

METROPOLITAN STATE COLLEGE *of* DENVER
BOARD OF TRUSTEES
Strategic Name Initiative Committee
June 1, 2011
7:00 a.m. – 8:30 a.m.
Tivoli Center-Room 320

Agenda

- I. Call to Order
- II. Updates
- III. Discussion regarding needed consultants
- IV. Future meetings schedule
- V. Adjournment

METROPOLITAN STATE COLLEGE *of* DENVER
BOARD OF TRUSTEES
Annual Business Meeting
June 1, 2011
8:45 a.m. –11:15 a.m.
Tivoli Center-Room 320

I. CALL TO ORDER

II. CONSENT AGENDA

- A. Approval of May 4, 2011 Board Meeting Minutes**
- B. Approval of May 4, 2011 Board Work Session Minutes**
- C. Tenure Recommendation**
- D. Office of Human Resources report of personnel actions which have occurred since the last Board Meeting on May 4, 2011.**

III. REPORTS

- A. Chair's Report- Chair Rob Cohen**
- B. President's Report: Dr. Stephen Jordan**
- C. Legislative Report: written report by Capstone Group, LLC**
- D. AHEC Board Report: Trustee Maria Garcia Berry**
- E. Foundation Report: Trustee Bill Hanzlik**
- F. Finance Committee Report: Trustee Ellen Robinson**
- G. Academic and Student Affairs Committee Report: Trustee Michelle Lucero**
- H. Strategic Name Initiative Committee Report: Trustee Terrance Carroll**
- I. Student Government Report: Samantha O'Brien**
- J. Faculty Senate Report: Dr. Kamran Sahami**
- K. Council of Chairs Report: Greg Watts**
- L. Alumni Report: Eric Peterson**

IV. ACTION ITEMS

- A. Nomination and Election of Board Officers**
- B. Suspension of the Bylaws and Bylaws Change regarding Scheduling of Board Meetings**
- C. Approval of 2011-2012 Board Meeting Schedule**

From Finance Committee

- D. Adoption of Proposed FY 2011-2012 Student Charges**
- E. Adoption of FY 2011-2012 Budget**
- F. Franchise Investment Trust Program (Center for Innovation)**

From Academic and Student Affairs Committee

- G. Handbook Revisions**
 - i. Faculty Evaluation Revision**

- ii. Full-time Non-Tenure Line Faculty Revisions**
- iii. Appendix A Revision-Theatre**
- iv. Appendix A Revision-Art**

- V. INFORMATION ITEMS (requires no approval by the Board of Trustees)**
 - A. Plus/Minus Grading from Academic and Student Affairs Committee**
 - B. Office of Human Resources report of personnel actions for the Board's information which have occurred since the last meeting on May 4, 2011.**

VI. PUBLIC COMMENT

VII. ADJOURNMENT

METROPOLITAN STATE COLLEGE of DENVER
BOARD OF TRUSTEES Meeting
Wednesday, May 4, 2011
Board Minutes

CALL TO ORDER

The Board of Trustees meeting was **called to order** at 8:11 a.m. by Trustee Cohen, Chair. He was joined by Vice Chair Michelle Lucero, Trustee Bookhardt, Trustee Hanzlik, Trustee Carroll, Trustee Harris (via telephone), Faculty Trustee Nees, Student Trustee Cammack, and Alumni Representative Peterson. President Jordan and Board Secretary Loretta P. Martinez were also in attendance, along with various faculty, administrators and staff.

PUBLIC SESSION

Chairman Cohen advised that the Board would have a different structure to today's meeting in that the official board meeting would be held, the board would take a quick break, and then move into a working session held retreat style.

CONSENT ITEMS

Trustee Bookhardt moved, with a second by Trustee Hanzlik and the motion was **unanimously approved** by the board, thereby approving the consent agenda, including the minutes of the April 6, 2011 Board Meeting and April 21, 2011 Special Board Meeting.

REPORTS

CHAIR'S REPORT – Chairman Robert Cohen

Chairman Cohen began by stating how he proud he was of the entire institution and all involved in way the Strategic Name Initiative was handled. He reminded everyone that the Board voted to move forward with the name initiative but not during the current legislative session.

He then advised that as a part of the President's evaluation, the Board was encouraged by the outside consultant to potentially look at adding a Chief of Staff position under President Jordan. He felt it appropriate to look at this recommendation and ask the Finance Committee to take this into consideration and come with a recommendation to proceed.

AHEC REPORT – (None)

PRESIDENT'S REPORT – Dr. Jordan's written report was handed out to the Trustees, and he provided the following updates to the Board:

- Budget highlights with full budget parameters provided in the Finance Committee Report
- Controlled maintenance plan with Auraria
- Campaigning related to name change
- Update on legislative session
- Upcoming commencement ceremony

FOUNDATION REPORT – Trustee Hanzlik provided the following highlights in regards to the Foundation Report:

- The Foundation Board met April 12th
- Center for Innovation Franchise Program – draft of the MOU outlining its legal structure will be presented to Foundation Executive Committee May 10 and then to this Board in June
- On June 1st the Leadership Circle event will be held at the Center for Visual Arts. Outgoing Trustees Adele Phelan and Antonio Esquibel will be honored. Long time Foundation board member Larry Sturton will receive an award
- Reminder that the goal is to obtain 100% participation from the Trustees in annual gift giving

At this point Chairman Cohen called on Student Trustee Kat Cammack for a short presentation regarding the new Roadrunners Fight Song, which was played and sang. Chairman Cohen stated he would entertain a motion to make the fight song official. Trustee Bookhardt moved for approval Trustee Carroll seconded the motion - the item was **approved unanimously**.

LEGISLATIVE REPORT – (None)

STUDENT GOVERNMENT REPORT – Presented by Tess Halonen for Student Government Assembly President Sammantha O’Brien reported that:

- Elections were held and Jesse Alton will be the new President of SGA
- Vice President will be Tessa Johnson Farrell Jones
- Update on the Runners Program
 - #1 goal is to keep the program going
 - Working in conjunction with the SOAR Orientation Staff to become integrated into their process
- Finals!

FACULTY SENATE REPORT – Professor Kamran Sahami, President reported that:

- The plus/minus grading policy has made its way through the process and will be presented to the Academic & Student Affairs Committee
- Faculty Senate is working with SGA to develop an improved Permanent F Policy

COUNCIL OF CHAIRS REPORT (NONE)

ALUMNI REPORT - Alumni Representative Eric Peterson provided the following highlights in regards to the Alumni Report:

- The Board of Directors for Alumnae had a two day retreat which was the first in almost two years
- In process of working on a Strategic Plan for next five years

- There will be a Highlands Street Fair and an Association of Student Advancement Conference in August
- The Alumni Office is still in the interviewing process with hopes to fill the vacant position in the near future

FINANCE COMMITTEE REPORT – provided by Vice President of Finance and Administration Natalie Lutes on behalf of Trustee Robinson. Ms. Lutes presented detailed information to the Trustees needed as background to the Action Item on Budget Parameters for Fiscal Year 2011-2012. The Board then had discussion regarding the information presented. The complete recording can be found in its entirety at <http://www.mscd.edu/trustees/meetings/May 4 2011>.

ACTION ITEM

Recommendations from Finance Committee:

A. Adoption of the Budget Parameters for Fiscal Year 2011-2012

Trustee Carroll moved for approval of Action Item A and Trustee Bookhardt seconded the motion. The item was **approved unanimously**.

ACADEMIC AND STUDENT AFFAIRS COMMITTEE – (None)

INFORMATION ITEMS

- Office of Human Resources report of personnel actions for the Board's information which have occurred since the last Board Meeting of December 1, 2010. No discussion held.

ADDITIONAL ITEMS (None)

PUBLIC COMMENT (None)

ADJOURNMENT

The Board Chair **adjourned** the meeting at 9:22 a.m.

METROPOLITAN STATE COLLEGE *of* DENVER
BOARD OF TRUSTEES Meeting
Wednesday, May 4, 2011
Board Work Session Minutes

The Board reconvened at 9:36 a.m. in Tivoli Room 329 for their work session.

Chairman Cohen advised the board that there were three items on the agenda to consider: committee assignments, updates on board infrastructure (including the board 2011-2012 meeting schedule), and the development of a strategic name initiative committee.

He began with committee assignments, and advised that input from all Trustees had been sought, and each Trustee would be assigned to two committees and that board officers had not changed.

Trustee Lucero will chair Academic and Student Affairs Committee, with Trustees Carroll and Harris being members. Trustee Robinson will continue to chair Finance Committee, with Trustee Bookhardt being a member. The new trustee who replaces Trustee Phelan will also be a member.

Chairman Cohen will chair the Presidential Evaluation Committee, with Trustee Lucero as Vice Chair. Trustee Garcia Berry will continue to be the assigned representative to the Auraria Board of Directors, with Trustee Hanzlik being the assigned representative to the Foundation Board. Trustee Carroll will chair the Strategic Name Change Initiative Committee, with Trustees Bookhardt and Hanzlik as members.

Trustee Harris will chair Board Infrastructure Committee, with Trustees Robinson and Garcia Berry as members. Chairman Cohen then provided the breakdown of the Hospitality Learning Center Committees for the Trustees information. He indicated that the Faculty and Student Trustees have always been very committed to attending committee meetings, and he encouraged them along with the Alumni Representative to attend any committee meetings they could.

The Board then moved onto discussion around the ad hoc committee formation of Strategic Name Initiative Committee and what they would like to accomplish in this committee. The Board discussed various items such as stakeholder involvement, the upcoming legislative session, enlisting the Association of Governing Boards' assistance to gather best practices of other schools who have gone through a name change, communication strategies, continued analysis, and legal strategy.

Chairman Cohen then moved to Board Infrastructure and deferred to the Board Secretary, Loretta P. Martinez. The Board discussed various items such as the role of board secretary, staffing for board meetings, records management, committees and appointments, committee

charges, the board and committee meeting schedules, board budget, board website, materials and the trustee's policy manual in relation to new trustee orientation.

The Board Chair then commended the Trustees and staff for all they have accomplished in the last six months based on the items they had set out for themselves at the October 2010 Board Retreat. He then offered congratulations to Student Trustee Kat Cammack on her impending graduation. The Board also acknowledged Student Government President Sammantha O'Brien who is also graduating.

As there was no further business to be brought before the Board, the meeting was adjourned at approximately 10:54 a.m.

AGENDA ITEM:

The President and Provost/Vice President of Academic Affairs recommend approval of the following item: Tenure.

BACKGROUND:

Pursuant to §VII.F.7.a of the Handbook for Professional Personnel, upon recommendation of the President an associate dean may be awarded faculty tenure upon hire if the administrator has been tenured at a regionally-accredited, baccalaureate granting institution of higher education and the department was provided an opportunity to vote and make a written recommendation.

RECOMMENDATION:

It is recommended by the President of Metropolitan State College of Denver that the Board of Trustees approve the following award of tenure.

RECOMMENDATION FOR TENURE:

Dr. Paul Ballard, recommended for tenure at the rank of Associate Professor in the Department of Human Performance and Sports (Associate Dean, School of Professional Studies).



Handwritten signature in blue ink, dated 5/25/11.

May 23, 2011

To: President Stephen Jordan

From: Vicki L. Golich, Ph.D. *Vicki Golich by JPK*
Provost and Vice President for Academic Affairs

Re: Tenure Upon Appointment Recommendation for Dr. Paul Ballard

I am very pleased to recommend awarding tenure upon appointment to Dr. Paul Ballard, who has recently been appointed to serve as our new Associate Dean in the School of Professional Studies. Dr. Ballard is coming to us from Saginaw Valley State University in Michigan.

In addition to his duties in the Dean's Office in the School of Professional Studies, Dr. Ballard will hold the rank of Associate Professor in the Department of Human Performance and Sport. According to a memo of April 18, 2011, from the Department Chair, Dr. Ruth Ann Nyhus, the tenured faculty "have voted, yes, for tenure for Dr. Paul Ballard." Acting Dean Kathy Heyl, in a memo dated May 20, 2011, has also recommended tenure. Both memos are attached.

According to the Handbook for Professional Personnel, faculty tenure may be awarded to an academic administrator under the following guidelines, in part (VII.F.7):

Faculty Tenure for Academic Administrators.

- a. Faculty tenure may be awarded to the President, Vice President for Academic Affairs, deans, or associate deans....
- b. The President may recommend to the Trustees that an academic administrator be awarded tenure upon appointment as an academic administrator, or at any time subsequent to such appointment, if:
 - (1) The administrator has been previously tenured at a regionally-accredited, baccalaureate-granting institution of higher education; and
 - (2) The immediate supervisor of the academic administrator and the chair and tenured faculty in the affected department are consulted and provided an opportunity to vote and make a written recommendation.

Dr. Ballard received a Doctor of Education degree from Temple University in Philadelphia. He received tenure and promotion to the rank of Associate Professor in the Department of Kinesiology in 1999 at Saginaw Valley State University. In 2004 he became Chair of the Department. In 2009 Dr. Ballard became Acting Assistant Dean of the College of Health and Human Services, for which he is currently serving as Interim Assistant Dean. He has therefore exhibited leadership, assuming increasing responsibilities.

Dr. Ballard is also very active in other areas including serving as Team Chair for numerous visits throughout the nation for the Commission on Accreditation for Athletic Training Education. His breadth of teaching abilities is impressive as he has taught an exceedingly wide range of classes in Kinesiology. His administrative experience and teaching background make him an excellent choice for serving as Associate Dean in Professional Studies.

Thank you for considering my recommendation for granting tenure upon appointment as an Associate Professor for Dr. Paul Ballard.

