

**PERFORMANCE CONTRACT
BY AND BETWEEN
THE STATE OF COLORADO
DEPARTMENT OF HIGHER EDUCATION
AND
THE REGENTS OF THE UNIVERSITY OF COLORADO**

This Performance Contract, dated this ___ day of ____, 2005, is by and between the State of Colorado Department of Higher Education (hereinafter referred to as the "Department") and The Regents of the University of Colorado, a body corporate (hereinafter referred to as the "Institution" or "University"), acting by and through the Board of Regents of the University of Colorado (hereinafter referred to as the "Governing Board").

RECITALS

WHEREAS, in its passage of SB 04-189, known as the College Opportunity Fund Act, 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 found that greater resource flexibility can enhance educational opportunities for low-income and other under-represented students as well as increase educational excellence.

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, a high quality public higher education institution is a shared responsibility among: a) the Institution which must provide high quality instructional and

research programs, b) the State, which must provide for adequate financial resources, and c) students and their families who must pay a reasonable portion of their educational cost.

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

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

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, Title 23, Article 5, Section 129, Colorado Revised Statutes provides that the following issues may be addressed in measuring progress towards the goals: (1) appropriate levels of student enrollment, transfer, retention, and graduation rates and institutional programs designed to assist students in achieving their academic goals; (2) student satisfaction and student performance after graduation, measured by indicators appropriate to the institution's role and mission, such as employment or enrollment in graduate programs; (3) comparative cost and productivity data in relation to peer institutions; (4) assessment of the quality of the institution's academic and, where relevant, vocational programs, including assessment by external reviewers, such as accreditation boards, and employers, and consideration of student performance on national examinations; and (5) increasing financial support to sustain and enhance essential functions that may be partially state funded.

WHEREAS, Article VIII, Section 5 of the Constitution of Colorado provides that the Governing Board shall have the general supervision of the Institution and the exclusive direction and control of all funds of and appropriations to the Institution except as otherwise provided by law.

WHEREAS, Title 23, Article 20, Section 101, Colorado Revised Statutes describes the role and mission of the several principal campuses and health sciences center of the Institution as follows: (1) the Boulder campus has the role and mission of a comprehensive graduate research university, with selective admission standards, which provides a comprehensive array of undergraduate, masters, and doctoral degree programs with exclusive authority to offer graduate programs in law; (2) the Denver campus has a statutory role and mission of an urban comprehensive undergraduate and graduate research university, with selective admission standards, which offers baccalaureate,

masters, and a limited number of doctoral degree programs, emphasizing those that serve needs of the Denver metropolitan area, and with statewide authority to offer graduate programs in public administration and exclusive authority in architecture and planning; (3) the Colorado Springs campus has the role and mission of a comprehensive baccalaureate university, with selective admission standards, which offers liberal arts and sciences, business, engineering, health sciences, and teacher preparation undergraduate degree programs, and a selected number of masters and doctoral degree programs; and (4) the Health Sciences Center has the statutory role and mission of offering specialized baccalaureate, first-professional, masters, and doctoral degree programs in health-related disciplines and professions with exclusive authority in medicine, dentistry, pharmacy, and physical therapy.

WHEREAS, by resolution of the Governing Board, effective July 1, 2004, the University of Colorado at Denver and the Health Sciences Center were consolidated into a single campus known as the University of Colorado at Denver and Health Sciences Center.

AGREEMENT

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

1. Scope of Contract. This Performance Contract sets forth the mutually agreed-upon performance goals of the Institution as well as the measurements for determining progress towards those goals. This Performance Contract also sets forth the mutually agreed-upon resource, programmatic and management flexibility for the Institution.

2. Term of Contract. This contract shall be effective July 1, 2005 or upon the date of approval by the Colorado Commission on Higher Education (hereinafter referred to as the "Commission"), whichever is later, and shall remain in effect until June 30, 2009.

3. Performance Goals and Measurements. The Institution agrees to make those efforts and implement those initiatives and programs which, subject to the availability of financial resources, as described in Addenda A and B, will enable the Institution to achieve the performance goals set forth in Addendum A within the time frames established in Addendum A. The Institution agrees that its progress towards those performance goals shall be evaluated based on the measurements set forth in Addendum A. Unless specified otherwise herein, all performance measurements will be evaluated based on established University methodologies.

4. Resource, Programmatic and Management Flexibility. As authorized by Title 23, Article 5, Section 129(2), the Institution's compliance with the goals set forth herein 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. This will provide the Institution with resource, management, and programmatic flexibility so that the Institution can manage and be in control of the resources, the programs and procedures to achieve its performance goals. Addendum B sets forth the resource, programmatic and management flexibility for the Institution.

5. Institution’s Eligibility for State Funding. As provided by Title 23, Article 5, Section 129 (7)(a), during the period that the Institution is operating under a performance contract, the Institution shall remain eligible for state-funded capital construction projects and controlled maintenance projects as provided in Title 23, Article 1, Section 106. The Institution shall also remain eligible for direct state support, including, but not limited to, general fund appropriations for unfunded enrollment growth and fee-for-service contracts. As required by Title 23, Article 5, Section 129(8), the Commission shall, in consultation with the Governing Board, calculate the amount of unfunded enrollment growth, defined in the statute as “the amount of enrollment growth calculated pursuant to subsection (8) of this section that has not been funded for each governing board from state fiscal year 2000-01 through 2004-05.” As permitted by Title 23, Article 5, Section 129(8), the Department, through the Commission, may request, as a part of the annual budget cycle, a general fund appropriation for the Governing Board for the amount of unfunded enrollment growth, to the extent that there remains an amount of enrollment growth that is unfunded for the Governing Board. The Department agrees that it will not take the position that the Institution’s status as an enterprise should adversely affect its eligibility for such funding.

