

**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 Fort Lewis College (hereinafter referred to as the "Board of Trustees").

RECITALS

WHEREAS, in SB 04-189, the General Assembly found and declared that for the future of Colorado and its citizens, it is imperative that an increased number of Coloradans pursue education beyond high school.

WHEREAS, the General Assembly further found and declared 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 further found and declared that in particular 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 further found and declared 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 further found that without increased resources, Colorado's system of public higher education will be challenged in meeting the need for postsecondary education.

WHEREAS, the General Assembly declared that it is its intent 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, provides that each governing board of a State institution of higher education shall negotiate a performance contract with the Department that shall specify 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 of Article 1 and Article 13 of Title 23, Colorado Revised Statutes, for the period of the performance contract.

WHEREAS, Title 23, Article 5, Section 129, Colorado Revised Statutes requires that the specified procedures and goals set forth in the performance contract shall 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.

WHEREAS, Title 23, Article 52, Section 101, Colorado Revised Statutes provides that the role and mission of Fort Lewis College is that of a public liberal arts college, with moderately selective admission standards with a historic and continuing commitment to Native American education, as evidenced by state-provided Native American tuition waivers to the College in perpetuity. In addition, the Fort Lewis College may offer professional programs and a limited number of graduate programs to serve regional needs. The Center of Southwest Studies provides a valuable regional, national, and international resource.

WHEREAS, Article VIII, Section 5, Colorado Constitution, and Title 23, Article 52, Sections 102, 103 and 104, Colorado Revised Statutes, confer upon the Board of Trustees for Fort Lewis College the general supervision of Fort Lewis College, plenary power to enact rules and regulations for the governance of Fort Lewis College, and the exclusive control and direction of all funds of and appropriations to Fort Lewis College, except as expressly provided by law.

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 Fort Lewis College (hereinafter referred to as the "College").

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

3. Statutory Requirements Exempted by Contract. As of the Effective Date of this Performance Contract, the College's compliance with the terms set forth in this performance contract will be in lieu of the College's compliance with the requirements of Article 1 of Title 23 and the "Higher Education Quality Assurance Act," Article 13 of Title 23, Colorado Revised Statutes, set forth in Addendum B.

4. Academic and Vocational Program Approval. While operating pursuant to this Performance Contract, the Board of Trustees will not be required to obtain approval from the Commission to create, modify, or eliminate academic and vocational programs offered by the

College, so long as such creations, modifications, and eliminations are consistent with the College's statutory role and mission.

5. Reporting of Budget and Proposed Tuition Increases. Title 23, Article 5, Section 129(6)(c), Colorado Revised Statutes requires the Board of Trustees 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 Board of Trustees 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 Board of Trustees of the College.

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 Board of Trustees shall continue to require the College 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 College.

7. Data Reporting Requirements. The Board of Trustees 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 College shall continue to provide data required by the Student Unit Record Data System, according to the time schedule specified in the fiscal year CCHE Data Collection Calendar, including but not limited to: the Student Enrollment File; Fall, Winter, Interim, and Summer terms: Degrees Granted File; Full year and Summer term: Financial Aid File; Full year: Undergraduate Applicant File; Summer & Fall, Winter, and Interim terms: Social Security Number Update File. The Integrated Post-Secondary Education System (IPEDS) reports required by the United States Department of Education will be coordinated between the College and the Department, and the Department will ensure timely delivery of data to the College and timely secondary lock with IPEDS.

The Board of Trustees agrees to submit the following reports in a form, manner, and time schedule specified in the CCHE Data Collection Calendar: Full year: FTE Final Student Enrollment File: New Mexico Reciprocity Report: Retention and Graduation Rates Cohort Verification Files. The College agrees to submit to the College Access Network all stipend authorization and reconciliation files as necessary to comply with the implementation of SB 2004-189. The Department shall provide notice and, if possible, consult with the institutions before requiring any additional or new SURDS data. The Board of Trustees shall submit to the Department an annual certification as to the overall material accuracy and completeness of the data submitted in accordance with the terms set forth herein. 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 Board of Trustees have mutually agreed. The ability of the College 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.

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 Board of Trustees:

Brad Bartel
President
Fort Lewis College
1000 Rim Drive
Durango, Colorado 81301

For the Department:

Richard F. O'Donnell
Executive Director
Colorado Department of Higher Education
1380 Lawrence Street, Suite 1200
Denver, Colorado 80204

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. Any provision of this Performance Contract,

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. Headings. The headings used in this Performance Contract are for the convenience of the parties only. As such, these headings shall not have any legal effect whatsoever or, in any other way alter or modify the meaning or interpretation of this Performance Contract.

