

**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 of Western State College of Colorado (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 has determined 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 (2) (a), Colorado Revised Statutes provides that each governing board of a State institution of higher education shall 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 (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 requirements in 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 (2) (c), 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.

WHEREAS, Title 23, Article 56, Section 101, Colorado Revised Statutes provides that the role and mission of Western State College of Colorado (the "Institution") is that of a general baccalaureate institution with moderately selective admission standards. In addition, the Institution shall offer undergraduate liberal arts and sciences, teacher preparation, and business degree programs, and serve as a regional education provider.

WHEREAS, Article VIII, Section 5, Colorado Constitution, and Title 23, Article 56, Sections 102, 103 and 104, Colorado Revised Statutes, confer upon the Governing Board the general supervision of Institution, plenary power to enact rules and regulations for the governance of the Institution, and the exclusive control and direction of all funds of and appropriations to Institution, 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 the Institution. This Performance Contract sets forth the agreement regarding the services provided by the Institution as more particularly described herein.

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 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 period of the 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 need not consult with nor 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.

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 Title 24, Article 37, Colorado Revised Statutes and in the form and manner reasonably prescribed by the Commission. The General Assembly retains the authority in Title 23, Article 5, Section 129 (10), Colorado Revised Statutes, to approve tuition spending authority for the Governing Board while the Institution is operating pursuant to this Performance Contract.

6. Resident Applicant Admission Requirements. While operating pursuant to this Performance Contract, Title 23, Article 5, Section 129(7)(b), Colorado Revised Statutes, the Institution shall continue 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 Institution 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 reasonably required by applicable Commission Policy, provided such policy is within the authorities delegated to it in Title 23, Article 1, Colorado Revised Statutes. 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 Performance Contract to meet and discuss whether a change in any provisions of this Performance Contract is appropriate, and to amend this Performance Contract accordingly.

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 address the alleged Performance Failure. If the party fails to use reasonable 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. If the parties are unable to agree upon a resolution or modification, the Commission will hold a hearing concerning the alleged Performance Failure and its recommended course of action to the General Assembly and the Governor.

10. Performance Report. Performance on the contract shall be reported by the Department to the Governor and General Assembly.

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:

Jay W. Helman
President
Western State College of Colorado
Gunnison, CO 81231

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 necessarily 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.

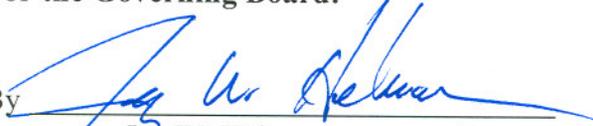
15. Modifications. This Performance Contract shall be subject to such modifications as may be required by changes in federal or state law or regulations or as may be agreed to by the parties and approved by the Commission. Any such modifications shall be agreed to by the parties in writing and incorporated into and made a part of this Performance Contract as if fully set forth herein.

16. 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, executed by the Parties and approved by the Commission. 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.

17. Approval Required. This Performance Contract shall first be reviewed and approved by the Governing Board. 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 18th day of February, 2005.

For the Governing Board:

By 
Jay W. Helman
President

For the Department of Higher Education:

By 
Richard F. O'Donnell
Executive Director

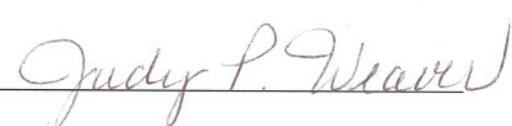
APPROVED:

Governing Board

By: 
Chair

APPROVED:

Colorado Commission on Higher Education

By: 
Chair

Dated: 2-18-05

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 by Colorado residents 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.

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 freshman from 58.2% to 60.0%. The Institution shall increase its fall-to-fall retention rate for first-time, full-time freshman, including transfers to other institutions, from 72.5% to 74.7%.

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 freshman.

Section 2: Graduation Rates

2.1 By December 31, 2008, the Institution shall increase its six-year graduation rate for all students from 30.4% to 31.8%.

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 six-year graduation rate.

Section 3: Underserved Students

3.1 Title 23, Article 5, Section 129 (2) (e), 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; and/or (c) males. In order to address increasing enrollment of underserved students, the Governing Board may direct available resources to the following programs designed to increase enrollment and, although not included in Title 23, Article 5, Section 129 (2) (e), Colorado Revised Statutes, retention and graduation of underserved students:

(a) Expanding the pool of students. The Institution shall continue to initiate contact with high school students in Colorado with a 2.5 grade point average who have taken the ACT, completed the precollegiate curriculum, and expressed interest in academic programs available at the Institution, regardless of income and continue the recruiting process with any of those students who express an interest in the Institution. To increase its regional service, the Institution shall continue to actively recruit *every* student in western Colorado with a 2.5 GPA who has taken the ACT (regardless of test score or income), throughout the year whether they express interest in the Institution or not.

(b) Increasing underserved student continuation and graduation rates.

(1) In contrast to state and national trends, the Institution attracts more male students than female students. The Institution will continue to provide access to this increasingly under-represented group.

(2) The Institution shall continue to actively recruit minority students from across the State and shall maintain the proportion of minority students in the student body so that it meets or exceeds the proportion of minorities in Gunnison County.