6. 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 and/or University shall provide the Commission with data upon formal request and 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.

7. Dispute 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 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 the parties to the Governor and the General Assembly as provided in Paragraph 8.

8. Report. Performance or non-performance on the Performance Contract and unresolved disputes arising under the Performance Contract shall be reported by the parties to the Governor and the General Assembly, and the Department shall provide all reports required by Title 23, Article 5, Section 129 (5), Colorado Revised Statutes.

9. Point of Contact and Notices. For the purposes of this Performance Contract, notices required under this Performance Contract shall be in writing and shall be sent by prepaid certified mail, return receipt requested, by facsimile, with confirmation of transmission, by overnight delivery such as Federal Express, or by hand delivery, with confirmation of receipt, to the individuals identified below who are hereby designated as the official representatives of the respective parties. Either party may from time to time designate in writing a new or substitute representative or address.

For the Department:

Executive Director
Colorado Department of Higher Education
1380 Lawrence Street, Suite 1200
Denver, CO 80202

For the Governing Board:

President
University of Colorado
914 Broadway
Boulder, Colorado 80309

10. Force Majeure. Neither party shall be considered to have materially failed to perform its obligations under this Performance Contract, including, for the Institution, its failure to meet a Performance Goal, to the extent that such failure arises out of causes beyond the reasonable control of a party. Such causes may include, but are not limited to, acts of God or of the public enemy, acts of the state or the United States in either its sovereign or contractual capacity, fires, floods, epidemics, strikes, and unusually severe weather, but, in every case, delay or failure to perform must be beyond the reasonable control of and without the fault or negligence of the party.

11. 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.

12. 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.

13. Governing Law: Venue and Jurisdiction. This Performance Contract shall be governed by and construed in accordance with the laws of the State of Colorado. Any proceeding arising out of or relating to this Performance Contract shall be brought in the courts of the City and County of Denver, State of Colorado.

14. 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.

15. Entire Agreement. This Performance Contract, including the Addenda hereto and any documents to be delivered hereunder, are intended as the complete integration of all understandings between the parties regarding performance contracts authorized by Title 23, Article 5, Section 129, Colorado Revised Statutes. No prior or contemporaneous addition, deletion or other amendment hereto shall have any force or effect whatsoever, unless embodied herein in writing. No subsequent novation, renewal, addition, deletion or other amendment hereto shall have any force or effect unless embodied in a writing executed and approved by both parties to this Performance Contract and the Commission.

16. Renewal of Agreement. The Governing Board and the Department may agree to renew this Performance Contract for an additional four-year term prior to its expiration. Any such renewal must be approved by the Commission.

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 approved by the Commission.

IN WITNESS WHEREOF, the Board of Regents of the University of Colorado has authorized the execution of this Performance Contract by the President of the University and approval of this Performance Contract on behalf of the Board of Regents by the Chair of the Board of Regents this *24th* day of *March*, 2005 and the Department of Higher Education, State of Colorado, acting by and through the

Commission, has authorized the execution of this Performance Contract by the Executive Director of the Commission this 7th day of April, 2005 and the Commission has approved of this Performance Contract this 7th day of April, 2005.

The Regents of the University of Colorado: **Department of Higher Education
State of Colorado:**

By: Elizabeth Hoffman
Elizabeth Hoffman
President

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

APPROVED:

**Board of Regents
University of Colorado**

By: Doug R. Kinnaird
Chair

APPROVED:

**Colorado Commission on Higher
Education**

By: Judy P. Weaver
Chair

Approved as to Legal Sufficiency
Office of University Counsel
By: Charles Sweet
Date: 3/31/05

ADDENDUM A - GOALS AND MEASURES

Title 23, Article 20, Section 111, Colorado Revised Statutes provides that the Governing Board shall enact laws for the government of the University, appoint its faculty and all other officers, determine the salaries of the faculty and other officers, and set the amount to be paid for tuition in accordance with the level of cash fund appropriations set by the general assembly.

The Governing Board is committed to the principle of shared governance with faculty, staff, and students, and, according to Article 5.E.5 of the Laws of the Regents:

It is a guiding principle of the shared governance recognized by the Board of Regents that the faculty and the administration shall collaborate in major decisions affecting the academic welfare of the university. The nature of that collaboration, shared as appropriate with students and staff, varies according to the nature of the decisions in question.

The faculty takes the lead in decisions concerning selection of faculty, educational policy related to teaching, curriculum, research, academic ethics, and other academic matters. The administration takes the lead in matters of internal operations and external relations of the university. In every case, the faculty and the administration participate in the governance and operation of the university as provided by and in accordance with the laws and policies of the Board of Regents, and the laws and regulations of the state of Colorado.