17. 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 2nd day of June, 2005.

Board of Trustees for Fort Lewis College:

By: Brad Bartel
Brad Bartel, President

**Department of Higher Education
State of Colorado:**

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

APPROVED:

Board of Trustees for Fort Lewis College

By: Pally Schaefer
Chair

Dated: 5/9/, 2005

APPROVED:

Colorado Commission on Higher Education

By: Judy Weaver
Chair

Dated: 5/10/0, 2005

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 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.

NOW, THEREFORE, the Parties agree as follows:

Section 1: Retention Rates

1.1 By December 31, 2008, the College shall increase its fall-to-fall retention rate for first-time, full-time degree-seeking freshman from 52.9% to 57.5%. The College shall increase its fall-to-fall retention rate for first-time, full-time degree-seeking freshman, including transfers to other institutions, from 67.0% to 72.5%.

1.2 The Board of Trustees shall report to the Department on or before December 31st of each year on 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 College shall increase its 6-year graduation rate for first-time, full-time degree-seeking freshman students from 29.7% to 32.0%.

2.2 The Board of Trustees shall report to the Department on or before December 31st of each year on 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 (e.g., would satisfy income requirements for a Federal Pell Grant); (b) members of a minority group; and/or (c) males. The College has been a leader among state institutions in providing access to underserved students and will continue in that role. The College shall direct available resources to the following programs designed to increase enrollment, retention and graduation of underserved students. It is understood that many of the currently available resources are funded through competitive federal grants, which are subject to non-renewal. The College’s efforts will include:

- a. Recruiting activities;
- b. Transition, orientation, and college acculturation activities;
- c. Retention and student success activities, with special attention to advising and enhancement of student learning.

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

3.3 The Board of Trustees 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 January 1, 2006, the College's faculty and academic administration shall develop a plan to align the College's general education curriculum to the competencies, expectations, and credit hour guidelines of GT Pathways, Colorado's statewide guaranteed transfer program. The College's general education curriculum shall be adopted and implemented by June 30, 2007.

1.2 The Student Bill of Rights, Title 23, Article 1, Section 125, Colorado Revised Statutes, provides that students, upon satisfactory completion of core general education courses, regardless of the delivery method, should have those courses satisfy the general education core course requirements of all Colorado public institutions of higher education. In order to meet this requirement, by June 30, 2006, all courses in the College'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. 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 within 6 months after they are submitted to the GE 25 Council for review.

1.3 The Department acknowledges that certain current GT Pathways requirements may need to be refined and amended to accommodate the unique situation and role and mission of the College. The Department agrees to work with all institutions and the GE 25 Council, or its successor, to amend GT Pathways 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, or its successor, does not approve a course submitted for approval and inclusion in GT Pathways, the course may be offered by the College for fulfillment of a general education requirement but shall be labeled as required in 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 As the faculty designs and determines the need for new courses, the College 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 and guaranteed for statewide transfer. The College 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, 2007, the College 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 general education courses that are not eligible for statewide guaranteed transfer. Such designation shall include, next to the course title, the following language: "The 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 outside of the structure of GT Pathways are acceptable and need not be submitted to the GE 25 Council. 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. Further, if a transfer student has satisfactorily completed the transferable core curriculum at another Colorado state college or university, the College 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.

Section 2: Academic Assessment

2.1 The Board of Trustees shall insure that the College maintains appropriate high academic quality and rigor. The College has invested in the development and support of assessment of its undergraduate education by the establishment of an Office of Assessment. This office ensures that student success in all academic programs, including the General Education program, is continually evaluated and that these evaluations inform program improvements.

2.2 The Board of Trustees shall provide an annual report to the Department on or before December 31st on the policies developed by the College, through the Office of Assessment or otherwise, to maintain appropriate high academic quality and rigor, including efforts to mitigate grade inflation. The annual report shall include data on the implementation of policies to maintain appropriate high academic quality and rigor. Such data may include the distribution of grades by academic subjects and course level and other indicators and assessments of student competency.

Section 3: Faculty

3.1 The Board of Trustees shall continue to require that the proportion of general education core curriculum courses taught by faculty with appropriate credentials is equivalent to that in undergraduate non-general education core curriculum courses.