(3) The Institution shall continue extra-curricular and co-curricular activities and programming to increase awareness of diversity for students and the community that contributes to the culture of support for students. Events shall include the Multicultural Center programs, sensitivity training in residence halls regarding cross-cultural communication, disability awareness, sexual harassment training and diversity.

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

3.3 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.

NOW, THEREFORE, the Parties agree as follows:

Section 1: Transferability of General Education Core Courses

1.1 By July 1, 2006, the Institution shall complete its review of the college's general education core curriculum and ensure that it satisfies the competencies, expectations and credit hour guidelines of 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.

1.2 The Student Bill of Rights, Title 23, Article 1, Section 125, Colorado Revised Statutes, provides that students, upon the 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 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. 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 shall be refined and amended to accommodate the unique situation and role and mission of the Institution and other institutions. 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 The Institution 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 ensure that all newly enrolled, first-time students complete the Institution's general education core curriculum and ensure the following:

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

(b) All course catalogs and related materials shall clearly distinguish guaranteed transfer courses from those not approved for guaranteed transfer. Prominently placed, in the general education section of the college catalog, shall be a narrative explanation of the distinction between courses approved for guaranteed transfer and courses NOT approved for guaranteed transfer to other Colorado colleges and universities.

(c) All academic transcripts shall clearly designate all courses completed in the transferable general education core, 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 December 31, 2005, 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: Academic Assessment

2.1 The Governing Board shall continue to ensure that the Institution maintains appropriate academic quality and high standards for student achievement. The Institution will use assessment results to improve instruction and student learning as prescribed by its assessment plan. By December 31, 2006 and each year thereafter, the Institution shall

provide the Commission with assessment reports and supporting data as provided to the Governing Board.

Section 3: Faculty

3.1 The Institution shall continue to ensure that its general education core courses are taught by qualified faculty as identified by Institution standards.

3.2 The Governing Board will examine its current faculty compensation policies, including merit compensation provisions, and consider appropriate faculty evaluation, promotion and tenure policies and procedures in light of the institutional goals, mission and values. The Institution will provide to the Department copies of the Institution's compensation principles and policies for faculty. By December 31, 2006 and each year thereafter, the Governing Board shall provide a report on faculty salaries in the same format that such information is made available to the Governing Board.

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 SURDS 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 Institution and the Department agree to cooperate in developing and implementing affordable standard methods to assess students' knowledge and improve the delivery of content taught in courses approved for Colorado's statewide guaranteed transfer program. These programs shall be in place no later than January 1, 2007. The Department and the Institution 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 develop, in consultation with representatives of the Governing Boards, the base funding increase necessary for cash fund exempt increases 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 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.

1.5 If the General Assembly fails to fund the requirements found in Title 23, Article 1, Section 104 (6), Colorado Revised Statutes the Governing Board may request, and the Commission will consider, the use of tuition and fees to meet these requirements. Such request may not be made until the FY 2008 budget process commences.

Section 2: Capital Assets and Maintenance

2.1 The Governing Board shall consider, in a manner consistent with Title 23, Article 1, Section 123, Colorado Revised Statutes, the necessity of establishing a capital and/or maintenance fee for the Institution or shall consider a decision item pursuant to paragraph 1.3 above for a tuition surcharge to address maintaining existing and/or constructing new facilities.

Section 3: Facilities

3.1 The Governing Board must provide a report to the Department on the number and type (private or publicly operated) of auxiliary facilities it operates, as such facility is commonly understood under Title 23, Article 5, Sections 101.5(2) and 102, Colorado Revised Statutes, within 60 days of the Effective Date of this Performance Contract and, if there is a change in such operations, to report it by the December 31st following the fiscal year in which the change occurred.

3.2 The Governing Board 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 Governing Board that private operation of the facility can add value and improve operational efficiencies.

Goal #4: 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 achievement of all students with a particular understanding of how to close the achievement gap for boys and children of color; 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. To the extent possible, each teacher candidate shall spend time through required pre-rotation or student teaching experiences 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 400 hours 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, 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) or by faculty members who possess credentials allowing them to teach in the content area.

Section 2: Recruitment and Training of Qualified Candidates

2.1 The Institution shall 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 December 31, 2006, 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 Institution shall participate with the Department in 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: 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 workers prepared to adapt to the changes that will continue to affect our evolving economy.

NOW, THEREFORE, the Parties agree as follows:

1.1 The Governing Board shall consider high demand fields that address statewide and regional opportunities and priorities in the development of academic programs. 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 The Institution shall develop a curriculum that maximizes utilization of its rural mountain setting and the benefits to the State to fully capitalize on its long-term investment in Gunnison, including: (1) servicing needs of rural mountain communities through cultural opportunities and economic development; (2) research and education that leads to understanding of the State's natural resources and the stewardship of these assets; (3) work with land and resources agencies to promote smart resource utilization, conservation and economic utilization; (4) research and service to promote tourism and economic development in mountain communities.

1.3 The Governing Board shall annually report to the Department on or before December 31st on performance related to the Institution's designation as a regional education provider.

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 – 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 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. §23-1-115. 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.