors in Denver area high schools to inform high school students of the Institution’s programs.
2. Business outreach: recruiting non-traditional students from their workplace.
3. Transfer Services: Assists students transferring from other institutions.

b. Access Center for Disability Accommodations and Adaptive Technology:

This Center provides adaptive equipment and support, and assists with accommodations for students with disabilities. The continuation of the Access Center will depend on the continued financial support of both the University of Colorado at Denver/Health Sciences Center and the Community College of Denver, and the facility support of the Auraria Higher Education Center and the University of Colorado at Denver/Health Sciences Center. Should any of these parties fail to sustain its financial or facility commitments, the Access Center may not be continued as determined by the Institution.

c. Assessment and Testing: Administer assessment tests that assess a student's skill level to ensure that students are placed in the appropriate math, reading, and English classes. Students who do not meet assessment standards are referred to the Community College of Denver for developmental and basic skills classes. This performance contract assumes that development and basic skills classes shall continue to be provided to students in such numbers that students can enroll in their required and necessary developmental and basic skills classes in a timely manner so that their progress in completing their educational programs is not hindered resulting in a longer period of time to complete their educational programs. If students requiring developmental and basic skills classes are unable to enroll in Community College of Denver classes in a timely manner, the Institution and the Department shall immediately meet to discuss alternatives for providing developmental and basic skills classes to students that do not add additional costs to the student, beyond what is currently charged by the Institution for extended studies courses, nor cause the progress of students toward completing their educational programs to be hindered or delayed.

d. First Year Seminar: This seminar provides entering freshmen with additional support to assist them in the acclimation to the college culture and expectations.

e. Peer Educator Program: This program provides peer educators to each of the First Year Seminar classes. The peer educators work with individual students in need of assistance.

f. Mathematics Peer Learning Program: This program is mandatory for students whose mathematics assessment scores are marginal. Part-time faculty provide group-tutoring sessions, and one-on-one tutoring is provided to mathematics majors.

g. Immigrant/ESL Student Support Program: This program provides support services and tutoring assistance to students who have immigrated and may have learned English as a second language.

h. Metro Bridge and Student Success: A summer program that provides at-risk high school students with classes to assist with their transition into the Institution environment.

i. Student Success for "Window" Students: Tracks students admitted through the "window" through their first 24 credit hours and provides advising, counseling, and specialized student support services.

j. Student Intervention Services: Specialized services are provided to re-admitted students whose cumulative GPA is below a 2.0, and to all students whose cumulative GPA has been below a 2.0 for two or more semesters.

k. Academic Early Warning System: A mid-semester reporting of academic status that includes warnings to students potentially on the road to academic probation or suspension.

l. Tutoring Center: The Tutoring Center provides group and individual tutoring for most General Studies core classes and for specific discipline classes.

m. Writing Center: The Center provides critiques of students' writings as a means of assisting students to improve their writing skills.

n. College Summit Partnership: This partnership brings the College Summit pre-collegiate program to the Institution where low-income, first-generation high school juniors, who normally would not be considering attending college, are provided with one-on-one assistance in the preparation of essays and other college admission materials and completing financial aid applications. These students do not necessarily choose to enroll at the Institution, but the fact that they do enroll in higher education is the outcome desired by the Institution.

3.3 The Governing Board shall submit an annual report on or before December 31st that details the results of these programs and any changes or new and additional efforts, if any, to increase enrollment, retention and graduation of underserved students.

3.4 The Governing Board shall ensure that the goals in this section are accomplished without decreasing the quality of education provided or achievement rates of students included herein.

Goal #2: Quality in Undergraduate Education

WHEREAS, the Commission has determined that it is a highest priority of the State to: (1) improve academic competencies and provide learning experiences that foster the development of skills and abilities that prepare students for the global economy; (2) prepare students for continuing, graduate or postgraduate professional studies; (3) ensure the transferability of general education courses; and (4) establish critical thinking and logic skills essential to full participation in a democratic society.

WHEREAS, the State should provide meaningful and user-friendly information on the quality of undergraduate education to consumers about each institution that will drive market decisions by parents, students, and employers.

WHEREAS, the State should implement a general education core curriculum for students and faculty that ensures consistent quality and the transferability of general education courses.