AGENDA ITEM: **Office of Human Resources report of personnel actions for the Board's approval which have occurred since the last Board Meeting on May 4, 2011.**

BACKGROUND: Report of personnel actions which have occurred since the last Board agenda of May, 2011. Initial appointments of non-temporary faculty and administrators, tenure, emeritus status, honorary degrees, and sabbatical leaves which require Board approval.

RECOMMENDATION: It is recommended by Metropolitan State College of Denver that the Board of Trustees approve the following appointments.

APPOINTMENTS

Ms. Lindsey Day, Assistant Director of Career Services, Annual Salary: \$48,000.00 – Effective June 20, 2011. (ADMINISTRATIVE)

Mr. Yared Belete, Associate Director of Internal Operations, Annual Salary: \$57,000.00 – Effective May 16, 2011. (ADMINISTRATIVE)

Mr. James Lyall, Chief Information Officer and Associate Vice President of Academic Computing, Annual Salary: \$137,700.00 – Effective August 1, 2011. (ADMINISTRATIVE)

Dr. Winston Grady-Willis, Chair-Professor of African and African American Studies, Annual Salary: \$106,080.00 – Effective July 1, 2011. (TENURED/FACULTY)

RECOMMENDATION FOR TENURE

Dr. Paul Ballard, recommended for tenure at the rank of Associate Professor in the Department of Human Performance and Sports (Associate Dean, School of Profession Studies).

President's Written Report to the Board

June 1, 2011

Finale Event of 45th Anniversary Next Month

Mark your calendars for June 21, the date on which Metro State's yearlong 45th anniversary celebration comes to a close.

The finale event, from 5:30-7:30 p.m. on the Ninth Street Park, will feature live music, family-friendly activities and guided tours of Historic Ninth Street Park. Bring a picnic dinner or enjoy delicious barbeque from We Be Smokin' BBQ.

Attendees will have the opportunity to purchase a signed copy of "Where the Rivers Meet," the story of the Westside Neighborhood and the displaced Aurarians, whose sacrifices provided for our unique urban downtown campus.

Cochran Leaves Dean's Role, Returns to Classroom

After more than seven years as the dean of the School of Business at Metro State, John Cochran is preparing to return to the classroom in fall 2011 in a very familiar role as professor of economics.

On April 27, Provost and Vice President for Academic Affairs Vicki Golich announced Associate Dean of the School of Business Ann Murphy as the replacement for Cochran, whose role as dean ends on May 31. Murphy assumes the position on June 1.

A Metro State employee since 1981, Cochran's relationship with College began as a student. He was among the first group of students to attend Metro State when the Auraria Campus opened in the mid-1970s. He graduated in 1978 with a degree in economics. He went on to earn his master's and doctorate in economics from the University of Colorado at Boulder, publish more than 25 books or journal articles and deliver nearly 30 presentations at national conferences.

Cochran will teach Advanced Macroeconomics in the fall, and says, "I really look forward to returning to the classroom and writing on a more regular basis about business cycles and monetary policy."

In looking back on his role as dean, he is proud of the initiatives he led within the School of Business as well as its collaborations with the School of Professional Studies and the School of Letters, Arts and Sciences. A few highlights include:

- The development of a taskforce with representatives from all three schools at the College that resulted in the creation of the Center for Innovation, which features a micro-lending program and one-of-a kind franchise ownership program.
- The development of a sponsorship/partnership with the Denver Chamber's Small Business Development Center, where strategic management students provide area small businesses with in-depth strategic analyses. Since it kicked off in fall 2008, more than 330 students have

served a total of 45 clients. In addition, the SBDC selected Metro State as its sponsor of the year in 2010.

- A Growing relationship with the Chamber of the Americas, yielding the co-sponsorship of the first Women in International Trade Conference in 2011; the opportunity for Metro State President Stephen Jordan to present a Token of Appreciation to Honduran President Porfirio Lobo Sosa at the Chamber of the Americas Presidential Forum Breakfast in 2010; and the 21st Century Economic and Cultural Integration: Mexico and the United States Symposium in 2009 that featured speakers from Mexico and Canada.
- A partnership with the Department of Philosophy to ensure that professors teaching business ethics, a required course for all business students, have the most up-to-date information. This partnership has led to the School of Business loaning faculty line to the philosophy program for several years to teach business ethics and the two areas taking professional development training in the field.
- Creation of the Executive on Campus program that debuted in 2009 with Jake Jobs, president and CEO of American Furniture Warehouse.
- The development of the master of professional accountancy program.

Many of these programs began with ideas from faculty and were executed through teamwork, says Cochran. “When faculty come to you with innovative ways to do things you try to support them. Much of the success is driven by the quality work of people around you.” Cochran extends thanks to a number of people, including Murphy, SCOBs staff Erica Yan and Nanette Wilmot, and the chairs that have served under his leadership.

“I see the School of Business as being well-positioned to become a gem in this region,” he says. “I’d like to think I’ve contributed in a positive way to what will become even greater and better interactions between the School and the business community.”

He adds, “I’m thrilled for Murphy, whom I’ve had the privilege of working with closely for the last five or six years, and I’m pleased to see her follow me in the position. I have the greatest confidence that under her leadership the school will continue on its path to pre-eminence.”

Strategic Planning Committee Identifies Key Issues, Plans Aug. 16 Vision Conference

Metro State’s Strategic Planning Committee has reached a significant milestone in wrapping up Phase III, or the “Making Sense of the Issues” part of the strategic planning process.

After a four-hour meeting on May 9, the committee had synthesized results from 17 SWOT (strengths, weaknesses, opportunities and threats) analyses and arrived at five major issues affecting the College:

1. Resources—Human, financial, technological and talent
2. Stakeholder Relationships—Community/stakeholder partnerships; relationship/program-building with community
3. Institutional Identity—Telling our story, communication, reputation, diversity, affordability, pride and innovation

4. Institutional Climate—Value of all employees, democratic workplace, management excellence, academic freedom, diversity, management innovation and communication
5. Academic Excellence—Student success, graduate students, serving our diverse urban students, diversity, affordability/high-quality/value-added

“Although we talked to a wide range of folks, from affiliate faculty to the business community to students to faculty and administrators,” says Committee Co-Chair and Faculty Senate President Kamran Sahami, “we saw some of the same themes for strengths and weaknesses appear everywhere. It was surprising that there was so much agreement.”

Strategic Plan Next Steps

In the next month, subcommittees of the Strategic Planning Committee will craft “concept papers” around these five issues. These concept papers will provide a state-of-the-College snapshot of these issues and will be presented at an all-day Strategic Planning Vision Conference, Aug. 16 on campus.

The Vision Conference, which represents Phase IV of the strategic planning process, will bring together about 75 people, including faculty, administrators and staff as well as the Board of Trustees, alumni, local community leaders and business people, to digest the concept papers and establish a vision for Metro State’s future.

At the Vision Conference, Sahami explains, “We will look at the issues facing us and draft a vision for a preferred future for the institution.”

The strategic planning process will culminate in a Phase V “goals conference” to outline a plan for implementing the strategic plan.

High School Students Ready to Attend Metro State

As more than 1,600 candidates walked across the stage on May 15 to pick up their Metro State degrees, nearly 100 students who had yet to receive their high school diplomas had already registered to attend the College through the Excel Pre-Collegiate Program.

The Metro State program reaches out to five Front Range high schools with majority Latino populations: Adams City, the Mapleton Expeditionary School for the Arts (M.E.S.A.) in Thornton, Skyview Academy in Thornton, Thornton and Westminster. The program provides assistance with the college application/enrollment process, financial aid applications, scholarship search and application process; college essay support; and bilingual (English/Spanish) parent workshops, among other services.

“The Pre-Collegiate Program has helped students from these five schools become familiar with Metro State. It has also helped the parents of these students learn more about what higher education can offer their children,” says Deputy Provost and Co-chair of the Hispanic Serving Institution Task Force Luis Torres.

For two days in late April, Metro State Office of Admissions sponsored an event that brought 92 students from these five schools to campus where they received an orientation, listened to speakers

from the First Year Success Program and the Metro State Summer Scholars Program, had discussions about academics and finally registered for classes.

Registering the students before summer break is a great breakthrough, according to Cynthia Nuñez, associate director of admissions and recruitment services, who coordinates the program with Senior Admissions Counselor Michelle Pacheco. “Many of the students will be the first in their families to attend college,” Nuñez says. “Some do not understand or have the knowledge to navigate the college process.”

Nuñez says the road to Excel’s Pre-Collegiate Program registration day has been a team effort, with the Assessment and Testing Center, New Student Orientation, and Academic Advising.

Students who did not meet the ACT/SAT minimum requirements, and who are thus required to take the Accuplacer placement exams for remedial work, were given the opportunity to complete the placement tests, normally done on campus, at their schools.

“My part of this was easy,” says Russell Reynolds, coordinator of the Assessment and Testing Center. “Cynthia’s team did all the heavy lifting and they did a great job. I have pulled and sorted a few reports and provided training and Accuplacer proctoring access for the outreach counselors.”

Nuñez says of the program’s new approach this year, “Some students know exactly where they want to go now, heading toward the end of the school year. It’s beneficial to make sure those interested get through the system and it’s important to reach them now because over the summer you can lose them.”

Faculty, Classified Staff Groups Elect Officers

The Faculty Senate and the Classified Staff Council have elected their officers for fiscal year 2011-12.

Faculty Senate leadership

President: Kamran Sahami (second term), Associate Professor of Physics

Vice President: Larry Worster (second term), Professor of Music

Senate Secretary: Lisa Ortiz

Classified Staff Council leadership

President: Will Kelley, IT - Technical Services - Academic Affairs?

Vice President: Patricia Vivien Yarrow, Program Assistant, Art

Secretary: Havilah Lilly, Accounting Technician, Student Accounts Office

Treasurer: Catherine Reddy, Administrative Assistant, Criminal Justice and Criminology

The Council of Administrators will announce its officers in mid-June.

Metro State Joins Denver in Talent Dividend National Competition

As a leader in educating undergraduate Coloradans, Metro State has joined the Denver metropolitan area in a competition between 57 U.S. cities to increase college degrees. The CEOs for Cities Talent Dividend Prize will be awarded to the metropolitan area that exhibits the greatest increase in the number of post-secondary degrees per capita over a three-year period, ending with the 2012-13 academic year. The winning city, to be announced September 2014, receives a prize of \$1 million, to launch a national promotional campaign centered on talent development for the winning city.

CEOs for Cities announced the competition at Roosevelt University in Chicago on May 10 at a press conference attended by dozens of representatives from competing cities, including Metro State Vice President for Institutional Advancement and Foundation Executive Director Carrie Besnette Hauser, who has been a primary liaison for Denver's efforts since 2009.

Metro State's beginnings with CEOs for Cities

In October 2009, Metro State; the Piton Foundation; then-Mayor John Hickenlooper; Tami Door, CEO, Downtown Denver Partnership (DDP); Kelly Brough, President, Denver Metro Chamber of Commerce; and Chuck Ward, Colorado President of Qwest convened nearly 50 of Denver's business and civic leaders to learn about the Talent Dividend work and to begin developing strategies for increasing the metro area's college graduation rates.

That meeting, followed by another hosted by then-Governor Bill Ritter in December of 2010, highlighted the statistic that Denver's economy would get a \$1.8 billion boost by increasing the percentage of residents with four-year college degrees by 1 percentage point.

Research from Chicago-based CEOs for Cities, a nonprofit network of urban leaders, indicates that 58 percent of a city's success, as measured by per capita income, can be attributed to the percentage of the adult population with a college degree.

Metro State President Stephen Jordan said, "Along with the real and critical purpose to increase college degree attainment in the Denver metro area, the generous prize offered by two national foundations committed to college access and success makes it a spirited competition among dozens of urban areas experiencing significant demographic changes in their populations."

Besnette Hauser added, "To achieve the Talent Dividend in our cities and nationally, we all must do a better job serving and graduating nontraditional, lower-income, and historically underrepresented students."

She also reported that Denver is among only six cities west of the Continental Divide in the competition.

In the Talent Dividend effort, Metro State is partnering with the UCD, DDP, the Colorado Community College System, the Colorado Department of Higher Education, College in Colorado, Colorado Succeeds, the Denver Metro Chamber Leadership Foundation, among others. The Talent Dividend Prize competition comes on the heels of the Department of Education's "Race to the Top" initiative that encouraged states to improve outcomes among K-12 students.

In addition to boosting educational attainment, the Talent Dividend Prize competition aims to boost economic gains at both the local and national level. Specifically, it is designed as an effort to increase college attainment in U.S cities by one percentage point, which CEOs for Cities calculates would be worth \$124 billion a year in increased national earnings.

School Supply Drive to Help K-12 Students

Metro state is doing its part to help K-12 students head to class prepared this fall. The Center for Urban Connections is collaborating with the Minority Enterprise and Education Development (MEED) program to organize a school supply donation for Denver Public School students in need.

The Center and MEED will collect new and gently used backpacks and school supplies until July at the Center for Urban Connections in TIV 243.

For more information or if you would like to be a drop-off location, contact the [Center for Urban Connections](#) at 303-352-7129.

Bipartisan coalition files constitutional challenge to TABOR in federal court

34 plaintiffs: Colorado's unique amendment violates U. S. Constitution and federal statute

Contact: George Merritt, 720-581-2280

DENVER, May 23: A bipartisan coalition, including state legislators, local elected leaders, and education officials, today filed a landmark lawsuit asking a federal court to overturn Colorado's Taxpayer Bill of Rights amendment, known as TABOR, because it violates the core principles of representative government required for every state under the U. S. Constitution.

