

**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 Mesa State College (hereinafter referred to as the "Board of Trustees").

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 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 institutions 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.

WHEREAS, Colorado has a long history reflected in her constitution of granting management authority of the Universities and Colleges of this state to their respective governing boards.

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.

WHEREAS, these goals should be set collaboratively by the Board of Trustees and the Commission to provide greater flexibility and adaptability to changing economic and other market conditions.

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"), set forth the performance goals of Mesa State College (hereinafter referred to as "MSC").

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 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 a performance contract. As of the Effective Date of this Performance Contract, MSC's compliance with the terms set forth in this Performance Contract will be in lieu of MSC'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. In addition, MSC shall upon action by the MSC Trustees be exempt from the state procurement code Article 101 of Title 24 C.R.S. and the Central State Motor Vehicle Fleet System, Part 11 of Article 30 of Title 24 C.R.S. Provided specifically, however, that MSC's status as a regional education provider pursuant to statute and Commission policy shall not be changed without the agreement of the MSC Trustees.

4. Academic and Vocational Program Approval. While operating pursuant to this Performance Contract, the Board of Trustees need not consult with nor obtain approval from the Commission to create, modify, or eliminate academic and vocational programs offered

by the Board of Trustees, so long as such creations, modifications and eliminations are consistent with MSC's statutory role and mission. The Board of Trustees 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 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 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.

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 MSC 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 MSC.

7. Data Reporting Requirements The Governing Board shall transmit to the Department all annual reports and data required in this Performance Contract, including those specified in Addendum A. The Governing Board shall continue to report information through the Commission for the Student Unit Record Data Systems (SURDS) and the Integrated Post-secondary Education Data System (IPEDS) of the United States Department of Education.

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 Board of Trustees and MSC 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 Board of Trustees and MSC pursuant to this Performance Contract shall be performed consistently with applicable state and federal law.

9. Issue Resolution Process. In the event that a party to this Performance Contract should materially fail to take those actions agreed upon herein or to perform as set forth herein, the other party may notify the first party of the material failure to act or to perform ("Performance Failure"). The notice shall indicate the nature of the alleged Performance Failure and request that responsive action be taken to resolve the alleged Performance Failure within a reasonable period of time. If the first party disagrees that a Performance Failure has occurred or if the first party fails to use diligent efforts to resolve the Performance Failure within a

reasonable period of time, the parties 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. The parties shall proceed as follows:

(a) The Institution's president and the executive director of the Commission shall meet and attempt to resolve the dispute. Such meeting shall occur within thirty (30) days after a dispute is declared. If the matter is not resolved to the satisfaction of the parties within thirty (30) days thereafter, the Institution's president shall promptly report the dispute to the Governing Board and the executive director shall promptly report the dispute to the Commission.

(b) The Chair of the Governing Board and the Chair of the Commission shall meet and attempt to resolve the dispute. If the Chair of the Governing Board and the Chair of the Commission are unable to resolve the dispute within a reasonable period of time, the dispute shall be reported jointly by a joint meeting of the Commission and the Trustees. 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 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 Board of Trustees:

Tim Foster
President, Mesa State College
1100 North Avenue
Grand Junction, Colorado 81501

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 Performance 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 notation, 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 2nd day of June, 2005.

For the **Board of Trustees**:

By 
Timothy E. Foster
President, Mesa State College

For the **Department of Higher Education**:

By 
Richard F. O'Donnell
Executive Director

APPROVED:

Board of Trustees for Mesa State College

By: 
Chair

Dated: 5/6/05

APPROVED:

Colorado Commission on Higher Education

By: 
Chair

Dated: June 2, 2005

ADDENDUM A

This addendum sets forth the goals and the procedures by which the parties will address the goals, and how the parties' performance of the contract provisions will be assessed.

Goal #1: Access

WHEREAS, the Board of Trustees, MSC and the Commission agree that it is a priority 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, while maintaining and potentially 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. Which marketing program will be conducted in partnership with the state's colleges and universities and shall be adapted to coordinate with the various institutions ("regional education providers") efforts.

WHEREAS, the Department will work with MSC 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, MSC shall increase its fall-to-fall retention rate for first-time, full-time freshman, including transfers to all Colorado public and private institutions of higher education from 70% to 72%.

1.2 In addition to achieving the goal set forth in subsection 1.1 above, MSC shall continue to implement strategies developed as part of its enrollment management for increasing the retention rates for first-time, full-time freshman.

Section 2: Graduation Rates

2.1 By December 31, 2008, MSC shall increase its 6-year graduation rate for all students from 30% to 34%.

2.2 The Board of Trustees 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.

2.3 Colorado consistently ranks as one of the most highly educated populations in the United States as measured by the proportion of persons 25 years of age and older who have completed a baccalaureate degree. In 2000, the Bureau of the Census reported that 32.7% of Coloradans held a baccalaureate degree or higher. Half of the counties in MSC's region, dominated by resort communities, significantly exceeded the statewide percentage with highly educated populations that have migrated into the region: Pitkin, San Miguel, Summit, Eagle, Routt, Grand, and Ouray Counties. However, the balance of the fourteen counties have not reached the state average. Therefore, during the term of this Performance Contract, MSC shall increase the level of post secondary education activity among the people that live in those counties that are below the statewide average.