NOW, THEREFORE, the Parties agree as follows:

Section 1: General Education Requirements

1.1 By July 1, 2006, the Governing Board shall adopt a fully transferable, foundational general education core curriculum that corresponds with GT Pathways, Colorado's statewide guaranteed transfer program for general education that was created and endorsed by the General Education Council ("GE 25 Council") and the Commission. The Institution's

general education core curriculum shall consist of between 35 and 37 credit hours in the academic areas and corresponding credit hour requirements established by the GT Pathways curriculum.

1.2 The Student Bill of Rights, Title 23, Article 1, Section 125, Colorado Revised Statutes, provides that the completion of lower division core general education courses, regardless of the delivery method, should satisfy the general education core course requirements of all Colorado public institutions of higher education. In order to meet this requirement, by January 1, 2006, all courses in the Institution's general education core curriculum shall be submitted, according to Commission policy, to the GE 25 Council or its successor, for approval and inclusion in GT Pathways for guaranteed transfer. Any course not submitted or not approved by the GE 25 Council for GT Pathways may not be included in the general education core curriculum. The Department shall convene the GE 25 Council and provide sufficient resources to ensure that all courses submitted to the GE 25 Council, or its successor, are reviewed prior to July 1, 2006.

1.3 The Department acknowledges that certain current GE 25 Council requirements, especially as they relate to lab requirements for science courses, will be refined and amended to accommodate the unique situation of the Institution and the Auraria campus. The Department agrees to work with all institutions and the GE 25 Council, or its successor, to amend the GT pathways criteria to ensure compatibility between each institution's general education core curriculum and the requirement for guaranteed statewide transfer.

1.4 In the event that the GE 25 Council does not approve a course for approval and inclusion in the GT Pathways, the course shall be labeled as required under subsection 1.6(b). The Department shall periodically provide a public report to the Commission of any course that is not approved for guaranteed transfer by the GE 25 Council. Such report shall include the reasons for a course's non-approval.

1.5 After the Governing Board adopts its general education core curriculum, it may continue to nominate new and/or additional courses that satisfy pertinent guidelines and requirements of GT Pathways to be included in its general education core curriculum. The Institution shall continue to recognize and provide full credit for all core courses approved for statewide transfer completed at other Colorado state colleges and universities, including credits earned through Commission approved competency tests.

1.6 Beginning in July 1, 2006, the Governing Board shall require the completion of its approved general education core curriculum by all newly enrolled, first-time students and ensure the following:

(a) All course catalogs and academic transcripts shall clearly designate courses eligible for statewide guaranteed transfer.

(b) All course catalogs and related materials shall clearly designate lower division courses that are not eligible for statewide guaranteed transfer. Such designation shall include, next to the course title, the following language: "This course is NOT approved for guaranteed transfer to other Colorado colleges and universities."

(c) All academic transcripts shall certify the satisfactory completion of the transferable general education core curriculum, regardless of whether the academic degree program has been completed or conferred.

1.7 Lower division general education course requirements that are not part of the general education core curriculum are acceptable and need not be submitted to the GE 25 Council for inclusion in GT Pathways. However, a student must be able to complete any such requirements within the 40 credit hour lower division general education limit established by the Student Bill of Rights. If a transfer student has satisfactorily completed the transferable core curriculum at another Colorado state college or university, the Institution shall not require the completion of any additional lower division general education courses by that student that would exceed the 40 credit hour lower division general education limit.

1.8 Beginning July 1, 2006, and each year thereafter, the Governing Board shall report statistics on the demand for and supply of courses at its campus(es) that satisfy its general education core curriculum. Such data, if available, may include the number of sections offered, enrollment demand and course availability, data on the ranks of instructor teaching the courses, and the average class enrollment for each course, disaggregated by course title and number.

Section 2: Grade Distribution

2.1 By September 1, 2006, and each year thereafter, the Governing Board shall provide data on all course grades conferred during the previous academic year, disaggregated by academic subject and course level. These data shall be accompanied by a description or copies of policies and procedures, if any, used to evaluate the distribution of grades by academic subject and course level or otherwise.