The Framers of the Constitution included the guarantee that all the states, like the nation, would be representative democracies. That means government by elected representatives responsible to the people for making laws and handling budget matters. Under TABOR, Colorado is the only state where the ability of the legislature to make fundamental decisions about how to finance government has been eliminated outright by denying the legislature the power to tax.

"We're letting our legislators off the hook, and the crisis we see in our schools and universities is a direct result," said plaintiff and former University of Colorado President John Buechner. "The Constitution guarantees voters the right to elect representatives, and they're supposed to deal with tough decisions on the budget. TABOR has taken away our right to the 'Republican Form of Government' the Founding Fathers prescribed in the Constitution."

The lawsuit focuses on Article IV, Section 4 of the U.S. Constitution, known as the "Guarantee Clause," which provides, "The United States shall guarantee to every State in this Union a Republican Form of Government..." The suit seeks to restore to the state legislature the responsibility and accountability required by the Guarantee Clause. Congress set the requirements for Colorado statehood in the so-called Enabling Act of 1875, and Colorado could not have become a state in 1876 unless it established a Republican Form of Government.

"My fellow legislators and I have a constitutional duty to deliberate and work out the necessary compromises on a budget for Colorado," said State Rep. Andy Kerr, D-Lakewood, a plaintiff in the case. "That requires us to figure out what state government needs to do and how to pay for it. TABOR lets the legislature duck some of the toughest budget decisions and avoid responsibilities assigned to it by the Constitution. As a result, the infrastructure critical to attracting businesses, ensuring public safety and educating our children is in crisis."

"TABOR has turned Colorado into a national example of how *not* to govern," observed plaintiff Norma Anderson, former GOP Majority Leader in both the Colorado House and Senate. "States from coast to coast have considered proposals modeled after TABOR, but rejected them because of the bad consequences they see for economic development and education. When Arizona's Republican Gov. Jan Brewer vetoed similar legislation a couple of weeks ago, she called TABOR Colorado's 'failed experiment'."

The complaint was filed in the United States District Court for Colorado by a team of lawyers from the law firms of McKenna Long & Aldridge LLP and Brownstein, Hyatt, Farber & Schreck LLP. The two firms are handling the case on a pro bono basis.

The 1992 “Taxpayer Bill of Rights” or TABOR was so named by its architect, Douglas Bruce.

The following documents are attached:

Roster of 34 plaintiffs

Brief on legal theory of the case

Fact sheet

Legal team

Complaint in *Kerr v. State of Colorado* [separate .pdf file]

Copy of *Federalist No. 10* by James Madison [separate .pdf file]

Roster of Plaintiffs in *Kerr v. State of Colorado*

Name	Hometown	Party
Andy Kerr, Colorado State Representative	Lakewood	D
Norma V. Anderson	Lakewood	R
Jane M. Barnes, Member Jefferson County Board of Education	Lakewood	R
Elaine Gantz Berman, Member of State Board of Education	Denver	D
Paul Booth	Durango	D
Alexander E. Bracken	Lafayette	R
William K. Bregar, Member Pueblo District 70 Board of Education	Pueblo	D
Bob Briggs, Westminster City Councilman	Westminster	R
Bruce W. Broderius, Member Weld County District 6 Board of Ed.	Greeley	R
Trudy B. Brown	Denver	D
John C. Buechner, Ph.D., Lafayette City Councilman	Lafayette	R
Stephen A. Burkholder	Lakewood	R
Richard L. Byyny, M.D.	Boulder	D
Lois Court, Colorado State Representative	Denver	D
Theresa L. Crater	Lafayette	D
Robin Crossan, Member Steamboat Springs RE-2 Board of Education	Steamboat Springs	R
Richard E. Ferdinandsen	Arvada	R
Stephanie Garcia, Member Pueblo City Board of Education	Pueblo	D
Dickey Lee Hulinghorst, Colorado State Representative	Longmont	D
Nancy Jackson, Arapahoe County Commissioner	Aurora	D
William G. Kaufman	Windsor	R
Claire Levy, Colorado State Representative	Boulder	D
Margaret (Molly) Markert, Aurora City Councilwoman	Aurora	D
Megan J. Masten	Highlands Ranch	U
Monisha Merchant, Member University of Colorado Board of Regents	Lakewood	D
Michael Merrifield	Colorado Springs	D
Marcella (Marcy) L. Morrison	Manitou Springs	R
John P. Morse, Colorado State Senator	Colorado Springs	D
Pat Noonan	Aurora	D
Ben Pearlman, Boulder County Commissioner	Lyons	D
Wallace Pulliam	Arvada	U
Frank Weddig, Arapahoe County Commissioner	Aurora	D
Paul Weissmann	Louisville	D
Joseph P. White	Highlands Ranch	R

Federal Court Challenge to TABOR on Constitutional and Statutory Grounds

Article IV, Section 4, of the U. S. Constitution, promises that: “The United States shall guarantee to every State in this Union a Republican Form of Government” The 1875 Enabling Act set the terms for Colorado statehood and incorporated the requirement of the “Guarantee Clause,” requiring the Territory of Colorado to adopt a state Constitution that both endorsed the U. S. Constitution and established a Republican Form of Government for the new state.¹

The Guarantee Clause is attributed to James Madison. Madison in *Federalist 10* tells us what was meant by a “Republic:” a representative democracy, with which he disparagingly contrasted direct democracy.

The Colorado Constitution drafted by the territorial assembly and ratified by the people complied with the Enabling Act. Article V, Section 1(1) provides: “The legislative power shall be vested in the General Assembly, which shall consist of a Senate and House of Representatives, both to be elected by the People”

In 1910 that subsection was amended to provide for the now familiar initiative and referendum process, stating: “but the people reserve to themselves the power to propose laws and amendments to the constitution and to enact or reject the same at the polls independent of the general assembly.” This provision must be read in the broader and, under the Supremacy Clause of the U. S. Constitution, controlling context of the Guarantee Clause and the Enabling Act, requiring a Republican Form of Government. So read, the reserved power of initiative may not encroach on the fundamental qualities of Republican government, including representative democracy.

The Taxpayer Bill of Rights (TABOR) adopted by initiative in 1992 as an amendment to the state Constitution contradicts the Guarantee Clause in removing from the General Assembly core legislative powers. It prohibits the General Assembly from adopting taxes required to fund necessary state services and obligations and hamstringing important legislative discretion in several other respects. In sum, TABOR undermines core powers of the General Assembly to tax, spend and generally direct state public policy and shackles its ability to deal with state needs.

Because TABOR’s requirements so limit the function of Colorado’s representative democracy, itself a central precept of a “Republican Form of Government,” a complaint will be filed soon in U. S. District Court for Colorado challenging the constitutionality of TABOR under the Guarantee Clause and its violation of federal statute, i.e., the Enabling Act.

The lawsuit argues that Colorado is, in practice, no longer a real representative democracy because our Republican Form of Government has been fundamentally eroded as TABOR has deprived the legislature of core powers. Just how important are those powers? They appear in the U. S. Constitution as among the first enumerated powers of Congress in Article I, Section 8, and in the original Colorado Constitution in Article X, Section 2. Without them, no legislature can fulfill the responsibilities it has under a Republican Form of Government. On these grounds, the lawsuit will ask the Court to invalidate TABOR.

¹ An Act To Enable The People Of Colorado To Form A Constitution And State Government, And For The Admission Of The Said State Into The Union On An Equal Footing With The Original States: “§ 4. *Constitutional convention - requirements of constitution.* That the members of the convention thus elected shall . . . adopt the constitution of the United States; whereupon the said convention shall be and is hereby authorized to form a constitution and state government for said territory; provided, that the constitution shall be republican in form”

TABOR Litigation Fact Sheet: *Kerr v. State of Colorado*

Constitutional and legal basis for the case

Article IV, Section 4, of the U. S. Constitution, promises that: “The United States shall guarantee to every State in this Union a Republican Form of Government . . .” In its 1875 Enabling Act, Colorado set the terms for statehood, including the mandate of the “Guarantee Clause” that Colorado adopt a state Constitution that both endorsed the U. S. Constitution and established a Republican Form of Government. The Guarantee Clause is attributed to James Madison, who in *Federalist 10* explained that a “Republic” meant a representative democracy, which he defined in stark contrast to direct or popular democracy.

The Taxpayer Bill of Rights (TABOR) adopted by initiative contradicts the Guarantee Clause in removing core legislative powers from the General Assembly. It prohibits the General Assembly from enacting taxes required to fund necessary state services and obligations and hamstringing important legislative discretion in several other respects. TABOR violates the Guarantee Clause and federal statute, i.e., the Enabling Act, because it so limits the function of Colorado’s representative democracy as to undermine Colorado’s “Republican Form of Government.”

Summary of complaint

The complaint is brought on behalf of the named plaintiffs against the State of Colorado and asks the Court to find that TABOR violates the U. S. Constitution and federal statute (the 1875 Enabling Act). Because of those violations, the complaint asks the Court to declare TABOR to be unconstitutional, null and void, and to enjoin all state officials from enforcing it. The complain lays out the legal basis for the lawsuit (see previous section), relates the pertinent constitutional history of the United States and of Colorado, identifies the plaintiffs individually and as a group, and sets out the grounds for federal court jurisdiction.

TABOR

The Taxpayer Bill of Rights is an amendment to the Colorado Constitution, proposed through the initiative process and adopted by 53.7% of the electorate in 1992. It contains a number of provisions designed variously to eliminate or to severely limit the powers of the Colorado General Assembly and legislative bodies at the local level to raise and appropriate revenues to fund government and meet public needs. The provision most directly at issue in this case, and one which makes TABOR unique compared to limitations adopted by other states, is the complete removal from the Colorado General Assembly of authority to raise taxes.

Plaintiffs

The case is brought by a bipartisan group of 34 plaintiffs, including five state legislators, 13 other current office holders, and several former state and local government officials. Many are or have been in positions in public education, both K-12 and post-secondary. They include 20 Democrats, 12 Republicans and 2 Unaffiliateds.

Lawyer team

Lawyers from the Denver offices of McKenna, Long & Aldridge LLP and of Brownstein Hyatt Farber Schreck LLP are representing the plaintiffs in the case on a *pro bono* basis, that is, without charging a fee for their services. They include from MLA: Lino Lipinsky de Orlov, Herb Fenster and David Skaggs; and from BHFS: Mike Feeley, John Herrick and Emily Droll.

Legal Team in *Kerr v. State of Colorado*

McKenna Long & Aldridge LLP, Denver office: 1400 Wewatta #700, Denver CO 80202

McKenna Long & Aldridge LLP is an international law firm with 475 attorneys and public policy advisors. The firm provides business solutions in the areas of complex litigation, corporate, environmental, energy, and climate change, finance, government contracts, health care, intellectual property and technology, international law, public policy and regulatory affairs, and real estate. MLA's diverse range of services fall into three broad categories: litigation, government/regulatory and transactional. MLA attorneys working on *Kerr v. State of Colorado*:

Lino Lipinsky de Orlov is a Partner and represents corporate clients in all aspects of commercial litigation, mediation, arbitration, and appeals. Mr. Lipinsky has litigated cases in state courts, the U.S. District Court for the District of Colorado, U.S. Bankruptcy Court, and the U.S. Court of Appeals. He has developed particular experience in complex business cases, particularly those involving creditor's rights, real estate, trade secrets, and employment disputes. J. D., New York University School of Law, 1982; A. B., Brown University, 1979.

Herbert L. Fenster is a Senior Counsel and focuses his practice on litigation, particularly against the U.S. and on the subjects of procurement, environmental, administrative and tort law, and has been with the firm for 50 years. He has extensive experience in the negotiation, interpretation, and litigation of defense contracts. He is a member of the Board of Directors of the National Chamber Litigation Center of the U.S. Chamber of Commerce. LL. B. University of Virginia, 1960; B. A., University of Pennsylvania, 1957.

Congressman David Skaggs is a Senior Strategic Advisor assisting clients with governmental and legislative relations strategy at the state and federal levels. He focuses on the areas of education, science and technology, national security, environment and public private partnerships. Prior to joining MLA, Congressman Skaggs served in the U. S. House of Representatives, the Colorado House of Representatives and the cabinet of Colorado Governor Bill Ritter Jr. as Executive Director of the Colorado Department of Higher Education. LL. B. Yale Law School, 1967; B. A., Wesleyan University, 1964.

Brownstein Hyatt Farber Schreck, LLP, Denver office: 410 17th Street #2200, Denver CO 80202

Brownstein Hyatt Farber Schreck is home to 250 attorneys and policy consultants in offices across the western U.S. and in Washington, DC. Attorneys and policy consultants at Brownstein practice in the areas of corporate and business, government relations and public policy, litigation, natural resources and real estate. Within these concentrations, the firm works in real estate development, hospitality, private equity, telecommunications, technology, manufacturing, construction, energy, water, gaming, banking and finance, as well as many other industries and practice areas. Brownstein attorneys working on *Kerr v. State of Colorado*:

Michael Feeley is a Shareholder in Brownstein's Denver office. He is co-chair of the firm's Government Relations Department and also a member of the Litigation Department. As co-chair of Brownstein's Government Relations Group, he coordinates the firm's lobbying and public policy work in multiple states and integrates the state work with the firm's Washington, DC

office. Mr. Feeley served in the Colorado State Senate and was selected by his caucus to serve as the Senate Minority Leader. LL.M., University of Denver, 2003; J.D., University of Denver, 1982; B.A., University of Colorado at Boulder, 1977.