The State Goals outlined below are those goals set forth by the General Assembly in SB04-189. The University Goals articulate the efforts the University agrees to make toward achieving the State Goals, according to Performance Measurements outlined in SB04-189.

In the event that the combination of State support, student tuition and fees, and other University education and general fund budget revenue does not comprise the resources necessary to fund mandated costs as determined under Goal 3.1 of Addendum A in any given fiscal year, the parties to this Performance Contract shall meet and discuss whether revisions to one or more of the performance goals are appropriate. If agreement is not reached on whether revisions should be made, the parties shall initiate the dispute resolution process described in paragraph 7 of the Performance Contract.

STATE GOAL 1 - ACCESS

University Goal 1.1: Guaranteed admission to the University for all in-state undergraduate applicants who meet published guaranteed admission criteria.

Performance Measurements: A Colorado resident applying for admission as a first-time freshman will be admitted to a liberal arts and sciences college of a University of Colorado campus if the student has completed the Minimum Academic

Preparation Standards (MAPS*) requirements and either (a) graduates in the top 10% of the student's high school class or has a high school GPA of 3.8 or better, or (b) graduates in the top 25% of the student's high school class or has a high school GPA of 3.5 or better, and has an ACT score of 24 or higher or a combined SAT score of 1150 or higher.¹ The University may review and modify these criteria during the term of the Performance Contract. The applicant must submit a complete application postmarked by the published application deadline for the campus to which the student initially applies. The applicant must also meet campus-required behavioral standards.

A Colorado resident without a bachelor's degree will be admitted as a transfer student to a liberal arts and sciences college of a University of Colorado campus if the student: (1) meets the freshmen guarantee requirements (MAPS* requirements may be met by high school or college course work); (2) presents at least 13 hours of successfully completed college work with a college GPA of 2.75 or better; and (3) submits a complete application postmarked by the published application deadline for the campus to which the applicant applies initially. The applicant must also meet campus-required behavioral standards.

The University will report annually its undergraduate and graduate enrollments.

*MAPS requirements: 4 units of English, 3 units of math, 3 units of natural science including at least one year of laboratory science, 2 units of social science including at least one year of US or world history, and 2 units of a single foreign language, with a total of 16 academic units.

University Goal 1.2: Greater access to the University for academically qualified students from Colorado who are historically underrepresented—minorities, males and low-income students.

Performance Measurements: The University will focus efforts on increasing the number of Colorado students from underrepresented groups—as those groups are defined by the University—served by its Pre-Collegiate and Pipeline programs listed in Attachment 1. By June 30, 2009 the University will increase the number of males from underrepresented groups served by the Pre-Collegiate Programs identified in Attachment 1 by 5%. The University will continue to direct available resources to its Pre-Collegiate and Pipeline Programs. The University will report annually: (1) retention rates of first-time full-time in-state minority freshmen to the second fall semester; and (2) 6-year graduation rates of in-state minority undergraduates. The University will also report annually on the percentage of students completing the Pre-Collegiate Program who matriculate to college.

¹ Admission may be to a liberal arts and sciences college on a University campus other than the campus to which the student initially applied. However admission to other schools or colleges, such as business or engineering, is determined by individual campuses; there is no system-wide guarantee.

University Goal 1.3: Coverage, free and clear of debt, of tuition, fees, and books for low-income, resident students who enter as first-time freshmen or transfer from Colorado community colleges.

Performance Measurements: Beginning with students entering in fall 2005, the University will guarantee that for all in-state undergraduate students who enter as first-time freshmen or transfer from a Colorado community college and whose family income is at or below 100% of the federally-established poverty level, a combination of federal and state grants, institutional grants, and work study earnings will cover the entire cost of tuition, fees, and books. An entering student meeting the income guidelines will be eligible for this program if the student is a Colorado resident, is enrolled as a full-time student, and enters as a first-time freshman or transfers from a Colorado community college.

The amount of work study offered a student will be determined after the application of federal, state, and institutional grants to the cost of tuition, books, and fees. In no case will a student be expected to work more than 12 hours per week in a work study position. If a student chooses not to participate in the work study program, then the student may elect to assume debt in place of the work study component.

The University determines eligibility for the guarantee program when the student enters the University. Students who make satisfactory academic progress and continue to meet the family income guidelines may remain in the program for up to 10 semesters or completion of a bachelor's degree, whichever comes first. A student whose financial status changes after entering the University may ask for a reconsideration of eligibility, but the University does not guarantee continuation in the program for these students.

University Goal 1.4: Increased transferability among Colorado institutions of higher education of State guaranteed general education core courses.

Performance Measurements:

1. By January 1, 2006, the Governing Board shall complete its review of the University's general education core courses and curriculum to ensure that they satisfy 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.

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 core course requirements of all Colorado public institutions of higher education. In order to meet this requirement, the University's general education core courses that are consistent with the knowledge and skill requirements spelled out in Title 23, Article 1,

Section 125 and established by the GE 25 Council and the Commission (“General Education Core Courses”), which shall exclude those courses described in paragraph 3 below, 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 according to the following schedule:

(a) At least fifty (50) percent of General Education Core Courses offered by the University at each campus, excluding those courses described in paragraph 3 below, shall be nominated for review by the GE 25 Council or its successor by June 30, 2007.