Section 3: Faculty

3.1 By July 1, 2007, the Governing Board shall require that the proportion of core courses taught by the highest quality and/or most qualified faculty, as identified by the Institution, in those departments or academic units offering core courses, is equivalent to that in undergraduate non-core courses.

3.2 By July 1, 2006, the Governing Board shall certify that it has in place or has plans for implementing and utilizing a variable pay method for faculty.

Section 4: Evaluation and Assessment of Student Learning

4.1 To the extent possible and based upon available data, the Institution shall report annually, in accordance with the Commission reporting schedule, on student achievement by providing data on outcomes on licensure, professional, graduate school admission, and other examinations taken by baccalaureate graduates and/or career and technical graduates employed or continuing their education.

4.2 The Governing Board agrees to cooperate with the Department in developing and implementing standard methods to assess students' knowledge and improve the delivery of content taught in courses approved for the Institution's general education core curriculum. These programs shall be in place no later than January 1, 2007. The Department and the Governing Board agree that implementation of these assessment methods is contingent on additional resources being made available for these purposes.

Goal #3: Efficiency of Operations

WHEREAS, the Commission has determined that a highest priority of the State is to provide for the efficient and effective stewardship of resources, be they tuition dollars, state or federal tax dollars, or other sources of funding.

NOW, THEREFORE, the Parties agree as follows:

Section 1: Costs

1.1 As part of the Commission's annual budget process, the Governing Board shall provide, through the Budget Data Book, information to the Department that identifies mandatory cost increases or decreases.

1.2 The Department shall use the information submitted by the Institution to determine the base funding increase necessary for cash fund and cash fund exempt increases that at a minimum shall consider changes in mandatory costs, such as salary, insurance and utility costs, as well as enrollment growth and inflation.

1.3 The Governing Board may submit requests for tuition differentials, specialized fees, or other tuition increases to improve quality, expand access or address capital needs above the base funding amount as decision items through the normal budget process. The Commission shall forward these decision items to the General Assembly and the Office of State Planning and Budgeting during the budget process.

1.4 The Governing Board shall strive to control costs so that mandatory cost increases do not exceed the latest published cost adjustment figure from the State Higher Education Executive Officers Higher Education Cost Adjustment model, excluding controlled maintenance and capital needs.

Section 2: Capital Assets and Maintenance

2.1 The Governing Board shall continue to work with the Auraria Higher Education Center Board and campus partners to ensure that capital and deferred maintenance issues are being adequately addressed.

Section 3: Facilities

3.1 The Governing Board shall provide a report to the Department on the number and type (private or publicly operated) of auxiliary facilities they operate, as such facility is commonly understood under Title 23, Article 5, Sections 101.5(2) and 102, Colorado Revised Statutes, including but not limited to, student or faculty housing facility, student or faculty dining facility, recreational facility, student activities facility, child care facility, continuing education facility or activity, intercollegiate athletic facility or activity, health facility, college store, or student or faculty parking facility, within 60 days of acceptance of a performance contract.

3.2 The Governing Board shall continuously assess operational efficiencies of its auxiliary facilities. Proposals will be periodically solicited from private firms for those facilities that are commonly found to be operated by private firms. Proposals will be awarded whenever it is determined that private operation of the facility can add value and improve operational efficiencies.

Goal #4: Other State Needs -- Teacher Education

WHEREAS, the Commission has determined that it is a highest State priority to ensure that highly qualified teachers are in every K-12 classroom.

WHEREAS, educator preparation is a shared enterprise among the Commission, the Colorado Department of Education, institutions of higher education, and local school districts.

WHEREAS, teacher education programs must prepare teachers to succeed in an era of high standards and strong accountability where the expectation is that achievement levels will rise for every student.

WHEREAS, K-12 school districts have called for new teachers who are trained in critical areas, including: (1) Technology and its role in instructional delivery; (2) Ability to communicate with students, parents and guardians regarding educational progress and student behavior; (3) Ability to assess student learning and modify curriculum based on assessment results; (4) Effective classroom management techniques; (5) Ability to apply knowledge to the P-12 classroom and adapt instruction in ways that enhance the ability of achievement levels to rise for all students student learning with a particular understanding of how to close the achievement gap for children of color and boys; and (6) Ability to teach reading, math and science.