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; and/or (c) males. The Board of Trustees shall also focus on increasing the participation of underserved students at MSC with the dual goals to:

- (a) Increase the number of first generation undergraduates attending MSC by 3% annually.
- (b) Increase the number of high need undergraduates (defined as high need, or up to 150% of Pell) attending MSC by 4% annually.

3.2 The Board of Trustees shall ensure that the items in Goal #1 are consistent with the western Colorado's population profile, the college's role and mission and admissions standards, and the level of funding available.

3.4 The Board of Trustees shall work to maintain and if possible to increase its retention and graduation rates while at the same time not decreasing the quality of education provided or achievement rates of students included herein.

Goal #2: Quality and Success in Undergraduate Education

WHEREAS, the Board of Trustees, MSC and the Commission agree that it is a priority 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, MSC is committed to delivering a quality liberal arts curricula that serves as the foundation for its academic programs.

NOW, THEREFORE, the Parties agree as follows:

Section 1: General Education Requirements

1.1 By January 1, 2007, the Board of Trustees shall complete its review of MSC'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. (*See Exhibit C, hereto*).

1.2 The Student Bill of Rights, Title 23, Article 1, Section 125, Colorado Revised Statutes, provides that students, upon completion of core general education courses, regardless of the delivery method, should have those courses satisfy the core course requirements of all Colorado public institutions of higher education. In addition to those courses already approved for statewide transfer by the GE 25 Council, all other courses in MSC'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 by March 15, 2006. Any course previously approved by the GE 25 Council shall continue with their approved status and need not be resubmitted for approval. 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 with a recommendation made to the Commission prior to June 30, 2006.

1.3 The Department acknowledges that certain current GE 25 Council requirements, especially as they relate to speech, business, computer science and lab requirements for science courses shall need to be refined and amended to accommodate the unique situation and role and mission of MSC and other institutions by December 31, 2005. 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 Commission does not approve a course for inclusion in the GT Pathways, the course shall be designated with a mark that refers to the labeling set forth in subsection 1.6(b). The Department shall periodically provide a public report to the Commission on any course that is not recommended for guaranteed transfer by the GE 25 Council. Such report shall include the reasons for a course's non-approval.

1.5 After MSC 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. MSC shall continue to recognize and provide full credit for all core courses approved for statewide transfer completed at other Colorado state colleges and universities.

1.6 Beginning in August 1, 2007, the Governing Board shall ensure that all newly enrolled, first-time students complete the approved general education core curriculum 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 core courses that are not eligible for statewide guaranteed transfer. Such designation shall include 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 core course requirements that are not part of MSC's 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. Further, if a transfer student has satisfactorily completed the transferable core curriculum at another Colorado state college or university, MSC 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: Grade Distribution

2.1 The Governing Board shall continue to ensure that MSC maintains appropriate high academic quality and rigor. The Board of Trustees will complete the implementation of its assessment plan to evaluate students' knowledge and use assessment results to improve instruction and student learning in courses approved for MSC's general education core curriculum and academic major. MSC shall provide the Commission with the report on student outcomes assessment that it provides to the Board of Trustees, which shall include the underlying data, if requested by the Commission.

Section 3: Faculty

3.1 The Board of Trustees shall continue to ensure that its general education core courses are taught by high quality and qualified faculty as identified by MSC standards.

3.2 MSC has long emphasized teaching as its primary charge and consistent with outstanding teaching is committed to maintaining the scholarly and creative activity of its faculty and having faculty active in advising students and in providing service to MSC and the community. In this regard the Board of Trustees has a policy of compensating employees based upon how well they fulfill those four activities. MSC shall provide the Commission with the report on faculty performance that it provides to the Trustees of MSC, which shall include the underlying data, if requested by the Commission

Section 4: Evaluation and Assessment of Student Learning

4.1 To the extent possible and based upon available data, the Board of Trustees 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 Board of Trustees will complete the implementation of its assessment plan to evaluate students' knowledge and use assessment results to improve instruction and student learning in courses approved for MSC's general education core curriculum and academic major.

Goal #3: Efficiency of Operations

WHEREAS, the Board of Trustees, MSC and the Commission agree that a 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 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 determine the base funding increases that at a minimum shall consider changes in mandatory costs, which may include but shall not be limited to salary, insurance, utility costs, and financial aid as well as enrollment growth and inflation.

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.