(b) All General Education Core Courses offered by the University’s at each campus, excluding those courses described in paragraph 3 below, shall be nominated for review by the GE 25 Council or its successor by June 30, 2009.

3. Lower division general education course requirements that are part of the University’s core curriculum but not part of the general education core in the statewide guaranteed transfer program for general education 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 core courses in the statewide guaranteed transfer program for general education at another Colorado state college or university, the University 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.

4. In order for the University to achieve this performance goal, 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.

5. 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 requirements for guaranteed statewide transfer.

6. 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 in accordance with the requirements of subsection 8(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.

7. The University 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 University 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 by students' testing out of core courses using a competency testing process approved by the Commission pursuant to Title 23, Article 1, Section 125(4), Colorado Revised Statutes.

8. Beginning in August 1, 2006, the Governing Board shall ensure that all newly enrolled, first-time students complete the University'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 other related published materials shall either list in a separate section or clearly designate lower division general education core courses that are not approved for statewide guaranteed transfer. Such designation shall, at a minimum, include, next to the course title, a symbol designating the courses as not approved for guaranteed transfer to other Colorado colleges and universities. On each page where the symbol appears, there shall be language identifying the symbol as meaning, "This course is **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.

STATE GOAL 2 - QUALITY AND SUCCESS

University Goal 2.1: High level of student satisfaction with the learning experience and overall education.

Performance Measure: By the end of Academic Year 2007-08, at least 90% of graduating students and/or alumni responding to surveys will indicate that campus programs met their educational goals.

University Goal 2.2: High numbers of students engaged in activities that lead to successful learning.

Performance Measurement: The University will calculate baseline numbers of undergraduate students engaged in small learning and service communities—e.g. internships, academic neighborhoods, freshmen seminars, senior seminars, independent study, study abroad, faculty-student research projects, service learning projects—and will make efforts to increase them by the June 30, 2009. The University will report annually on the number of students engaged in such programs.

The baseline for this performance measure is provided in Attachment 2.

University Goal 2.3: High level of student achievement on national Standardized Tests.

Performance Measurements: Using a rolling three-year average, in years during which at least twenty University students take the following tests, the average scores of University students during the term of the Performance Contract will be as follows:

GRE - Exceed national average.

CPA Exam - Exceed national average pass rate by 15%.

(Currently the national pass rate is 16%; the University's pass rate is 19%, a difference of more than 15%, though a difference of 3 percentage points.)

Colorado Bar Exam - Exceed the state pass average of individuals taking the exam who did not graduate from the University's law school.

NCLEX-RN – Achieve pass rates of 85% or better

Achieve pass rates of 90% or better in the following health field exams.

- Physical Therapist Licensing Exam
- Central Regional Dental Test
- National Board of Dental Examinations Part 1
- National Board of Dental Examinations Part 2
- US Medical Licensing Exam Step 1
- US Medical Licensing Exam Step 2
- National Pharmacy Licensing Exam

PLACE Exams. The University will exceed the state average pass rates on the following PLACE tests:

- Elementary Education
- Social Studies
- English
- Science

University Goal 2.4: National recognition of the University's high quality programs.

Performance Measurement: During the term of the Performance Contract, the University will be among the top ten public universities in the country, based on National Science Foundation measurements of federal research expenditures and based on a three-year average.

University Goal 2.5: Increased student retention and graduation rates.

Performance Measurements: By June 30, 2009, the University shall increase the first-time, full-time freshmen retention rate across all campuses by at least one percentage point. The University's goal will be to increase the proportion of first-time, full-time, freshmen retained across all campuses through the second fall semester from the current University average of 80% (which is 7 points above the state average of 73%, Source: QIS Measure 2A, 2003) to 85% by December 31, 2015. Over the ten-year time frame, the individual campuses will pursue the following targets: Boulder, from 83% to 88%; Colorado Springs, from 64% to 72%; and Denver, from 68% to 72%. During the term of the Performance Contract, the University will pursue effective programs designed to achieve this goal.

The University's goal will be to increase its 6-year graduation rate to 66%, which is 16 points above the national average for 4-year public institutions (currently 50%) by the end of Academic Year 2015-16. Over the ten-year time frame, the individual campuses will pursue the following targets: Boulder, from 66.8% to 71%; Colorado Springs, from 37.4% to 42%; and Denver, from 39.2% to 42%. During the term of the Performance Contract, the University shall maintain its current graduation rate and will pursue effective programs designed to achieve this goal.

The University will report annually: (1) retention rates of first-time full-time students through the second fall semester; and (2) 6-year undergraduate graduation rates.

University Goal 2.6: Enhanced academic rigor.

Performance Measurement: The University will put initiatives in place to enhance the academic rigor of undergraduate education. The University will report annually to CCHE on initiatives undertaken and on-going programs to enhance the academic rigor of the University's undergraduate experience. To the extent that the University prepares relevant supporting data for its own use, it will provide such data to the Commission in the same format.

University Goal 2.7: Maintaining a high quality faculty.

Performance Measurement: Because faculty compensation is a major factor in maintaining a high quality faculty, the Governing Board will have in place faculty compensation principles and policies requiring that merit be the prevailing factor in all recommended salary increases.

The University will provide to CCHE copies of the University's compensation principles and policies for faculty. The University will also provide information annually on faculty salaries in the same format that such information is made available to the Governing Board.