WHEREAS, the strength of a teacher preparation program is determined by the degree to which content knowledge, field experience, and professional knowledge are integrated into a performance-based model.

NOW, THEREFORE, the Parties agree as follows:

Section 1: Teacher Education Programs

1.1 The Commission shall continue to authorize and re-authorize teacher education programs pursuant to Title 23, Article 1, Section 121, Colorado Revised Statutes and

existing Commission policies, through joint on-site program reviews by the Commission and the Colorado Department of Education scheduled every fifth year.

1.2 By July 1, 2006, the Governing Board shall ensure that its teacher education program meets the following standards:

(a) Each teacher candidate shall receive, as part of his or her formal preparation, instruction on teaching diverse student populations and, through required pre-rotation or student teaching experiences, spends time in a racially or ethnically diverse, Title I or low performing or unsatisfactory school with an improving or stable rating, based upon the results of the previous year's School Accountability Report by the Colorado Department of Education.

(b) Not less than one semester of each teacher candidate's 800-hour field experience is spent student teaching.

(c) All teacher candidates shall have, as part of their formal preparation, received instruction on the comprehension, diagnosis, interpretation and effective use of student assessment data, especially data from the Colorado Student Assessment Program.

(d) All teacher candidates shall have, as part of their formal preparation, received instruction on the attitudinal and behavioral differences that influence socialization and learning variations between boys and girls.

1.3 By July 1, 2006, all content (non-pedagogy) courses leading to the fulfillment of endorsement area requirements for secondary education licensure shall be taught by faculty members belonging only to the departments from which the courses originate (e.g., American history courses are taught by faculty members in the history department, mathematics courses are taught by faculty members in the mathematics department). However, courses such as Teaching Secondary Mathematics, Teaching Literature and Language, Teaching Science in Middle and Secondary Schools, etc., are important components of a teacher preparation program, and should appropriately be taught by faculty members with professional expertise in education and in the specific content area.

Section 2: Recruitment and Training of Qualified Candidates

2.1 The Institution shall strive to improve the recruitment, retention, and graduation of teacher candidates who are under-represented in Colorado's public schools, with a particular focus on Hispanics and males.

(a) The Institution shall submit a plan to the Department on or before July 1, 2007, detailing how it will achieve this goal. The plan must meet Departmental standards and be approved by the Commission.

(b) The Institution shall submit to the Department on or before August 1st of each year, the student identification numbers and endorsement areas for all teacher candidates.

2.2 The Governing Board shall ensure the institution participates with the Department in tracking and analyzing the placement in K-12 schools of teacher candidate graduates and their performance once placed, including providing data as specified by the Department.

Goal #5: Other State Needs -- Workforce and Economic Development

WHEREAS, the Commission has determined that Colorado's future competitiveness in the global economy depends on having an educated and skilled workforce. Colorado must have workers with high-level skills required for jobs in high-demand fields, workers with basic workplace skills to obtain the most desirable jobs and to continually adapt to the changes that will continue to affect our evolving economy.

NOW, THEREFORE, the Parties agree as follows:

1.1 The Institution shall target funds and program development efforts to fields that address statewide and regional opportunities and priorities. High-demand programs shall be defined by two primary elements: (1) instructional programs or fields in which student enrollment applications exceed available slots, and (2) career fields in which employers are unable to find enough skilled graduates to fill available jobs.

1.2 Within the level of resources available to the Institution and in concert with the priorities determined by the Governing Board, the Institution shall strive to focus existing and portions of any new funds on expanding, improving and/or increasing the number of students who earn degrees in the following high-demand program areas including, but not limited to:

a. K-12 Teacher Preparation: In partnership with Denver area K-12 school districts, the Institution may provide an alternative licensure program based on need and demand, whereby all qualified but uncertified employees of the respective K-12 school district can obtain certification through an intensive, focused program lasting one year.

b. Nursing: An accelerated BSN program, which enables students possessing a non-nursing baccalaureate degree to complete the requirements of the BSN in 13 months, was instituted by the Institution in Spring 2004. The overall cost far exceeds the ability of students to pay and thus contributions from health care providers has, so far, enabled the program to meet the costs. The Institution shall work to maintain and/or increase program support from health care providers. Should additional resources become available, the Institution will give consideration to the implementation of a four-year BS in nursing program.