1.4 The Board of Trustees will 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 Board of Trustees has historically relied on the General Assembly to appropriate funds for the maintenance, improvements and replacement of its physical assets. MSC expended over \$3 million on operation and maintenance of its facilities during FY 2004 of which approximately one percent was expended on Controlled Maintenance – those projects that extend the useful life of the facility as opposed to routine maintenance that simply prevent the accelerated depletion of the asset. Recognizing the limited likelihood of appropriations for Controlled Maintenance in FY2005, MSC plans to expend over \$200,000 on such projects during the year. MSC recognizes the value and importance of providing a quality learning environment which requires the continued maintenance and improvement of its buildings. Beginning with the fiscal year commencing on July 1, 2005, the Board of Trustees shall strive to make additional incremental increases in funding for both routine and Controlled Maintenance projects contingent upon the availability of resources that will be required to satisfy all of the performance contract requirements and any applicable tuition increase restraints placed on MSC.

2.2 The Board of Trustees shall breakout in their annual Statement of Revenues, Expenses, and Changes in Net Assets the actual amount spent on maintenance and deferred maintenance.

2.3 The Department agrees that it will streamline the Master Plan and Program Plan process. In this regard by July 1, 2006 the Commission staff shall, in consultation with the governing boards, make a recommendation to the Commission to streamline and simplify the Master Plan and Program Plan process, with particular relaxation of requirements with respect to cash funded projects, as well as, potential general fund projects.

2.4 Any project requiring less than \$500,000 in cash or general fund will be exempt from the master plan, program plan and physical planning requirements of the Commission as required by the Commission and Title 23, Article 1, Section 106, Colorado Revised Statutes. For these projects, MSC shall notify the Commission of each project by letter and send the appropriate budget forms with the notification. The Commission shall, in turn, review the budget forms and forward the request and the forms to the Capital Development Committee and the Joint Budget Committee where appropriate for spending authority.

2.5 During the first year of this Performance Contract, MSC may submit a conceptual master plan which provides information and direction about the future development of the campus, as well as, conceptual building plans for a new residence hall and academic building in lieu of submitting an amended master plan or program plan for the new residence hall and academic building. Such residence hall and academic building shall not require further approval by the Commission.

Section 3: Other Efficiency Items

3.1 The Board of Trustees 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: State and Regional Needs

WHEREAS, the Board of Trustees, MSC and the Commission agree that it is a priority for public higher education to be a primary partner in educating a workforce that contributes to the economic development and growth of Colorado.

WHEREAS, MSC has the designation of being a regional education provider for the 14 western Colorado counties.

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, such as teacher education, health care, and business, as well as workers with basic workplace vocational 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:

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 The Board of Trustees agrees to the following:

(a) MSC will work toward national accreditation for teacher education programs.

(b) MSC will partner with regional K-12 schools to provide in-service and graduate coursework for teachers.

(c) MSC will begin to offer graduate classes leading to the awarding of a master's degree.

(d) MSC will provide professional programs for teacher licensure throughout the region for those candidates who already hold a baccalaureate degree.

(e) MSC will address the recruitment, retention, and graduation of teacher candidates who are under-represented in Colorado's public schools.

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

(g) MSC will participate with the Department in analyzing the placement in K-12 schools of teacher candidate graduates and their performance by providing available data concerning graduates to the Commission within the limitations of applicable privacy laws.

1.9 By July 1, 2006, the Board of Trustees shall strive to 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) Each teacher candidate should spend at least one semester of the 800-hour field experience requirement student teaching.

(c) All teacher candidates shall have, as part of their formal preparation, 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.

Section 2: Nursing

2.1 MSC will continue to expand opportunities for advancing educational level of nurses, and enhance associate and baccalaureate nursing capacity.

2.2 MSC will develop cooperative programs that facilitate transfer from community college programs as well as rural outreach via distance delivery, thereby providing for multiple entry and exit points to meet workforce needs.

Section 3: Baccalaureate Degree Completion

3.1 MSC will develop baccalaureate degree completion programs in fields that meet the needs of regional employers based on periodic needs assessments in the fourteen counties.

3.2 MSC will implement a baccalaureate of applied science degree (B.A.S.) in business administration by July 2005.

3.3 Program completers of the B.A.S. in business administration will meet the same standards of other business undergraduates, as measured by performance on the department's assessment instrument, and employers will be surveyed on a biannual basis to determine their level of satisfaction with program graduates.

Section 4: Vocational Workforce Training

4.1 MSC 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.

4.2 MSC shall focus existing and new funds on expanding, improving and/or increasing the number of students who earn degrees in high-demand program areas such as nursing, public safety and Construction Technology.

4.3 MSC will increase the number of concurrently enrolled high school students registering for entry-level vocational training by taking fuller advantage of its unique BOCES relationship with Mesa County School District #51 and local businesses.

4.4. The Board of Trustees shall annually report to the Department on or before December 31st on the status of these programs and any proposed changes to its list of

high-demand programs, including a certification as to whether it has achieved stated goals and benchmarks, and any relevant supporting data.

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. §23-1-106. Duties and powers of the commission with respect to capital construction and long-range planning are waived to the extent set forth in Addendum A.

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. §23-1-124. 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 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

Part R: Sabbatical Programs

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 except as required by the General Assembly.