STATE GOAL 3 - EFFICIENCY

University Goal 3.1: Efficient use of University resources.

Performance Measurement:

a) 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.

b) The Department shall use the information submitted by the University to develop, in consultation with representatives of the Governing Board, the base funding increase necessary for cash fund exempt increases that, at a minimum, shall consider changes in mandatory costs, which may include, but shall not be limited to, compensation packages for faculty, administrative/professional, and classified employees, insurance, financial aid, 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.

c) 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 budget process. In developing future requests for tuition increases above mandatory cost increases, the Governing Board may report tuition rates, fees, and state support for Colorado students attending University campuses against comparable data for students attending peer institutions. The Commission shall forward these decision items to the General Assembly and the Office of State Planning and Budgeting during the budget process.

d) To maintain affordable access to high quality education for the citizens of Colorado, the total University expenditures for administration costs as a percentage of total University expenditures and transfers of funds, as determined by the University controller, will annually fall below the annual average comparative cost percentages for peer institutions.

e) The Commission and the Governing Board agree that it is important that Colorado maintain access to affordable higher education. To that end, the Governing Board shall strive to control mandatory cost increases so that they 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. The Governing Board also shall strive to ensure that tuition rates and financial aid policies, taken together, keep enrollment affordable for all qualified students from Colorado and allow Colorado students to graduate with manageable debt levels.

University Goal 3.2: Increased revenues from sources other than state funds and tuition dollars.

Performance Measurements: By June 30, 2009, the University will: (1) increase revenues from private sources by an annual average of 1%; (2) increase technology transfer revenues from licensing fees and royalties by 5% per year; and (3) generate at least 20% of its annual expenditures from grants and contracts.

University Goal 3.3: Increased Resources for Capital Assets and Maintenance

Performance Measurements: 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 campuses within the University or shall consider a decision item pursuant to paragraph 3.1(c) of Addendum A for a tuition surcharge to address maintaining existing facilities and/or constructing new facilities.

STATE GOAL 4 - ADDRESSING STATE NEEDS

University Goal 4.1: Enrichment of the state economy.

Performance Measurement: Return on State investment: based on a three-year rolling average over the term of the Performance Contract, for every unrestricted general fund dollar appropriated to the University, the University will generate at least \$15.00 in Gross State Product; for every dollar of state general fund support to the University, at least .5 dollars will be recaptured by the State as State tax revenue.

Performance Measurement: On an average over the term of the Performance Contract, at least two new companies will be created annually as a result of the University's activity.

University Goal 4.2: Provide undergraduate, graduate, and professional training to meet areas of need in the state.

Performance Measurements: The University will identify disciplines and professions, including those listed in Attachment 3, that are special or unique to its role and mission and will maintain the current numbers of degrees, certificates and licenses earned in those disciplines and professions and increase those numbers by the end of the Performance Contract term. Increases depend, in the case of Health Sciences Center programs, on the completion of the move to the Fitzsimons campus. Further, the University will identify disciplines and professions (examples are listed in Attachment 3) in areas of persistent shortage or future need and will make efforts to increase the numbers of degrees, certificates and licenses earned in those disciplines and professions by the June 30, 2009.

University Goal 4.3: Meeting the need for well-prepared K-12 teachers.

Performance Measurements: To serve the goal of integrating teacher education programs into local schools districts, the University shall continue its active and extensive engagement in teacher education with partner schools. The baseline measure of the University's partner schools is provided in Attachment 4.

To ensure that teacher candidates are prepared to teach a diverse array of students and in keeping with the requirements of NCATE, the University's teacher education training shall include instruction on how to teach students with different learning styles (including the influence of gender, race, ethnicity, culture and student ability), which shall be demonstrated by annual outcomes assessments of teacher candidates (including site supervisor evaluations). The University will report to the Commission annually on outcomes assessments of teacher candidates and will report any revisions to the teacher education core curriculum that result from these assessments by June 30, 2009.

To ensure that teacher candidates are prepared in a way consistent with the expectations of the State, the University's teacher education training shall maximize pre-student teaching and student teaching placement in diverse settings in the schools that the campuses serve. This will mean that, when resources allow and when practicable, student placements will be maximized in schools that are either low performing or have significant student populations eligible for free/reduced lunch or who represent minority groups. Further, the University's teacher education training programs shall require that:

(a) Not less than one semester of each teacher candidate's 800-hour field experience, or its equivalent, shall be spent teaching,

(b) All teacher candidates shall have received, 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.

Finally, 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 to or approved by the departments from which the courses originate (e.g. American history courses are taught by history department faculty members or faculty members approved by the history department, mathematics courses are taught by mathematics department faculty members or faculty members approved by the mathematics department).

Performance Measurement: The University shall report on 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.

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

The Governing Board shall ensure that the University participates with the Department in analyzing the placement in K-12 schools of teacher candidate graduates and their performance once placed, if this information is provided by the Colorado Department of Education or individual schools or school districts.

(a) Attachment 1 to ADDENDUM A. Examples of University programs that support recruitment and retention of underrepresented students:

Pre-Collegiate Programs²

- Pre-Collegiate Development Programs developed by the Boulder, Denver, and Colorado Springs campuses: Academic enhancement programs designed to motivate educationally and/or economically disadvantaged high school youth to complete and graduate from high school and successfully matriculate to a postsecondary institution of the student's choice. These programs have been expanded on a pilot basis to middle schools as well.
- "CU Succeed" - University courses offered to high school students (UCDHSC).
- On average, for the baseline years 2002-04, the University had 487 male students enrolled in its pre-collegiate programs; this number will be increased by 5% by June 30, 2009.