John Herrick is Senior Counsel in the Denver office of Brownstein and a member of the Natural Resources Group. An Adjunct Professor of Law at the University of Denver Sturm College of Law, Mr. Herrick teaches Renewable Energy & Energy Project Finance, the first law course in the nation concentrating on renewable energy. Prior to joining the firm, Mr. Herrick served as Chief Counsel at the Department of Energy's Golden office for 15 years. J.D., University of North Dakota, 1975; B.S., University of North Dakota, 1971.

Emily Droll is an Associate in Brownstein's Denver office and a member of the Natural Resources Department. Her practice includes environmental, natural resources and water law. During law school, Ms. Droll was President of the Environmental Law Society and a Regional Representative for the National Environmental Law Society. J.D., University of Iowa College of Law, 2010; B.A., Marquette University, 2004.

**2011 Session Sine Die Report
May 11, 2011**

2011 Session Facts

Republican/Democrat split in House of Representatives: 33/32

Democrat/Republican split in the Senate: 20/15

Number of bills introduced during the 2011 Legislative Session: 592

Number of bills signed by the Governor as of 5/11/11: 178

Number of bills vetoed as of 5/11/11: 0 except partial veto on SB11-209 footnotes, overridden

Last day for the Governor to act: June 9, 2011

Legislative Overview

Tonight marks the end of the 2011 legislative session. With a new Governor, newly divided chambers, a sizable class of freshman legislators, redistricting, and a \$1 Billion budget shortfall to address, this legislative session was marked by a slow start, a steep learning curve for many, and a contentious, partisan tone. Many, many bills were introduced in one chamber only to meet their demise when they were heard in their first committee in the other chamber.

Metro State's legislative team actively tracked 56 bills this legislative session. A report that includes the bill summary, sponsors, history and more can be accessed at:

<http://www.coloradocapitolwatch.com/bill-tracker-votes/0/660/2011/0/>. Priorities for Metro State included SB 52 which establishes a mechanism for a portion of funding for higher education to be granted as performance funding once overall funding returns to our recent high point; and HB 1301 Higher Education Institution Efficiency, which builds on SB 10-003 in granting additional flexibilities to institutions of higher education. Metro State also worked to help craft and/or amend a number of other bills that impacted specific departments at the College.

Overall, the Democrat Senate was perceived as "anti-business" while the House earned its reputation for being very socially conservative with the deaths of SB 11-172, the civil unions bill, and SB 11-126, the bill to provide instate tuition to all Colorado high school graduates regardless of legal status. Even on the few significant bills in which the Senate and House forged a compromise, such as SB 11-200 establishing a foundation for a state health exchange, the agreements and alliances seemed shaky at best. Governor Hickenlooper's office did not actively engage in the majority of the political battles or policy debates happening on the second floor, with the exception of redistricting, budget discussions, a few departmental reorganizations, and the final battle on the rule review bill.

The initial stalemate on the budget for the current and upcoming year, and subsequent negotiations, permeated the entire session. After weeks of discussion, the Democrat Senate, Republican House of Representatives, and the administration were able to reach agreement on the budget.

Key components of the budget bill included:

\$227 million reduction to K-12 Education (down from the Governor's proposed reduction of \$332

million), with additional funds available to K-12 education later in the year, if supported by the June revenue forecast

Additional \$36 million reduction to higher education (for a total cut of \$125 million, including ARRA)

\$71 million in transfers from severance tax funds to balance the General Fund

Suspension of cigarette sales tax exemption for two years

\$33 million transfer in tobacco taxes

Emergency cash reserve of 4% General Fund

Suspend growth of Nurse Home Visitor Program for two years

Reinstatement of the Agriculture Products tax exemption

Restoration of 2/3rds of the vendor fee

Passage of HB 11-1293 to reinstate software tax exemption next year

The legislature failed to reach agreement on a redistricting map, and it seems that all parties are prepared to have the courts draw the Congressional boundaries.

The last two days of Session were marked by an intense political battle between House and Senate leadership over payday lending and the annual rules review bill. Both sides dug in and the Governor threatened a special session. In the end, the rules bill was approved without the payday amendment.

Governor Hickenlooper's team has a month to take action on bills approved by the legislature. At the same time, the Governor's team will get to work on their proposed budget and policy agenda for the 2012 session, which will set the stage for the 2012 elections.

Please be in touch if you have any questions. It's a pleasure to work with you!

Christine Staberg, Mary Marchun and Moira Cullen

The Capstone Group

AGENDA ITEM: Nomination and Election of the Board Chair and Vice Chair

BACKGROUND: Pursuant to Article III of the Bylaws of the Board of Trustees, officers of the Board shall be elected at the annual meeting of the Board in June. All officers of the Board shall be elected by the vote of a majority of a duly constituted quorum of the Board.

RECOMMENDATION:

Nominations shall be accepted from the floor and a vote of the Trustees shall be held to elect the Board Chair and Vice Chair. The one-year term of office of the Chair and Vice Chair shall begin at the conclusion of the annual meeting. The current Secretary and Treasurer shall continue to serve in their respective offices at the pleasure of the Board.

AGENDA ITEM: **Suspension of the Bylaws concerning notice period and Amendment thereto concerning the number of meetings of the Board of Trustees**

BACKGROUND: Section 1.10 of the Bylaws of the Board of Trustees provides that the Board shall hold “no fewer than eight regular meetings per year.” The enabling statute of Metropolitan State College of Denver, C.R.S. §23-54-101-104, which establishes the Board of Trustees, does not proscribe the number of Board meetings. Pursuant to Article V of the Bylaws of the Board of Trustees, amendments to the Bylaws may be made at the Board’s sole discretion at any meeting upon majority vote so long as written notice of the proposed amendment shall be given to each member at least 15 days prior to the meeting and such amendment shall not be inconsistent with the laws of the State of Colorado. Adopting a meeting schedule fewer than eight Board meetings per year is not inconsistent with Colorado law, in the opinion of the Board’s legal counsel. As there are not 15 days remaining prior to the next Board meeting, changing the Bylaws to reduce the number of meetings to the six proposed meetings reflected in the draft meeting schedule requires a suspension of the 15 day notice provision as well as the following amendment to the current language of Section 1.10.

Section 1.10: Scheduling of Board Meetings

~~The Board shall hold no fewer than eight regular meetings per year.~~

The schedule and location of Board meetings are to be approved annually at the June meeting of the Board. All amendments to the schedule require official Board action.

RECOMMENDATION:

That the Board suspend the Bylaws to allow less than 15 days written notice of an amendment to the Bylaws and that the Board amend Section 1.10 of the Bylaws to delete the requirement that the Board shall hold no fewer than eight regular Board meetings per year as noted above.

AGENDA ITEM: Adoption of Annual Meeting Schedule for 2011-2012

BACKGROUND: Pursuant to Section 1.10 of the Bylaws of the Board of Trustees, the annual meeting schedule and location of Board meetings shall be adopted at the June meeting of the Board by majority vote. Trustees received the proposed meeting schedule at the May 4, 2011 Board meeting and have been individually polled about their availability.

RECOMMENDATION:

Staff recommends that the Board adopt the attached Board and committee meeting schedule for 2011-2012.

Proposed Board of Trustee 2011-2012 Meeting Dates

2011 Meeting Dates

- September 7th & 8th
 - Afternoon of the 7th
 - Committee Meetings 2-5pm
 - Social Gathering/Dinner 5-8pm
 - Morning of the 8th
 - Board of Trustees Meeting 8-11am
- October 20th & 21st Retreat
 - Board work sessions
 - Business meeting held if necessary
 - Social Gatherings
- November 30th & December 1st
 - Afternoon of the 30th
 - Committee Meetings 2-5pm
 - Social Gathering/Dinner 5-8pm
 - Morning of the 1st
 - Board of Trustees Meeting 8-11am
- **Fall Commencement December 18th**

2012 Meeting Dates

- February 1st & 2nd
 - Afternoon of the 1st
 - Committee Meetings 2-5pm
 - Social Gathering/Dinner 5-8pm
 - Morning of the 2nd
 - Board of Trustees Meeting 8-11am
- April 4th & 5th
 - Afternoon of the 4th
 - Committee Meetings 2-5pm
 - Social Gathering/Dinner 5-8pm
 - Morning of the 5th
 - Board of Trustees Meeting 8-11am
- **Spring Commencement May 13th**
- June 6th & 7th
 - Afternoon of the 6th
 - Committee Meetings 2-5pm
 - Social Gathering/Dinner 5-8pm
 - Morning of the 7th
 - Board of Trustees Meeting 8-11am

AGENDA ITEM: Proposed FY2011-12 Student Charges

Consistent with the Trustee Policy Manual Section 4.2, the Board of Trustees has responsibility and authority to set tuition and fees in accordance with policies established by the Colorado Commission on Higher Education (CCHE) and the Legislature.

ANALYSIS:

Attached are the proposed tuition and fee schedules for FY2011-12 using the rate increase parameters approved in the May 4, 2011 Board of Trustees' meeting. These rates are consistent with the rates outlined in the Financial Accountability Plan (FAP). The following attachments will illustrate our tuition and fee model. Attachment (A) presents the proposed tuition increases for resident and non-resident undergraduate students. Attachment (B) presents the proposed mandatory fee schedule for undergraduate and graduate students. Attachment (C) presents a summary of the dollar and percentage change of tuition and fees from FY2011 to FY2012 for undergraduate students. Attachment (D) presents the total student tuition and fees for undergraduate students. Attachment (E) presents the tuition schedule for graduate students. Attachment (F) presents the total student tuition and fees for graduate students.

Undergraduate Tuition Rates

A proposed tuition rate increase of \$29.25 per credit hour up to 12 hours; and \$351 for 12 to 18 credit hours. This represents an increase of 12.5% for operating, 8.5% for elimination of the student fees (explained below) and almost 1.6% for AHEC controlled maintenance for resident undergraduate students. A proposed tuition rate increase of \$ 50.45 per credit hour or 9% increase for non-resident undergraduate students has been used in Attachments A, C, and D. Note that these increases also apply for Extended Campus. Accelerated Nursing program will have a 12.5% tuition increase for its program to correspond with the 12.5% operating increase for undergraduate students.

Graduate Tuition Rates

Masters of Accountancy

Master of Accountancy has two components to accommodate the 3+2 program: 1) Tuition which is the same as Undergraduate rate and 2) Graduate Fee

- **Tuition:**
For the resident graduate tuition, the proposed tuition rate increase is the same as undergraduate program, with an increase of \$29.25 per credit hour, capped at 12 credit hours.
- **Graduate Fee:**
The proposed increase to the program fee is \$12.30 per credit hour (or 8%) from \$154 to \$166.30.

These two components represent a total cost per credit hour for resident students of \$325 or an overall increase of \$41.55 (or 14.66%). For the non-resident graduate tuition, the proposed tuition rate increase is the same as non-resident undergraduate program at 9% to \$611.05 per credit hour, capped at 12 credit hours plus the \$12.30 increase to the program fee; this represents a total increase to \$777.35. The following worksheet summarizes these changes:

	Resident	Non- Resident
Tuition For FY 2011-12	Graduate	
Master of Accountancy (Tuition & Graduate Fee):		
Current Rate per Credit Hour	\$ 283.45	\$ 714.60
Proposed Rate for FY 2011-12	\$ 325.00	\$ 777.35
Tuition Increase For Master of Accountancy	\$ 41.55	\$ 62.75

Table below provides a comparison of proposed rates for Master of Accountancy to current rates at two other institutions in Colorado:

Masters of Accountancy- Resident Tuition
Comparison

	MSCD	University of Colorado Denver	University of Northern Colorado
Tuition	158.70	496.00	371.00
Fee	166.30	75.00	-
Total Cost	325.00	571.00	371.00

Masters of Arts in Teaching

As shown in table below, a proposed tuition rate increase of \$72 from \$218 to \$290.00 per credit hour for residents and an increase of \$54.45 from \$605 to \$659.45 per credit hour for non-residents, capped at 12 credit hours.

	Resident	Non- Resident
Tuition For FY 2011- 12	Graduate	
Master of Arts in Teaching:		
Current Rate per Credit Hour	\$ 218.00	605.00
Proposed Rate for FY 2011-12	290.00	659.45
Tuition Increase For Master of Arts in Teaching	\$ 72.00	54.45

The following table provides a comparison of proposed rates of Teachers Education to current rates at two other institutions in Colorado:

Masters in Teachers Education-Resident Tuition

	MSCD	University of Colorado Denver	University of Northern Colorado
Tuition	290.00	349.00	309.00
Fee	-	58.00	-
Total Cost	290.00	407.00	309.00

Masters in Social Work

Tuition for the Masters in Social Work program is proposed at a rate of \$290 per credit hour for residents and \$659.45 per credit hour for non-residents, capped at 12 credit hours.

The following table provides a comparison of proposed rates for Social Work to current rates at two other institutions in Colorado:

	MSCD	University of Colorado Denver	Colorado State University
Tuition	290.00	355.00	413.00
Fee	-	119.00	-
Total Cost	290.00	474.00	413.00

Student Fees

There are no proposed Consumer Price Index (CPI) increases to any student fees.

Increases in student fees are:

- A proposed increase of \$9 (from \$61 to \$70) or 14.75% has been applied to the RTD Bus Pass as approved by student vote held April 11-14, 2011.
- The students voted to continue the Clean Energy Fee at \$5 flat rate per semester.
- The Metro State Bond Fee was approved by student vote in April 2009, which included pre-approved increases in both FY 2011 and FY 2012. This fee will be increasing to \$19.80 per credit hour (capped at 12 credit hours for a maximum fee per semester of \$237.60).