3.2 The Board of Trustees will examine its current faculty compensation policies, including merit compensation, and consider appropriate faculty evaluation, promotion and tenure policies and procedures in light of its institutional goals, mission and values. By July 1, 2006 and each year thereafter, the Board of Trustees shall provide a report that illustrates whether and how financial incentives, such as cash bonuses, raises, stipends, awards or other items, are used in the implementation of its faculty evaluation and professional development procedure. The report

shall be accompanied by supporting data, if any, that was used in evaluating its faculty compensation policies and procedures.

Section 4: Evaluation and Assessment of Student Learning

4.1 To the extent possible and based upon available data, the College shall report to the Board of Trustees, and in turn, the Board of Trustees shall report to the Department annually 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 and the results of the NSSE survey.

4.2 The Board of Trustees 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 College's core curriculum. These programs shall be in place no later than January 1, 2007. The Department and the Board of Trustees 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.

WHEREAS, the Commission understands that the quality of the educational experience is contingent upon numerous factors, including the caliber of the faculty.

WHEREAS, the ability of the College to attract and retain a high caliber faculty is dependent upon the College's capacity to provide competitive compensation.

NOW, THEREFORE, the Parties agree as follows:

Section 1: Costs

1.1 As part of the Commission's annual budget process, the Board of Trustees 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 institutions to develop, in consultation with representatives of the governing boards, the base funding increase that, at a minimum shall consider changes in mandatory costs, including, but not limited to, compensation packages for faculty, administrative/professional, and classified employees, insurance and utility costs, as well as enrollment growth and inflation. The Commission shall utilize such base funding analysis in its budget preparation and submission to the General Assembly.

1.3 The Board of Trustees 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 Commission and the Board of Trustees agree that it is important that Colorado maintain access to affordable higher education. To that end, the Board of Trustees 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 College shall work with students as may be necessary to establish a capital and maintenance fee, or the College may submit pursuant to section 1.3 above a decision item for a tuition surcharge to address maintaining existing and constructing new facilities. The Board of Trustees shall breakout in a note in its annual Statement of Revenues, Expenses, and Changes in Net Assets the actual amount spent pursuant to this section.

Section 3: Facilities

3.1 The Board of Trustees shall continuously assess operational efficiencies of its auxiliary facilities and consider solicitation and consideration of proposals from private firms whenever it is determined by the Board of Trustees 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, including the continuance of 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 Board of Trustees 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 field experience or student teaching experiences, spends time working with low performing learners or in a 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 shall be 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).

Section 2: Recruitment and Training of Qualified Candidates

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

a. The College shall submit a plan to the Department on or before July 1, 2006, detailing how it will achieve this goal. The plan must meet Departmental standards and be approved by the Commission.

b. The College 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 parties shall cooperate in analyzing the placement in K-12 schools of teacher candidate graduates and their performance once placed, including providing identifying data requested 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.

WHEREAS, the College desires to target funds and program development efforts to fields that address statewide and regional opportunities and priorities. However, severe budget reductions are limiting the College's ability to meet its current basic needs such as salaries, personnel, program operating budgets, building needs, and financial aid. Any new funds must first address existing programs in order to restore critical shortages in those areas and to maintain quality.

WHEREAS, new and expanded offerings to meet workforce needs will require significant new funding either by the State or through partnerships with the private and business communities.

WHEREAS, the Department will work with the institutions and appropriate state departments and agencies to develop a database that will track job placement and licensure information for graduates.

NOW, THEREFORE, the Parties agree as follows:

1.1 By the end of the period of this Performance Contract, the College shall position itself to be one of the top-ranked public liberal arts colleges in the Western United States.

1.2 Annually, the College will submit to the Board Trustees an analysis of needs and funding requirements for expanding, improving and/or increasing the number of students who earn degrees in high-demand program areas. Current efforts are focused on developing regional partnerships that will provide resources needed to implement a nursing program. Examples of other areas that have demand and may be considered for expansion when current base level funding needs are met include Biological Sciences, Exercise Science, Computer Science Information Systems, Accounting, and Business Administration.

1.3 The Board of Trustees shall annually report to the Department on or before December 31st the status of these programs and any changes to its programs, and any relevant supporting data. The Board of Trustees 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 that 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 – repeal.

- 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 Board of Trustees to establish early retirement, retraining and severance programs for faculty in programs to be discontinued subject to consultation with the Commission prior to the Board of Trustee's approval of such programs.

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

- The College 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 College'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.