Pipeline Programs

- Undergraduate programs such as honors and residential academic programs, undergraduate research opportunities, freshmen seminars, tutoring and assistance centers for writing, mathematics, and science, and academic advising, enhance retention. Specific examples include:
 - CU-LEAD Alliance at Boulder – a set of multidisciplinary academic neighborhoods promoting educational excellence for underrepresented and first generation students.
 - Colorado PEAKS Alliance – collaboration between the Boulder Campus and Colorado State University Alliance to enhance and improve the way that underrepresented doctoral students are recruited, retained and graduated in the state.
 - The Summer Multicultural Access to Research Training (SMART) program (UCB) undergraduate students preparing for graduate work get opportunities to conduct summer research in science and engineering. It is aimed at underrepresented, first generation, and economically disadvantaged students.
 - University Connection program (UCCS) provides students completing an associate's degree at a select group of Colorado community colleges with a

² Per University Goal 1.2, by the end of the term of the Performance Contract, the University will increase the number of males from underrepresented groups served by these programs by %5.

GPA of 3.0 or higher with guaranteed admission, a scholarship, and a waiver of the admissions fee.

- The Southern and Rural Colorado Outreach Initiative (UCCS) provides an increase in awareness of UCCS and other higher education options throughout southern Colorado; UCCS visits all high schools and community colleges in this region.
- Freshmen Seminar program (UCCS): Approximately half of all entering freshmen enroll in one of eight cross-college, multi-section, interdisciplinary Freshmen Seminar courses. Freshmen Seminar students are retained at a significantly higher rate than students not enrolled, despite similar entry profiles as measured by either standardized tests or high school GPA.
- Pipeline programs at UCDHSC (beyond Pre-Collegiate Program already listed); Community College Partners Program (for Colorado community college students); First Generation Pipeline Program with Community College of Denver.
- Mid-Term Grade Reporting Project (UCDHSC): Systematic collection of data on students who have less than 30 credits and who are not passing classes at mid-term time. Students are contacted and referred to appropriate services.
- Mandatory academic advising (UCDHSC): Each semester, advising stops are placed by the undergraduate college advising offices and the Academic Advising Center on all students who have less than 30 credit hours.
- Accuplacer placement testing (UCDHSC): New entering freshmen are required to take the Accuplacer test in English and College level math to determine appropriate placement levels in courses.
- Community College Partners Program (UCDHSC): Academic and other support programs between the Community College of Denver and UCDHSC. This program is designed to provide a seamless transition for CCD transfer students.
- McNair Program (UCDHSC and UCB): Recruits underrepresented students who wish to pursue graduate work.
- School of Education (UCDHSC): Teacher Cadet program in high schools, targeted to underrepresented and low-income high schools in the Denver metro area. This program offers university credit toward teacher licensure.
- Graduate School Outreach (UCDHSC): Targeted recruiting of students underrepresented in biomedical research. Among these are “pipeline” arrangements with CCD and USC (both supported by BRIDGES grants), GEMS (Graduate Experiences for Minority Students), and recruiting at the Society for the Advancement of Chicanos/Latinos and Native Americans and Annual Biomedical

Research Conference for Minority Students, and at undergraduate institutions with high enrollment of underrepresented students.

- Health Professions Introductory Programs: School of Medicine (UCDHSC) Rural Health Scholars Program – Student- run program for college students to expose them to health careers; Summer Health Institute; AHEC program for rural and disadvantaged high schools students to learn about health careers; Cherry Creek Medical Careers Program to expose high school students to health professions.
- School of Dentistry (UCDHSC): Program for accepted dental applicants to participate in an intensive basic science review course prior to the start of their first dental semester to improve the success of students once enrolled.
- School of Pharmacy (UCDHSC): annual Professional Opportunities Fair; an English as a Second Language program; and courses for prospective pharmacy students to assist them in speaking, pronouncing, writing, reading and listening to English at the very high level that is required of health professions students. The course meets multiple times weekly for 5 months prior to the pharmacy school admissions interviews to give prospective students the best opportunity to be successful during the interview process.
- School of Nursing (UCDHSC): Recruitment focused on increasing diversity of student body through outreach to community colleges and urban campuses with a more diverse student body; program with middle schools to increase interest in nursing among young people from diverse backgrounds; increased access to several programs through distance education strategies, e.g. entire RN-BS program is online and accessible to nurses across Colorado and several specialty options in the Master of Science (M.S.) program are accessible through online and interactive TV courses to nurses across Colorado.

Attachment 2 to ADDENDUM A: Undergraduate Students in Small Learning and Service Communities.