Elimination of the following student fees and converting them to tuition:

- The two mandatory fees of Information Technology of \$18.30 per credit hour and Registration fee of \$4.10 per semester are eliminated (please see the tuition and fee schedules for the IT fee specific tiered rates).
- In addition, the specific online course fee (internet fee of \$23.89 per credit) has been eliminated.

Program Fees

There is one change to program fees for Theatre, which was approved to increase \$1 per credit hour from \$1.00 to \$2.00.

Student Health Insurance

Per established changes to the Student Health Insurance policy, students with existing outside health insurance coverage that meets the College compliance standards will no longer have to “waive” an insurance charge that previously would have automatically posted to their student account upon registering for the required number of credit hours. Per this new policy, students will no longer automatically be billed for insurance by the College. Billing will be done by an external third-party insurance billing agency for students who select to participate in the College

offered plan. For students who elect this option, the charge will consist of two payments, one in fall (\$665) and one in spring (\$931). The spring payment will cover the summer semester as well. Currently, this charge is \$665 per semester, including summer. For a student seeking coverage for a twelve month period, this represents a reduction of \$399 or 20%.

Graduate- Other Fees

Graduate students will continue paying a \$50 matriculation and \$50 registration fee.

RECOMMENDATION:

The BOT Finance Committee recommends approval of the proposed FY 2011-12 Student Charges as presented.

Metropolitan State College of Denver
Proposed Undergraduate Tuition Schedule for Fall 2011, Spring 2012, and Summer 2012

Table A

RESIDENT					NONRESIDENT				
Credit Hours	FY 2011 Rates	22.6% Increase	Proposed FY 2012 Rates	% Change	Credit Hours	FY 2011 Rates	9.00% Increase	Proposed FY 2012 Rates	Incremental Credit hour Change
1	\$129.45	\$29.25	\$158.70	22.60%	1	\$560.60	\$50.45	\$611.05	
2	\$258.90	\$58.50	\$317.40	22.60%	2	\$1,121.20	\$100.90	\$1,222.10	\$611.05
3	\$388.35	\$87.75	\$476.10	22.60%	3	\$1,681.80	\$151.35	\$1,833.15	\$611.05
4	\$517.80	\$117.00	\$634.80	22.60%	4	\$2,242.40	\$201.80	\$2,444.20	\$611.05
5	\$647.25	\$146.25	\$793.50	22.60%	5	\$2,803.00	\$252.25	\$3,055.25	\$611.05
6	\$776.70	\$175.50	\$952.20	22.60%	6	\$3,363.60	\$302.70	\$3,666.30	\$611.05
7	\$906.15	\$204.75	\$1,110.90	22.60%	7	\$3,924.20	\$353.15	\$4,277.35	\$611.05
8	\$1,035.60	\$234.00	\$1,269.60	22.60%	8	\$4,484.80	\$403.60	\$4,888.40	\$611.05
9	\$1,165.05	\$263.25	\$1,428.30	22.60%	9	\$5,045.40	\$454.05	\$5,499.45	\$611.05
10	\$1,294.50	\$292.50	\$1,587.00	22.60%	10	\$5,606.00	\$504.50	\$6,110.50	\$611.05
11	\$1,423.95	\$321.75	\$1,745.70	22.60%	11	\$6,166.60	\$554.95	\$6,721.55	\$611.05
12	\$1,553.40	\$351.00	\$1,904.40	22.60%	12	\$6,727.20	\$605.40	\$7,332.60	\$611.05
13	\$1,553.40	\$351.00	\$1,904.40	22.60%	13	\$6,727.20	\$605.40	\$7,332.60	\$0.00
14	\$1,553.40	\$351.00	\$1,904.40	22.60%	14	\$6,727.20	\$605.40	\$7,332.60	\$0.00
15	\$1,553.40	\$351.00	\$1,904.40	22.60%	15	\$6,727.20	\$605.40	\$7,332.60	\$0.00
16	\$1,553.40	\$351.00	\$1,904.40	22.60%	16	\$6,727.20	\$605.40	\$7,332.60	\$0.00
17	\$1,553.40	\$351.00	\$1,904.40	22.60%	17	\$6,727.20	\$605.40	\$7,332.60	\$0.00
18	\$1,553.40	\$351.00	\$1,904.40	22.60%	18	\$6,727.20	\$605.40	\$7,332.60	\$0.00
19	\$1,682.85	\$380.25	\$2,063.10	22.60%	19	\$7,287.80	\$655.85	\$7,943.65	\$611.05

Metropolitan State College of Denver
Proposed Undergraduate and Graduate Fee Schedule for Fall 2011, Spring 2012, and Summer 2012

Table B

		No Increase					63.64%	14.75%	-100%	-100%	Summary
		AHEC									Preliminary
Credit Hour	FY 2011 Fees	Student			Facilities		Metro	RTD Bus Pass	Registr Fee	Information Technology	FY 2012 Fees
		Affairs Fee	Health Services	Immuniz Fee	Bond Fee	Bond Fee					
1	238.68	38.20	31.20	2.00	37.23	19.80	70.00	0	0	\$ 232.98	
2	250.78	38.20	31.20	2.00	37.23	39.60	70.00	0	0	\$ 252.78	
3	262.88	38.20	31.20	2.00	37.23	59.40	70.00	0	0	\$ 272.58	
4	302.55	38.20	31.20	2.00	46.55	79.20	70.00	0	0	\$ 301.70	
5	314.65	38.20	31.20	2.00	46.55	99.00	70.00	0	0	\$ 321.50	
6	350.15	61.60	31.20	2.00	46.55	118.80	70.00	0	0	\$ 364.70	
7	391.92	61.60	31.20	2.00	57.92	138.60	70.00	0	0	\$ 395.87	
8	404.02	61.60	31.20	2.00	57.92	158.40	70.00	0	0	\$ 415.67	
9	416.12	61.60	31.20	2.00	57.92	178.20	70.00	0	0	\$ 435.47	
10	451.07	61.60	31.20	2.00	57.92	198.00	70.00	0	0	\$ 455.27	
11	463.17	61.60	31.20	2.00	57.92	217.80	70.00	0	0	\$ 475.07	
12	492.86	61.60	31.20	2.00	75.51	237.60	70.00	0	0	\$ 512.46	
13	492.86	61.60	31.20	2.00	75.51	237.60	70.00	0	0	\$ 512.46	
14	492.86	61.60	31.20	2.00	75.51	237.60	70.00	0	0	\$ 512.46	
15	492.86	61.60	31.20	2.00	75.51	237.60	70.00	0	0	\$ 512.46	
16	508.11	61.60	31.20	2.00	75.51	237.60	70.00	0	0	\$ 512.46	
17	508.11	61.60	31.20	2.00	75.51	237.60	70.00	0	0	\$ 512.46	
18	508.11	61.60	31.20	2.00	75.51	237.60	70.00	0	0	\$ 512.46	

Note: Specific course fee (Internet Fee) for students taking online classes is also being eliminated for Fiscal year 2011-12. This Internet class fee was \$23.98 per credit hour for Fiscal year 2010-11.

Metropolitan State College of Denver
Proposed Undergraduate Change Tuition and Fee
Effective Fall 2011

Table C

Credit Hours	<u>Resident Tuition</u>			<u>Student Fees</u>				<u>Total Cost Resident</u>			
	Fall 2010	<u>22.6% Incr</u> Fall 2011	Dollar Change	Fall 2010	Fall 2011	Dollar Change	Percent Change	Fall 2010	Fall 2011	Dollar Change	Percent Change
1	129.45	158.70	29.25	238.68	232.98	(5.70)	-2.4%	368.13	391.68	23.55	6.40%
2	258.90	317.40	58.50	250.78	252.78	2.00	0.8%	509.68	570.18	60.50	11.90%
3	388.35	476.10	87.75	262.88	272.58	9.70	3.7%	651.23	748.68	97.45	15.00%
4	517.80	634.80	117.00	302.55	301.70	(0.85)	-0.3%	820.35	936.50	116.15	14.20%
5	647.25	793.50	146.25	314.65	321.50	6.85	2.2%	961.90	1,115.00	153.10	15.90%
6	776.70	952.20	175.50	350.15	364.70	14.55	4.2%	1,126.85	1,316.90	190.05	16.90%
7	906.15	1,110.90	204.75	391.92	395.87	3.95	1.0%	1,298.07	1,506.77	208.70	16.10%
8	1,035.60	1,269.60	234.00	404.02	415.67	11.65	2.9%	1,439.62	1,685.27	245.65	17.10%
9	1,165.05	1,428.30	263.25	416.12	435.47	19.35	4.7%	1,581.17	1,863.77	282.60	17.90%
10	1,294.50	1,587.00	292.50	451.07	455.27	4.20	0.9%	1,745.57	2,042.27	296.70	17.00%
11	1,423.95	1,745.70	321.75	463.17	475.07	11.90	2.6%	1,887.12	2,220.77	333.65	17.70%
12	1,553.40	1,904.40	351.00	492.86	512.46	19.60	4.0%	2,046.26	2,416.86	370.60	18.10%
13	1,553.40	1,904.40	351.00	492.86	512.46	19.60	4.0%	2,046.26	2,416.86	370.60	18.10%
14	1,553.40	1,904.40	351.00	492.86	512.46	19.60	4.0%	2,046.26	2,416.86	370.60	18.10%
15	1,553.40	1,904.40	351.00	492.86	512.46	19.60	4.0%	2,046.26	2,416.86	370.60	18.10%
16	1,553.40	1,904.40	351.00	508.11	512.46	4.35	0.9%	2,061.51	2,416.86	355.35	17.20%
17	1,553.40	1,904.40	351.00	508.11	512.46	4.35	0.9%	2,061.51	2,416.86	355.35	17.20%
18	1,553.40	1,904.40	351.00	508.11	512.46	4.35	0.9%	2,061.51	2,416.86	355.35	17.20%

Resident Tuition is shown net of COF Stipend

Credit Hours	<u>Non-Resident Tuition</u>			<u>Student Fees</u>				<u>Total Cost Non-Resident</u>			
	Fall 2010	<u>9% Incr</u> Fall 2011	Dollar Change	Fall 2010	Fall 2011	Dollar Change	Percent Change	Fall 2010	Fall 2011	Dollar Change	Percent Change
1	560.60	611.05	50.45	238.68	232.98	(5.70)	-2.4%	799.28	844.03	44.75	5.60%
2	1,121.20	1,222.10	100.90	250.78	252.78	2.00	0.8%	1,371.98	1,474.88	102.90	7.50%
3	1,681.80	1,833.15	151.35	262.88	272.58	9.70	3.7%	1,944.68	2,105.73	161.05	8.30%
4	2,242.40	2,444.20	201.80	302.55	301.70	(0.85)	-0.3%	2,544.95	2,745.90	200.95	7.90%
5	2,803.00	3,055.25	252.25	314.65	321.50	6.85	2.2%	3,117.65	3,376.75	259.10	8.30%
6	3,363.60	3,666.30	302.70	350.15	364.70	14.55	4.2%	3,713.75	4,031.00	317.25	8.50%
7	3,924.20	4,277.35	353.15	391.92	395.87	3.95	1.0%	4,316.12	4,673.22	357.10	8.30%
8	4,484.80	4,888.40	403.60	404.02	415.67	11.65	2.9%	4,888.82	5,304.07	415.25	8.50%
9	5,045.40	5,499.45	454.05	416.12	435.47	19.35	4.7%	5,461.52	5,934.92	473.40	8.70%
10	5,606.00	6,110.50	504.50	451.07	455.27	4.20	0.9%	6,057.07	6,565.77	508.70	8.40%
11	6,166.60	6,721.55	554.95	463.17	475.07	11.90	2.6%	6,629.77	7,196.62	566.85	8.60%
12	6,727.20	7,332.60	605.40	492.86	512.46	19.60	4.0%	7,220.06	7,845.06	625.00	8.70%
13	6,727.20	7,332.60	605.40	492.86	512.46	19.60	4.0%	7,220.06	7,845.06	625.00	8.70%
14	6,727.20	7,332.60	605.40	492.86	512.46	19.60	4.0%	7,220.06	7,845.06	625.00	8.70%
15	6,727.20	7,332.60	605.40	492.86	512.46	19.60	4.0%	7,220.06	7,845.06	625.00	8.70%
16	6,727.20	7,332.60	605.40	508.11	512.46	4.35	0.9%	7,235.31	7,845.06	609.75	8.40%
17	6,727.20	7,332.60	605.40	508.11	512.46	4.35	0.9%	7,235.31	7,845.06	609.75	8.40%
18	6,727.20	7,332.60	605.40	508.11	512.46	4.35	0.9%	7,235.31	7,845.06	609.75	8.40%

Academic Year (Fall and Spring) at 15 Credit Hours

Resident	3,106.80	3,808.80	702.00	985.72	1,024.92	39.20	4.0%	4,092.52	4,833.72	741.20	18.1%
Nonresident	13,454.40	14,665.20	1,210.80	985.72	1,024.92	39.20	4.0%	14,440.12	15,690.12	1,250.00	8.7%

Note: Specific course fee (Internet Fee) for students taking online classes is also being eliminated for Fiscal year 2011-12.
 This Internet class fee was \$23.98 per credit hour for Fiscal year 2010-11.

