

**TOPIC: 2012 REPORT ON THE STATUS OF PERFORMANCE
CONTRACTS**

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I. SUMMARY

The purpose of this report is to provide information on the status of Colorado's public and participating private institutions' compliance with the requirements of their performance contracts. The report also provides a description of the master planning process currently underway to meet the December 1, 2012 deadline for renegotiated performance contracts, per SB 11-052.

II. BACKGROUND

In 2004, along with the College Opportunity Fund (COF), SB 04-189 authorized the Commission and institutions of higher education to enter into performance contracts in lieu of traditional state regulation of higher education. Previously, Colorado institutions operated under a system of accountability that employed the Quality Indicator System or "QIS." In 2004-2005, with COF and its implementation, colleges and universities could choose to remain under the existing requirements of statute or enter into a performance contract with the Commission. With the exception of the local district junior colleges, the area vocational schools, and the Colorado School of Mines, which had its own statutory guidance concerning contracting for performance, every public institution in the state, and three private institutions—the University of Denver, Colorado Christian University, and Regis University—opted to enter into performance contracts.

III. STAFF ANALYSIS

All the public institutions and systems have certified ongoing compliance with the goals in their performance contracts and are working with the Department and the Commission to adopt statewide master planning goals and to renegotiate their performance contracts to meet the December 1, 2012 deadline. Department staff are currently collecting and evaluating information on private institutions' compliance with performance contracts. A report on this is expected to be available in May 2012.

V. STAFF RECOMMENDATION

This report is an information item only; no formal action is required by the Commission.

VI. SUPPLEMENTAL INFORMATION

Copies of all relevant statute, policy, and each institution's or system's performance contract reports are on file in the Academic Affairs Office.

VII. STATUTORY AUTHORITY

23-5-129. Governing boards - performance contract - authorization – operations.

(5)(b) Beginning January 2006, and each January thereafter, data collected and used to measure a state or private institution of higher education's progress towards the goals set forth in the institution's performance contract with the department of higher education shall be made available to the members of the education committees of the house of representatives and the senate, members of the joint budget committee, each governing board, and each institution of higher education covered by a performance contract. The department of higher education shall also provide copies of the data to other members of the general assembly and members of the public on request s.