Number of students involved in internships and service learning (AY 2003-04):

1,516

Number of students involved in individual or small group activities: freshmen seminars, senior seminars, independent study, study abroad, and faculty-student research projects:

7,329

Total number of undergraduates in small learning and service community activities:

8,845

Attachment 3 to ADDENDUM A: Examples of disciplines and professions that are special or unique to the University's role and mission and that represent areas of persistent shortage or future need:

Special or Unique Programs³

Law (P)
Journalism (U, G)
Aerospace Engineering (U, G)
Speech, Language, and Hearing Sciences (U, G)
Telecommunications (G)
Doctoral programs in Foreign Languages and Literature (G)
Astronomy (U)
Architectural Engineering (U)
Film Studies (U)
Applied Geography (G)
Geropsychology (G)
Distance MBA (P)
Professional Golf Management (in Business) (U)
Child Health Associate/Physician Assistant (P)
Pharmacy Doctorate (P)
Doctor of Dental Science (P)
Medical Doctor (P)
PhD Nursing (G)
Public Administration (G)
PhD Health and Behavioral Sciences (G)
Architecture (P)

Number of degrees awarded in Special or Unique Programs (FY 2003-04): 1, 473

Areas of Persistent Shortage or Need

- Teacher Education Licensures and Endorsements
- Special Education (U, G)
- Bilingual/ESL
- Principal Preparation
- Reading Teacher Endorsements
- Secondary Math and Science
- School Psychology (G)
- Nursing (U, G)
- Health Care Science (U)
- Criminal Justice (G)

³ Special or Unique programs include those in which CU produces 90% or more of all the degrees, licenses or certificates among public higher education institutions in the state. This list is not exhaustive.

- Life Sciences/Biosciences (Integrative Physiology, Biochemistry, Chemistry, Molecular, Cellular and Developmental Biology, Chemical Engineering – U, G)
- Aerospace and Space Sciences
- Telecommunications and Software

Number of completions awarded in areas of persistent shortage or need (FY 2003-04): 2,614

Areas of Future Need

- Space Studies
- Nanotechnology
- Homeland Security (certificates)
- On-line special education
- Disaster Management (certificate)
- D. Aud. (Professional Doctorate in Audiology)

New Programs begun in Areas of Future Need will be reported at end of contract.

Attachment 4 to ADDENDUM A: Partner School Participation

Boulder

Mapleton Schools, Adams County District 1

Five Star Schools, Adams County District 12

Boulder Valley Schools

Brighton District 27J Schools

Adams County District 50 Schools

St. Vrain Valley Schools

Colorado Springs

Chipita Elementary, District 11

Edith Wolford Elementary, District 20

Frech Elementary, District 3

Jordahl Elementary, District 8

Otero Elementary, District 2

Remington Elementary, District 49

Springs Ranch Elementary, District 49

Woodmen Hills Elementary, District 49

Jenkins Middle School, District 11

Timberview Middle School, District 20

Wasson High School, District 11

Denver

Westview Elementary, Adams 12

Rocky Mountain Elementary, Adams 12

Hillcrest Elementary, Adams 12
Niver Creek Middle School, Adams 12
Northglenn High School, Adams 12
Thornton High School, Adams 12
Adams City High School, Adams 14
Adams City Middle School, Adams 14
Alsup Elementary, Adams 14
Monaco Elementary, Adams 14
Dupont Elementary, Adams 14
Rose Hill Elementary, Adams 14
Central Elementary, Adams 14
Kemp Elementary, Adams 14
Hanson Elementary, Adams 14
Pioneer Elementary, Douglass Co.
Fairmont, Denver Public School (DPS)
Goldrick Elementary, DPS
Garden Place Elementary, DPS
Smiley Middle School, DPS
Rishel middle School, DPS
Leadership Academy @ Manual, DPS
Arvada West High School, Jefferson Co.
Jefferson County Open School, Jefferson Co.
Swanson Elementary, Jefferson Co.
Semper Elementary, Jefferson Co.
Ryan Elementary, Jefferson Co.

Montview Elementary, Aurora

South Middle School, Aurora

Also attached is a spreadsheet with details of the Boulder School of Education's involvement in area schools.

ADDENDUM B

RESOURCE, PROGRAMMATIC AND MANAGEMENT FLEXIBILITY

This Addendum B describes the resource, programmatic, and management flexibility which the Department agrees to provide or agrees to support for the University under the terms of the Performance Contract.

1. Management and Programmatic Flexibility.

(a) Statutory Requirements

As of the effective date of this Performance Contract, the University's compliance with the goals specified in the Performance Contract will be in lieu of the statutory requirements of Title 23, Article 1 and the "Higher Education Quality Assurance Act," Title 23, Article 13, as set forth below, and Commission regulations, policies or procedures enacted under the authority of such provisions.

Section 23-1-103.5. Establishment of annual allowable cash fund revenues and expenditures by general assembly.

The University shall continue to be subject to the requirements of this section with the understanding that, so long as the University is an enterprise, University expenditures would fall within an exclusion in section 20 of Article X and would not be included in the limitation on state fiscal year spending.

Section 23-1-105. Duties and powers of commission with respect to appropriations – repeal.

The University shall be subject to subsections (1), (4), (5) and (8). The University shall not be subject to subsections (2) or (3) of this section. Subsections (6) and (7) have been repealed.

Section 23-1-106. Duties and powers of the commission with respect to capital construction and long-range planning

The University shall continue to be subject to the requirements of this section except that the Commission agrees that any project requiring less than \$500,000 of state moneys will be exempt from the requirements of program and physical planning as permitted by subsection (5)(b). For these projects, the University shall notify the Commission of the 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 (CDC) and Joint Budget Committee (JBC) for spending authority.