Metropolitan State College of Denver
Proposed Undergraduate Tuition and Fee Schedule
Fall 2011, Spring 2012, and Summer 2012

Table D

RESIDENT											
Credit Hours	Student's Share of Tuition*	Health Services	Immuniz. Fee	Student Facilities				Registration Fee	RTD Bus Pass	Metro Bond Fee	Total
				Bond Fee	Intercollegiate Athletics	Information Technology					
1	158.70	31.20	2.00	37.23	29.55	0.00	0.00	70.00	19.80	391.68	
2	317.40	31.20	2.00	37.23	29.55	0.00	0.00	70.00	39.60	570.18	
3	476.10	31.20	2.00	37.23	29.55	0.00	0.00	70.00	59.40	748.68	
4	634.80	31.20	2.00	46.55	29.55	0.00	0.00	70.00	79.20	936.50	
5	793.50	31.20	2.00	46.55	29.55	0.00	0.00	70.00	99.00	1,115.00	
6	952.20	31.20	2.00	46.55	29.55	0.00	0.00	70.00	118.80	1,316.90	
7	1,110.90	31.20	2.00	57.92	29.55	0.00	0.00	70.00	138.60	1,506.77	
8	1,269.60	31.20	2.00	57.92	29.55	0.00	0.00	70.00	158.40	1,685.27	
9	1,428.30	31.20	2.00	57.92	29.55	0.00	0.00	70.00	178.20	1,863.77	
10	1,587.00	31.20	2.00	57.92	29.55	0.00	0.00	70.00	198.00	2,042.27	
11	1,745.70	31.20	2.00	57.92	29.55	0.00	0.00	70.00	217.80	2,220.77	
12	1,904.40	31.20	2.00	75.51	29.55	0.00	0.00	70.00	237.60	2,416.86	
13	1,904.40	31.20	2.00	75.51	29.55	0.00	0.00	70.00	237.60	2,416.86	
14	1,904.40	31.20	2.00	75.51	29.55	0.00	0.00	70.00	237.60	2,416.86	
15	1,904.40	31.20	2.00	75.51	29.55	0.00	0.00	70.00	237.60	2,416.86	
16	1,904.40	31.20	2.00	75.51	29.55	0.00	0.00	70.00	237.60	2,416.86	
17	1,904.40	31.20	2.00	75.51	29.55	0.00	0.00	70.00	237.60	2,416.86	
18	1,904.40	31.20	2.00	75.51	29.55	0.00	0.00	70.00	237.60	2,416.86	

*If a student does not authorize the COF stipend, an additional \$62 per credit hour will be assessed.

Metropolitan State College of Denver
Proposed Undergraduate Tuition and Fee Schedule
Fall 2011, Spring 2012, and Summer 2012

Table D

NONRESIDENT										
Credit Hours	Student's Share of Tuition	Health Services	Immuniz. Fee	Student Facilities Bond Fee	Intercollegiate Athletics	Information Technology	Registration Fee	RTD Bus Pass	Metro Bond Fee	Total
1	611.05	31.20	2.00	37.23	29.55	0.00	0.00	70.00	19.80	844.03
2	1,222.10	31.20	2.00	37.23	29.55	0.00	0.00	70.00	39.60	1,474.88
3	1,833.15	31.20	2.00	37.23	29.55	0.00	0.00	70.00	59.40	2,105.73
4	2,444.20	31.20	2.00	46.55	29.55	0.00	0.00	70.00	79.20	2,745.90
5	3,055.25	31.20	2.00	46.55	29.55	0.00	0.00	70.00	99.00	3,376.75
6	3,666.30	31.20	2.00	46.55	29.55	0.00	0.00	70.00	118.80	4,031.00
7	4,277.35	31.20	2.00	57.92	29.55	0.00	0.00	70.00	138.60	4,673.22
8	4,888.40	31.20	2.00	57.92	29.55	0.00	0.00	70.00	158.40	5,304.07
9	5,499.45	31.20	2.00	57.92	29.55	0.00	0.00	70.00	178.20	5,934.92
10	6,110.50	31.20	2.00	57.92	29.55	0.00	0.00	70.00	198.00	6,565.77
11	6,721.55	31.20	2.00	57.92	29.55	0.00	0.00	70.00	217.80	7,196.62
12	7,332.60	31.20	2.00	75.51	29.55	0.00	0.00	70.00	237.60	7,845.06
13	7,332.60	31.20	2.00	75.51	29.55	0.00	0.00	70.00	237.60	7,845.06
14	7,332.60	31.20	2.00	75.51	29.55	0.00	0.00	70.00	237.60	7,845.06
15	7,332.60	31.20	2.00	75.51	29.55	0.00	0.00	70.00	237.60	7,845.06
16	7,332.60	31.20	2.00	75.51	29.55	0.00	0.00	70.00	237.60	7,845.06
17	7,332.60	31.20	2.00	75.51	29.55	0.00	0.00	70.00	237.60	7,845.06
18	7,332.60	31.20	2.00	75.51	29.55	0.00	0.00	70.00	237.60	7,845.06

Metropolitan State College of Denver
 Proposed Graduate Tuition Schedule for Fall 2011, Spring 2012, and Summer 2012

Masters in Accountancy

RESIDENT													
Tuition					Graduate Fee				Total Rate				
Credit Hours	FY2011	22.6%	Proposed	%	FY2011	8.0%	Proposed	%	FY2011	Total	Proposed	%	
	Tuition	Tuition	FY2012		Course Fee	Fee	FY2012		Fee	Total	FY2012		
Hours	Rates	Increase	Rate	Change	Rates	Increase	Rate	Change	Rates	Increase	Rate	Change	
1	\$129.45	\$29.25	\$158.70	22.60%	\$154.00	\$12.30	\$166.30	8.00%	\$283.45	\$41.55	\$325.00	14.66%	
2	\$258.90	\$58.50	\$317.40	22.60%	\$308.00	\$24.60	\$332.60	8.00%	\$566.90	\$83.10	\$650.00	14.66%	
3	\$388.35	\$87.75	\$476.10	22.60%	\$462.00	\$36.90	\$498.90	8.00%	\$850.35	\$124.65	\$975.00	14.66%	
4	\$517.80	\$117.00	\$634.80	22.60%	\$616.00	\$49.20	\$665.20	8.00%	\$1,133.80	\$166.20	\$1,300.00	14.66%	
5	\$647.25	\$146.25	\$793.50	22.60%	\$770.00	\$61.50	\$831.50	8.00%	\$1,417.25	\$207.75	\$1,625.00	14.66%	
6	\$776.70	\$175.50	\$952.20	22.60%	\$924.00	\$73.80	\$997.80	8.00%	\$1,700.70	\$249.30	\$1,950.00	14.66%	
7	\$906.15	\$204.75	\$1,110.90	22.60%	\$1,078.00	\$86.10	\$1,164.10	8.00%	\$1,984.15	\$290.85	\$2,275.00	14.66%	
8	\$1,035.60	\$234.00	\$1,269.60	22.60%	\$1,232.00	\$98.40	\$1,330.40	8.00%	\$2,267.60	\$332.40	\$2,600.00	14.66%	
9	\$1,165.05	\$263.25	\$1,428.30	22.60%	\$1,386.00	\$110.70	\$1,496.70	8.00%	\$2,551.05	\$373.95	\$2,925.00	14.66%	
10	\$1,294.50	\$292.50	\$1,587.00	22.60%	\$1,540.00	\$123.00	\$1,663.00	8.00%	\$2,834.50	\$415.50	\$3,250.00	14.66%	
11	\$1,423.95	\$321.75	\$1,745.70	22.60%	\$1,694.00	\$135.30	\$1,829.30	8.00%	\$3,117.95	\$457.05	\$3,575.00	14.66%	
12	\$1,553.40	\$351.00	\$1,904.40	22.60%	\$1,848.00	\$147.60	\$1,995.60	8.00%	\$3,401.40	\$498.60	\$3,900.00	14.66%	
13	\$1,553.40	\$351.00	\$1,904.40	22.60%	\$1,848.00	\$147.60	\$1,995.60	8.00%	\$3,401.40	\$498.60	\$3,900.00	14.66%	
14	\$1,553.40	\$351.00	\$1,904.40	22.60%	\$1,848.00	\$147.60	\$1,995.60	8.00%	\$3,401.40	\$498.60	\$3,900.00	14.66%	
15	\$1,553.40	\$351.00	\$1,904.40	22.60%	\$1,848.00	\$147.60	\$1,995.60	8.00%	\$3,401.40	\$498.60	\$3,900.00	14.66%	

NONRESIDENT													
Tuition					Graduate Fee				Total Rate				
Credit Hours	FY2011	9.0%	Proposed	%	FY2011	8.0%	Proposed	%	FY2011	Total	Proposed	%	
	Tuition	Tuition	FY2012		Course Fee	Fee	FY2012		Fee	Total	FY2012		
Hours	Rates	Increase	Rate	Change	Rates	Increase	Rate	Change	Rates	Increase	Rate	Change	
1	\$560.60	\$50.45	\$611.05	9.00%	\$154.00	\$12.30	\$166.30	8.00%	\$714.60	\$62.75	\$777.35	8.78%	
2	\$1,121.20	\$100.90	\$1,222.10	9.00%	\$308.00	\$24.60	\$332.60	8.00%	\$1,429.20	\$125.50	\$1,554.70	8.78%	
3	\$1,681.80	\$151.35	\$1,833.15	9.00%	\$462.00	\$36.90	\$498.90	8.00%	\$2,143.80	\$188.25	\$2,332.05	8.78%	
4	\$2,242.40	\$201.80	\$2,444.20	9.00%	\$616.00	\$49.20	\$665.20	8.00%	\$2,858.40	\$251.00	\$3,109.40	8.78%	
5	\$2,803.00	\$252.25	\$3,055.25	9.00%	\$770.00	\$61.50	\$831.50	8.00%	\$3,573.00	\$313.75	\$3,886.75	8.78%	
6	\$3,363.60	\$302.70	\$3,666.30	9.00%	\$924.00	\$73.80	\$997.80	8.00%	\$4,287.60	\$376.50	\$4,664.10	8.78%	
7	\$3,924.20	\$353.15	\$4,277.35	9.00%	\$1,078.00	\$86.10	\$1,164.10	8.00%	\$5,002.20	\$439.25	\$5,441.45	8.78%	
8	\$4,484.80	\$403.60	\$4,888.40	9.00%	\$1,232.00	\$98.40	\$1,330.40	8.00%	\$5,716.80	\$502.00	\$6,218.80	8.78%	
9	\$5,045.40	\$454.05	\$5,499.45	9.00%	\$1,386.00	\$110.70	\$1,496.70	8.00%	\$6,431.40	\$564.75	\$6,996.15	8.78%	
10	\$5,606.00	\$504.50	\$6,110.50	9.00%	\$1,540.00	\$123.00	\$1,663.00	8.00%	\$7,146.00	\$627.50	\$7,773.50	8.78%	
11	\$6,166.60	\$554.95	\$6,721.55	9.00%	\$1,694.00	\$135.30	\$1,829.30	8.00%	\$7,860.60	\$690.25	\$8,550.85	8.78%	
12	\$6,727.20	\$605.40	\$7,332.60	9.00%	\$1,848.00	\$147.60	\$1,995.60	8.00%	\$8,575.20	\$753.00	\$9,328.20	8.78%	
13	\$6,727.20	\$605.40	\$7,332.60	9.00%	\$1,848.00	\$147.60	\$1,995.60	8.00%	\$8,575.20	\$753.00	\$9,328.20	8.78%	
14	\$6,727.20	\$605.40	\$7,332.60	9.00%	\$1,848.00	\$147.60	\$1,995.60	8.00%	\$8,575.20	\$753.00	\$9,328.20	8.78%	
15	\$6,727.20	\$605.40	\$7,332.60	9.00%	\$1,848.00	\$147.60	\$1,995.60	8.00%	\$8,575.20	\$753.00	\$9,328.20	8.78%	

Metropolitan State College of Denver
Proposed Graduate Tuition Schedule for Fall 2011, Spring 2012, and Summer 2012

Table E

Masters in Teacher Education

RESIDENT					NONRESIDENT			
Credit	FY 2011	33.03%	Proposed FY 2012	%	Credit	FY 2011	9.00%	Proposed FY 2012
Hours	Rates	Increase	Rates	Change	Hours	Rates	Increase	Rates
1	\$218.00	\$72.00	\$290.00	33.03%	1	\$605.00	\$54.45	\$659.45
2	\$436.00	\$144.00	\$580.00	33.03%	2	\$1,210.00	\$108.90	\$1,318.90
3	\$654.00	\$216.00	\$870.00	33.03%	3	\$1,815.00	\$163.35	\$1,978.35
4	\$872.00	\$288.00	\$1,160.00	33.03%	4	\$2,420.00	\$217.80	\$2,637.80
5	\$1,090.00	\$360.00	\$1,450.00	33.03%	5	\$3,025.00	\$272.25	\$3,297.25
6	\$1,308.00	\$432.00	\$1,740.00	33.03%	6	\$3,630.00	\$326.70	\$3,956.70
7	\$1,526.00	\$504.00	\$2,030.00	33.03%	7	\$4,235.00	\$381.15	\$4,616.15
8	\$1,744.00	\$576.00	\$2,320.00	33.03%	8	\$4,840.00	\$435.60	\$5,275.60
9	\$1,962.00	\$648.00	\$2,610.00	33.03%	9	\$5,445.00	\$490.05	\$5,935.05
10	\$2,180.00	\$720.00	\$2,900.00	33.03%	10	\$6,050.00	\$544.50	\$6,594.50
11	\$2,398.00	\$792.00	\$3,190.00	33.03%	11	\$6,655.00	\$598.95	\$7,253.95
12	\$2,616.00	\$864.00	\$3,480.00	33.03%	12	\$7,260.00	\$653.40	\$7,913.40
13	\$2,616.00	\$864.00	\$3,480.00	33.03%	13	\$7,260.00	\$653.40	\$7,913.40
14	\$2,616.00	\$864.00	\$3,480.00	33.03%	14	\$7,260.00	\$653.40	\$7,913.40
15	\$2,616.00	\$864.00	\$3,480.00	33.03%	15	\$7,260.00	\$653.40	\$7,913.40