1.3 The Governing Board shall annually report to the Department on or before December 31st on the status of these programs and any changes to its programs and any relevant supporting data. The Governing Board may change its programs and efforts to address workforce and economic development without approval from the Department or Commission.

ADDENDUM B

RESOURCE, PROGRAMMATIC AND MANAGEMENT FLEXIBILITY

This Addendum B describes the resource, programmatic, and management flexibility which the Department agrees to provide or support for institutions operating under performance contracts.

As of the Effective Date of this Performance Contract, compliance with the terms set forth in this Performance Contract will be in lieu of the following statutory requirements of Article 1 of Title 23 and the "Higher Education Quality Assurance Act," Article 13 of Title 23 and Commission Policies:

STATUTORY REQUIREMENTS

C.R.S. §23-1-105. Duties and powers of commission with respect to appropriations.

- All subsections waived except for (1), (4), (5) and (8).

C.R.S. §23-1-107. Duties and powers of the commission with respect to program approval, review, reduction, and discontinuance.

All subsections waived except for (2), (4), (5). With respect to subsection 4, the Department agrees to authorize the Governing Board to establish early retirement, retraining and severance programs for faculty in programs to be discontinued subject to consultation with the Commission prior to the Governing Board's approval of such programs.

C.R.S. §23-1-109. Duties and powers of the commission with regard to off-campus instruction.

The Institution shall continue to be subject to the requirements of this section. However, the Commission through the Department agrees to revise its policies to reduce current reporting requirements and to limit the review of off-campus, cash-funded degree and certificate programs, off-campus, state-funded degree programs, and out-of-state/out-of-country programs to ensuring that such programs are consistent with the Institution's statutory role and mission.

C.R.S. §23-1-115. Review and action on existing degree programs.

C.R.S. §23-1-124. Commission directive – sophomore assessments.

C.R.S. §23-13-105. Quality indicator system - development - implementation -reports.

C.R.S. §23-13-107. Funding incentives to achieve the statewide goals and expectations.

COMMISSION POLICIES

Academic Affairs:

Part B: Approval of New Academic Programs

Part D: Approval of New Vocational Degree Programs in State-Supported Institutions of Higher Education in Colorado

- Sections 2.00 (d), 2.01.03, 2.02.01, 3.01.05, Appendix A

Part H: Designating Programs of Excellence

Part I: Review of Proposals for Coordinated Academic Programs

- Sections: 4.02 (limited to review of role and mission), 4.02.02, 4.02.03, 4.02.05.

Part O: Academic Planning

- Sections: 3.02, 4.00

Part Q: Policy on Affirmative Action

Capital Assets:

Part D – Guidelines for Long-Range Facilities/Infrastructure Master Planning

- 1.00 – Scope of a Long- Range Facilities/Infrastructure Master Plan
 - I. Institutional Data (to become guidelines only)
 - II. Facilities Master Plan
 - A. Planning Concepts (to become guidelines only)
 - B. Facilities Construction and Renovation Economic Studies and Project Cost Estimates
- 2.00 – Publication of a Long-Range Facilities, Infrastructure Master Plan.
- 5.00 – Relation to Statewide Plan

Part I – Instructions & Forms For Completing Physical Plant Inventory

Part L – Policies & Criteria For Capital Construction Priority Setting.

- 1.00 – Policies & Criteria Requests.
- 2.00 – CCHE Priorities Among Capital Construction Funding
- 3.00 & 3.01 – Process for Recommending Funding Priorities.

Part O – Policy Guidelines for Capital Outlay Expenditures.

Part P – Policies for Construction Projects Administration.

Budget Data Book:

Organization Chart

Campus Map

General information page

Format 40: Reporting of ASC II data

Format 9999

Consolidated Supplemental Financial Information

- Format A
- Format B
- Format C
- Format D
- Format E

Administrative Salary Survey report

Decision Items requests for mandatory cost increases

CCHE approval of decision items above mandated costs unless directed to review and approve them by the General Assembly or Joint Budget Committee.