In addition, prior to submitting any request for spending authority from the CDC and the JBC for capital projects that are to be constructed, operated and maintained solely from cash funds exempt sources, such as tuition, fees, auxiliary funds, wholly endowed gifts and bequests, research building revolving funds, or a combination of such sources, the Governing Board shall submit a capital program plan to the Commission for its review. For these projects, the Commission, in consultation with the Governing Board, shall adopt procedures on how these projects are to be reviewed subject to the conditions of C.R.S. §23-1-106. These procedures shall provide that the Commission will submit its recommendations to the CDC and the JBC within forty-five (45) days after the Governing Board formally submits its request and all information regarding the program plan as requested by the Commission. If the Commission fails to meet the forty-five (45) day requirement, the Commission will forward the project to the CDC and JBC without a recommendation.

The Commission through the Department agrees to work with the institutions to review its policies with respect to capital assets and construction and to revise them, where appropriate, to further streamline the approval process and reduce associated administrative burdens and costs.

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

The University shall be subject to the requirements of subsection (2), subject to the limitations described in this paragraph, and subsections (4) and (5) of this section. With reference to the requirements of the remaining subsections of this section, the Governing Board will not be required to consult with or to obtain approval from the Commission to create, modify, or eliminate academic programs offered by the University, so long as such creations, modifications, and eliminations are consistent with the University'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 program if the change made by the Governing Board is inconsistent with the University's statutory role and mission. With reference to subsection 2, the Commission, through the Department, agrees that its authority to discontinue programs will be exercised based on a low demand criterion. With reference to subsection 4, the Commission, through 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 early retirement, retraining, and severance programs.

Section 23-1-108. Duties and powers of the commission with regard to system wide planning

The University shall not be subject to subsections (1)(a), (1)(b), (1)(f), (1)(g), (1)(h), (6), (7)(b), and (9) of this section. The Commission through the Department agrees not to adopt any policies pursuant to the statutory authority granted in this section, including policies with respect to role and mission, admission and program standards, enrollment, tuition and fees that conflict with the terms of this Performance Contract.

Section 23-1-109. Duties and powers of the commission with regard to off-campus instruction

The University 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 operational and 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 University's statutory role and mission. Further, it is agreed that the Commission's review of such programs shall be completed within thirty (30) days after the Commission receives a request for approval from the University, and that, if the review is not completed within a thirty (30) day period, the request shall be deemed to be approved.

Section 23-1-113. Commission directive - admission standards for baccalaureate and graduate institutions of higher education

The University shall be subject to the requirements of subsection (1)(b)(I)(A). The University shall be subject to the requirements of the first sentence of subsection (1)(b)(I)(B) as follows: "In lieu of the established statewide criteria, additional criteria may be used for up to twenty percent of the admitted freshmen." The University shall be subject to the remaining requirements of subsection (1)(b)(I)(B) with the following understanding: The Commission, through the Department, agrees to work with the institutions to revise its statewide remedial education policy to allow alternative placement testing that is consistent with the intent of the policy and of Title 23, Article 1, Section 113(1)(b)(I)(B), Colorado Revised Statutes. The University shall be subject to the requirements of subsections (1)(b)(I)(C), (1)(b)(II), and (1)(c).

Section 23-1-115. Commission directive – review and action on existing degree programs

The University shall not be subject to the requirements of this section.

Section 23-1-124. Commission directive – sophomore assessments

The University shall not be subject to the requirements of this section.

Article 13. Higher Education Statewide Expectations and Goals and Quality Indicator System

The University shall not be subject to the requirements of Section 104, subsections (2), (3), and (6) and Sections 105, 107 and 108 of this article.

(b) Commission Policies.

The University's compliance with the goals specified in the Performance Contract will be in lieu of the requirements of the Commission policies identified below. It is understood, as described in paragraph 1(a) above, that Commission policies enacted under statutory requirements which have been waived under paragraph 1(a) are considered waived as a result of the waiver of the statutory requirements. It is further understood and agreed that the list of policies identified below may be supplemented by written agreement of the University president and the executive director of the Department.

Academic Affairs:

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 S: Newly-Approved Academic Programs in State-Supported Institutions of Higher Education.

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.

2. The University's exemption from the requirements of Title 24, Article 101 and from the requirements in Title 24, Article 30, Section 1104(2), Colorado Revised Statutes.

The University's exemption from the requirements of Title 24, Article 101 and from the requirements in Title 24, Article 30, Section 1104(2), Colorado Revised Statutes, shall be governed by the provisions of Title 24, Article 101, Section 105 and Title 24, Article 30, Section 1104(2) and not by the provisions of this Performance Contract.

3. Resource Flexibility.

Institutional Plans for Tuition Increases. As provided by Title 23, Article 5, Section 129(6)(c), Colorado Revised Statutes, the University shall develop its requests for spending authority, including planned tuition increases, according to the terms of paragraph 3.1 of Addendum A, and forward its requests to the Commission. The Commission shall forward the University's requests to the General Assembly for consideration in the budget. The Governing Board understands and agrees that the General Assembly has expressly retained the authority in Title 23, Article 5, Section 129, Colorado Revised Statutes, to approve spending authority for the Governing Board.