Masters in Social Work

RESIDENT		NONRESIDENT	
Credit	Tuition	Credit	Tuition
Hours	Rate	Hours	Rate
1	\$290.00	1	\$659.45
2	\$580.00	2	\$1,318.90
3	\$870.00	3	\$1,978.35
4	\$1,160.00	4	\$2,637.80
5	\$1,450.00	5	\$3,297.25
6	\$1,740.00	6	\$3,956.70
7	\$2,030.00	7	\$4,616.15
8	\$2,320.00	8	\$5,275.60
9	\$2,610.00	9	\$5,935.05
10	\$2,900.00	10	\$6,594.50
11	\$3,190.10	11	\$7,253.95
12	\$3,480.10	12	\$7,913.40
13	\$2,616.00	13	\$7,913.40
14	\$2,616.00	14	\$7,913.40
15	\$2,616.00	15	\$7,913.40

**Metropolitan State College of Denver
 Proposed Graduate Tuition and Fee Schedule
 Fall 2011, Spring 2012, and Summer 2012**

Table F

Masters in Accountancy

RESIDENT				NONRESIDENT			
Credit Hours	FY11-12 Tuition & Course Fee	FY11-12 Mandatory Fees	FY11-12 Total	Credit Hours	Tuition & Course Fee	FY11-12 Mandatory Fees	FY11-12 Total
1	325.00	232.98	557.98	1	777.35	232.98	1,010.33
2	650.00	252.78	902.78	2	1,554.70	252.78	1,807.48
3	975.00	272.58	1,247.58	3	2,332.05	272.58	2,604.63
4	1,300.00	301.70	1,601.70	4	3,109.40	301.70	3,411.10
5	1,625.00	321.50	1,946.50	5	3,886.75	321.50	4,208.25
6	1,950.00	364.70	2,314.70	6	4,664.10	364.70	5,028.80
7	2,275.00	395.87	2,670.87	7	5,441.45	395.87	5,837.32
8	2,600.00	415.67	3,015.67	8	6,218.80	415.67	6,634.47
9	2,925.00	435.47	3,360.47	9	6,996.15	435.47	7,431.62
10	3,250.00	455.27	3,705.27	10	7,773.50	455.27	8,228.77
11	3,575.00	475.07	4,050.07	11	8,550.85	475.07	9,025.92
12	3,900.00	512.46	4,412.46	12	9,328.20	512.46	9,840.66
13	3,900.00	512.46	4,412.46	13	9,328.20	512.46	9,840.66
14	3,900.00	512.46	4,412.46	14	9,328.20	512.46	9,840.66
15	3,900.00	512.46	4,412.46	15	9,328.20	512.46	9,840.66

Masters in Teacher Education and Social Work

RESIDENT				NONRESIDENT			
Credit Hours	Tuition	FY11-12 Mandatory Fees	FY11-12 Total	Credit Hours	Tuition & Course Fee	FY11-12 Mandatory Fees	FY11-12 Total
1	290.00	232.98	522.98	1	659.45	232.98	892.43
2	580.00	252.78	832.78	2	1,318.90	252.78	1,571.68
3	870.00	272.58	1,142.58	3	1,978.35	272.58	2,250.93
4	1,160.00	301.70	1,461.70	4	2,637.80	301.70	2,939.50
5	1,450.00	321.50	1,771.50	5	3,297.25	321.50	3,618.75
6	1,740.00	364.70	2,104.70	6	3,956.70	364.70	4,321.40
7	2,030.00	395.87	2,425.87	7	4,616.15	395.87	5,012.02
8	2,320.00	415.67	2,735.67	8	5,275.60	415.67	5,691.27
9	2,610.00	435.47	3,045.47	9	5,935.05	435.47	6,370.52
10	2,900.00	455.27	3,355.27	10	6,594.50	455.27	7,049.77
11	3,190.00	475.07	3,665.07	11	7,253.95	475.07	7,729.02
12	3,480.00	512.46	3,992.46	12	7,913.40	512.46	8,425.86
13	3,480.00	512.46	3,992.46	13	7,913.40	512.46	8,425.86
14	3,480.00	512.46	3,992.46	14	7,913.40	512.46	8,425.86
15	3,480.00	512.46	3,992.46	15	7,913.40	512.46	8,425.86

AGENDA ITEM: FY 2011-12 Revenue Increases with Base and Non-Base Increased Expenses

ISSUE:

Consistent with the Trustee Policy Manual, Sections 4.1 and 4.2, the Board of Trustees for Metropolitan State College of Denver has the responsibility and authority to review and approve the operating budgets. This Agenda Item includes the FY 2011-12 additional revenue and expenses for Metropolitan State College of Denver.

BACKGROUND:

Attached for your review is the FY 2011-12 proposed Operating Budget per budget parameters approved on May 4, 2011 with revenue from proposed tuition and fee schedule and \$4.6 million fund balance distribution.

ANALYSIS:

Operating – State Support

The FY 2011-12 proposed Operating Budget has been developed to distribute \$11,852,276 for both Base and Non-Base Budget from General Fund. From this total \$7,252,276 is for Base Budget, which includes \$867,337 of the unallocated FY10-11 enrollment growth revenue and \$824,250 from available unallocated FY10-11 reserve.

Table below shows a summary of revenue available for both Base and Non-Base Budget:

		FY 2010-11 Revised Budget as of 5/16/2011	FY 2011-12 Beginning Budget	FY 2011-12 Anticipated Changes
1	<u>Base and Non-Base Appropriated Revenue</u>			
2	COF Stipend	\$ 32,730,978	33,515,340	784,362
3	Fee For Service (FFS)	7,047,590	3,446,139	(3,601,451)
4	Stimulus Funding/Non-Base FFS	4,289,163		(4,289,163)
5	Total Base and Non-Base	\$ 44,067,731	36,961,479	(7,106,252)
6				
7	<u>Base and Non-Base Reduction from FY 2010-11 Original Budget</u>			
8	Base Revenue Reduction for FY11-12 (COF Stipend & FFS)	\$ 39,778,568	36,961,479	(2,817,089)
9	Non Base Revenue Reduction for FY11-12 (Stimulus Funding)	4,289,163	0	(4,289,163)
10				(7,106,252)
11	<u>Base Operating Revenue</u>			
12	Student Share of Tuition	\$ 68,957,586	83,595,342	14,637,756
13	COF Stipend and Fee For Service	39,778,568	36,961,479	(2,817,089)
14	Other Than Tuition	4,721,681	4,721,681	0
15	Total	\$ 113,457,835	125,278,502	11,820,667
16				
17	Fee Conversion			(5,288,852)
18	Controlled Maintenance (AHEC)			(971,126)
19	Total Base Allocations	\$ 113,457,835	125,278,502	5,560,689
20				
21	<u>Current Estimated Summary Budget Available to Distribute:</u>			
22	New FY12		\$ 5,560,689	
23	Unallocated FY11 Tuition from Enrollment Growth			867,337
24	FY2011 Unallocated Funds			824,250
25	Subtotal Base		\$ 7,252,276	
26				
27	Non-Base Unallocated FY11 Fund Balance Forward			4,600,000
28	Total Base and Non-Base available to Distribute		\$ 11,852,276	

Operating Expenses

Recommended additions to the College's Base Operating Expenses include mandatory distributions for Scholarship, AHEC, Library, Risk Management, and Bad Debt. There are additional increases for new positions, infrastructure support and Faculty and Administrative compensation increases by the College's divisions. Included in each division are specific staffing needs as well as increased expenses for professional development, travel, maintenance cost and other miscellaneous initiatives.

Operating – Auxiliary Funds

Auxiliary revenue is projected to have a minor decrease. This will be the net result of the reduction in our student fees due to conversion to tuition and increases in our Metro Bond fee, Extended Campus tuition, and Accelerated Nursing.

Table below is a summary of Auxiliary Funds Revenue and Projected Revenue:

		FY2010	FY2011	FY2012
		Actuals	Projected	Projected
Revenue				
Student Affairs	\$	3,579,021	3,730,540	3,730,540
Athletics		1,485,835	1,542,120	1,542,120
Extended Campus		4,079,395	4,630,259	3,994,513
Health Center		5,269,964	5,439,545	5,439,545
Information Technology		3,379,665	3,528,541	344,302
Internet Fee		1,786,339	2,006,083	407,582
Admin Recharge		2,997,889	3,719,542	3,116,123
To Fund from Admin Recharge:				
BOT Chief of Staff, BOT Record Management, and Institutional Reserve				
Accelerated Nursing		938,863	919,433	1,110,033
Metro Bond Fee				
70% Fund, Principal & Interest		1,732,152	4,624,773	7,513,422
20% Scholarship from Bond Fee		480,881	1,071,980	1,785,927
10% FF&E from Bond Fee		240,440	540,990	902,964
Subtotal Metro Bond Fee	\$	2,453,473	6,237,743	10,202,313
Masters Programs		-	239,392	1,286,418
Other		1,868,261	1,718,121	2,455,781
Total	\$	27,838,705	33,711,319	33,629,270

Operating – Auxiliary Master Programs

The next three worksheets summarize Metro’s graduate programs estimated revenue, expenses and their estimated operating results for FY 2010-11 and FY 2011-12. Total estimated headcounts are provided by each School:

Master of Accountancy:				FY2010-11		FY 2011-12
Headcount, FTE information & Assumptions:						
FY 2012 per School of Business:				Est. Headcount	Headcount	Est. Headcount
3+2 Program						
		Fall	58	3	15	
		Spring	58	3	25	
4+1 Program						
		Fall	43	16	35	
		Spring	43	16	50	
				FTE	FTE	
		Full Time Faculty		1.20	TBD	
Revenue and Expense Statement:				FY2010-11		FY 2011-12
				Approved by BOT June 2010	Revised Estimate Feb. 2011	Estimate as of May 2011
Revenues						
		Tuition (including 3+2)	256,212	31,845	119,025	
		Grad Fee	304,920	37,884	124,725	
		Total Revenues	561,132	69,729	243,750	
Expenses						
		Faculty	403,716	120,514	120,514	
		Professional Development	19,100	15,000	16,000	
		Program Administration	52,300	45,750	45,750	
		Other Expenses (Material & Supplies, etc.)	10,000	10,000	10,000	
		Bad Debt (2%)	11,223	1,395	4,875	
		Institution Overhead (10%)	56,113	6,973	24,375	
		Total Expenses	552,452	199,632	221,514	
		Net Balance	8,680	(129,903)	22,236	
		One-time additional funds		70,750		
		Total		(59,153)		

Master of Arts in Teaching:				FY2010-11		FY 2011-12
Headcount, FTE information & Assumptions:						
FY 2012 per School of PS:				Est. Headcount	Headcount	Est. Headcount
			Fall	179	34	47
			Spring	179	44	47
					FTE	FTE
			Full Time Faculty		2.40	TBD
Revenue and Expense Statement:						
				FY2010-11		FY 2011-12
				Approved by BOT June 2010	Revised Estimate Feb. 2011	Estimate as of May 2011
<u>Revenues</u>						
			Tuition	701,088	151,000	187,920
			Grad Fee	-	-	-
			Total Revenues	701,088	151,000	187,920
<u>Expenses</u>						
			Faculty	331,760	120,536	146,284
			Professional Development	-	-	-
			Program Administration	93,000	58,716	61,000
			Other Expenses (Material & Supplies, etc.)	300	-	50,000
			Instructional Material	10,000	25,000	-
			Bad Debt (2%)	14,022	3,020	3,758
			Institution Overhead (10%)	70,109	15,100	18,792
			Total Expenses	519,191	222,372	279,834
			Net Balance	181,897	(71,372)	(91,914)
			One-time additional funds		83,716	
			Total		12,344	

Master of Social Work:				FY2010-11		FY 2011-12
Headcount, FTE information & Assumptions:						
			FY 2012 Per School of LAS:			Est. Headcount
			Full Time			83
			Part Time			41
						124
						FTE
			Full Time Faculty			8.90
Revenue and Expense Statement:				FY2010-11		FY 2011-12
				Approved by BOT June 2010	Revised Estimate Feb. 2011	Estimate as of May 2011
			<u>Revenues</u>			
			Tuition	-	-	718,620
			Grad Fee	-	-	-
			Total Revenues	-	-	718,620
			<u>Expenses</u>			
			Faculty	-	-	418,880
			Professional Development	-	4,856	22,000
			Program Administration	-	115,532	122,500
			Other Expenses (Material & Supplies, etc.)	-	8,665	7,895
			Instructional Material	-	-	21,100
			Bad Debt (2%)	-	-	14,372
			Institution Overhead (10%)	-	-	71,862
			Total Expenses	-	129,053	678,609
			Net Balance	-	(129,053)	40,011
			One-time additional funds		135,984	
			Total		6,931	

RECOMMENDATION:

The BOT Finance Committee recommends approval of the Revised FY 2011-12 Operating Budget for Metro State as presented.

AGENDA ITEM: Memorandum of Understanding (MOU) between Metropolitan State College of Denver Foundation, Inc and Metropolitan State College of Denver relating to the Center for Innovation’s Franchise Ownership Program.

BACKGROUND: The proposed MOU is intended to set forth the policies and procedures that will contribute to the coordination of the parties’ mutual activities, and defines expectations, responsibilities, mutual commitments, relationship and responsibilities relating to the Center for Innovation’s Franchise Ownership Program (Program). A copy of the MOU is attached for your review.

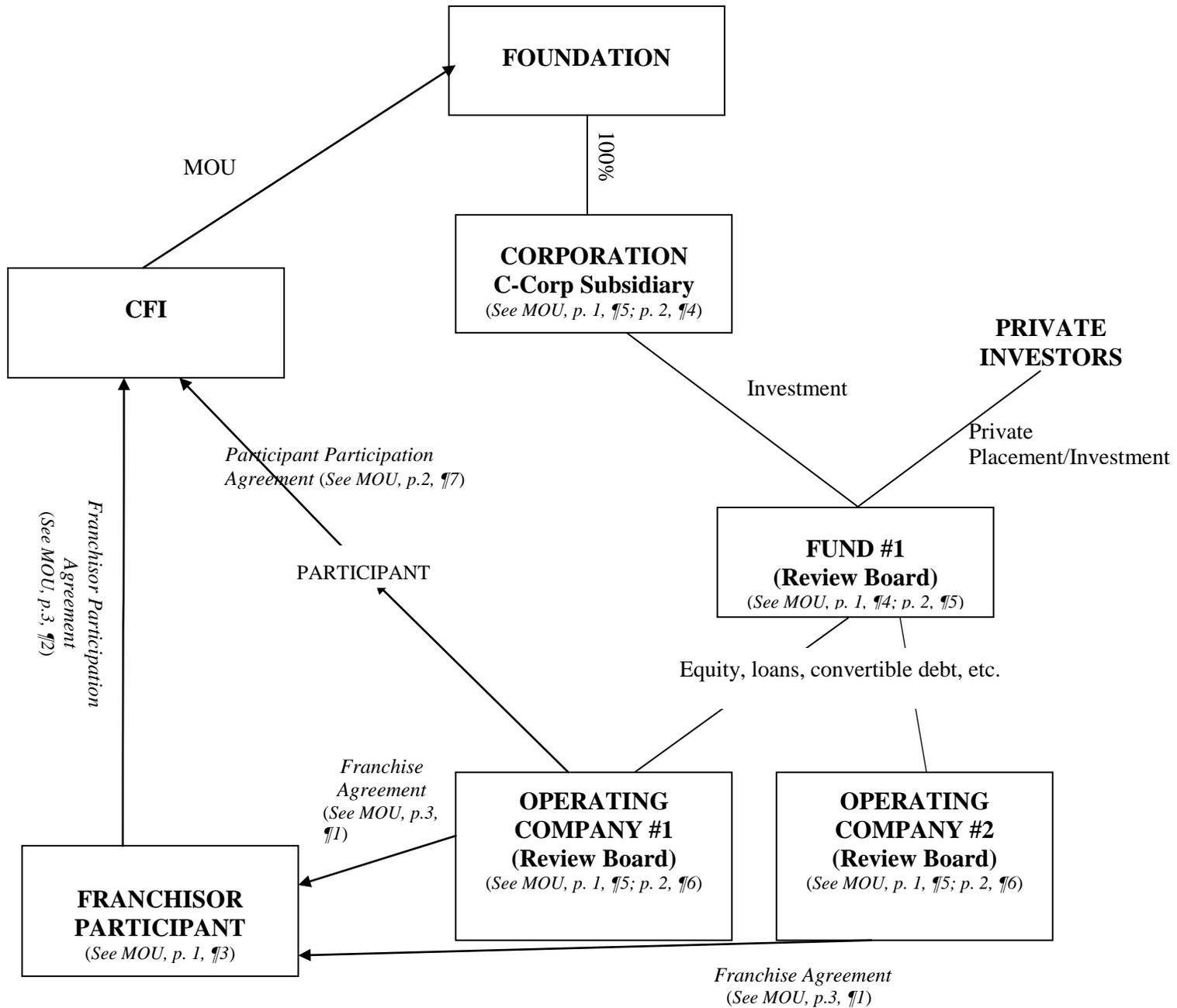
The MOU was drafted by Davis Graham & Stubbs—legal counsel hired to advise the Foundation and the Center for Innovation (CFI) on matters relating to the Franchise Ownership Program—and reviewed by the College’s General Counsel and appropriate staff from both the Foundation and Center for Innovation. The MOU will be presented for discussion and approval to the Foundation’s full Board of Directors at its meeting on June 21.

The legal structure of the Program will be similar to the structure illustrated in the diagram attached for your review. The legal structure is also described in the “Legal Structure” section beginning on page 2 of the MOU.

Key aspects of the MOU are as follows:

- A new corporation (Corporation) will be established as a wholly-owned for-profit subsidiary of the Foundation. The Foundation will transfer to the Corporation funds it receives earmarked for donation to the Program. The Corporation will then donate/invest these funds into a Franchise “Fund” (Fund). The Corporation may in part own a Fund for the benefit of the College. Such ownership will depend on whether donation dollars earmarked for the Program are actually donated or invested into a Fund.
- Each “Operating Company will be managed by a board that may contain representatives from the Foundation, the College, private investor pool, and other professional capacities.
- CFI with support of the Development Department is responsible for raising money for the Program.
- The Foundation will track and disclose to the College gifts pledged or received for the benefit of the Program.
- The Foundation is responsible for managing funds relating to the Program in both Foundation and Corporation accounts.
- The Foundation shall be reimbursed for all reasonable expenses approved in advance by the College related to its and the Corporation’s management of funds for the Program.
- The Foundation will continue to assess its normal administrative fee for all receipts processed and managed by the Foundation on behalf of the College.
- The Foundation’s current assets and earnings—other than those maintained for the benefit of the CFI—are not at risk should the Program incur deficits or shortages.

RECOMMENDATION: The MOU has been presented and reviewed by the Foundation’s Executive Committee, as well as the Board of Trustees Academic and Student Affairs Committee and the Board of Trustees Finance Committee. It is being recommended for approval by the Board of Trustees and will be presented to the full Foundation Board of Directors at its next meeting in June for approval.



**Memorandum of Understanding
Between Metropolitan State College of Denver Foundation, Inc., and
Metropolitan State College of Denver Relating to the Center for Innovation's
Franchise Ownership Program**

This Memorandum of Understanding (“Agreement”) is entered into as of this ___ day of June, 2011 (“Effective Date”), by and between Metropolitan State College of Denver Foundation, Inc. (“Foundation”), and Metropolitan State College of Denver (“College”).

The College’s Center for Innovation (“CFI”) has developed the Franchise Ownership Program (“Program”). For ease of reference, the College and its CFI are collectively hereinafter referred to as the “College.”

The Program was designed by the College to educate and train qualified individuals who might not otherwise have the resources to own a franchise business. Specifically, qualified individuals who the College admits to the Program (“Participant(s)”) will be provided education and training through a specifically designed franchise management and ownership curriculum. In addition to this unique franchise business education, in coordination with the Foundation, private investors, Participants, and franchisors (“Franchisor Participant(s)”), the College will assist in locating resources to provide startup capital to Participants in order for them to begin operating their pre-selected franchise businesses. The franchise business opportunities will be provided through local and national Franchisor Participants who are pre-screened and selected to participate in the Program. If the Participants are successful in operating their franchise businesses, such individuals will purchase from a special purpose entity (or fund) as detailed below their franchise businesses by repaying the above referenced capital over a particular period (e.g. 10 years).

In order to provide capitalization to Participants of the Program to cover the startup costs associated with each franchise business that must be paid to the Franchisor Participants, special purpose entities or funds (e.g. limited liability companies) will be formed and capitalized by the Foundation and/or private investors. It is anticipated that each Franchisor Participant will waive or discount in some manner the initial franchise fee as a requirement for participation in the Program. The first special purpose entity that is created and any additional special purpose entities that may be created for the Program are for purposes of simplicity referred to herein as a “Fund.”

To form a Fund, a wholly owned C-corporation subsidiary (“Corporation”) will be created by the Foundation that may own a certain percentage with private investors of a Fund. Once a Fund is formed and adequately capitalized (e.g. approximately \$1.5 million) through (i) donations flowing from the Foundation through the Corporation as investments into a Fund, and/or (ii) direct investments to a Fund from private investors, a Fund, based on recommendations from such Fund’s management, will provide capital to Participants to purchase and begin operating certain franchise businesses. It is anticipated that a Fund will capitalize four to eight franchise businesses that will each be operated under separate limited liability company (or other) legal entities (“Operating Company” or “Operating Companies”) as further detailed below. Because the Foundation’s legal structure is better suited to handle a program of this nature, it was determined by the Foundation

and the College that a Fund making capital investments on behalf of the Participants of the Program should be formed under the Foundation as opposed to the College.

This Agreement is intended to set forth the policies and procedures that will contribute to the coordination of the parties' mutual activities regarding the Program. The parties to this Agreement desire to set forth the expectations and responsibilities: (1) the College will have relating to the Foundation to ensure the proper development and operation of the Program, (2) the College, more specifically the CFI with support from the Development Department, will have to the Foundation relating to any fundraising activities for the Program, (3) the Foundation will have to the College relating to any fundraising activities for the Program, (4) the Foundation will have to the College relating to any expected flow of funds generated by the Program, (5) the Foundation will have to the College relating to the College's Program account that is held by the Foundation, (6) as to the Foundation's management of the Corporation, and (7) as to the Foundation's and the College's participation in the management of a Fund. To ensure effective achievement of the terms of this Agreement, the College's and the Foundation's representatives shall hold periodic meetings to foster and maintain productive relationships and to ensure open and continuing communications and alignment of priorities regarding the Program.

In consideration of the mutual commitments herein contained, and other good and valuable consideration, receipt of which is hereby acknowledged, the parties agree as follows:

Legal Structure

- The College and the Foundation anticipate that the legal structure of the Program will be similar to the structure illustrated in Exhibit A.
- Specifically, the Corporation will be set up under the Foundation as a for-profit subsidiary wholly owned by the Foundation. The Corporation may receive funds from the Foundation that are recommended for donation to the Program. The Corporation will then invest such funds into a Fund. The Corporation will have a non-ownership interest in such Fund and representatives from the Foundation and the College (as well as other representatives) will participate in the management of such Fund.
- Through a private placement fundraising initiative, private accredited investors will be solicited to invest in a Fund according to applicable laws and regulations. A representative from the private investor pool will participate in the management of such Fund.
- A Fund will capitalize (through equity, loans, convertible debt, etc.) individual franchise Operating Companies managed by Participants that will be operated as limited liability companies, limited partnerships or corporations. Each Operating Company will be managed by boards that may contain representatives from the Foundation, the College, private investor pool, and other professional capacities.
- Each Participant will have an agreement in place with the College. Such agreement will cover the responsibilities the Participant has regarding his or her participation in the Program as well as the College's responsibilities to the Participant under the Program. For example, among other things, the College will agree to provide the Participant with education and training regarding how to manage a franchise, and the College will agree to use reasonable efforts to locate resources to provide startup capital to the Participant. The Participant, among other things, will agree to pay the College \$10,000 (or different amount

as determined by the College) in tuition and the Participant will agree to abide by certain rules and guidelines established for the Program.

- Each individual Participant and the associated Operating Company will have a customary franchise agreement (that may be modified for the Program) in place with the applicable Franchisor Participant. Such agreement will cover the responsibilities the Franchisor Participant has to the Participant and the responsibilities the Participant has to the Franchisor Participant regarding the day-to-day operations of the franchise business. For instance, among other things, the Franchisor Participant will agree to provide adequate training and resources to the Participant so he or she can successfully operate the franchise business. The Participant, among other things, will agree to abide by certain standards established by the Franchisor Participant such as those standards relating to the quality of the products and/or services.
- Each Franchisor Participant will have an agreement in place with the College that will outline the Franchisor Participant's obligations under the Program as well as the College's obligations to the Franchisor Participant through the Program. For example, among other things, the College will agree to educate the Participant and agree to provide continuing education after the Participant begins managing the specific franchise business. The Franchisor Participant, among other things, will agree to meet minimum guidelines for franchisors established by the College relating to participation in the Program and it will agree to reduce or waive in some manner the initial franchise fee.
- The parties anticipate that other agreements will be needed to manage additional relationships as the Program is further developed and implemented.
- Such legal structure of the Program may be modified from time-to-time upon mutual agreement of the College and the Foundation.

Relationships

- The Foundation is a separately incorporated 501(c)(3) nonprofit organization created to raise, manage, distribute, and steward private resources to support the various missions of the College.
- The Foundation's involvement with the Program through its ownership of the Corporation is consistent with such purposes.
- The Foundation is responsible for the performance and oversight of all aspects of its operations based on a comprehensive set of Bylaws and the Memorandum of Understanding between the Foundation and the College executed in October 2008 (Exhibit B).
- The Corporation may in part own a Fund for the ultimate benefit of the College. Such ownership will depend on whether donation dollars recommended for the Program are actually invested into a Fund.
- The College is responsible to the Foundation for all Program curriculum development and administration, Program recruitment, Participants screening and Program participation, Franchisor Participants screening and Program participation, and fund raising for the Program.

Responsibilities

1. Program Development and Administration

- The College shall develop appropriate curriculum for the Program that is designed to allow Participants to succeed in the Program.
- The College shall market the Program to potential Participants, Franchisor Participants, as well as other target markets.
- The College shall be responsible for recruiting, screening, and selecting Participants and Franchisor Participants for the Program.
- The College shall provide the necessary education and training to Participants in order for such Participants to be successful in the Program.
- The College shall be responsible for any of her obligations reasonably necessary to successfully develop and administer the Program.

2. Fund-Raising

- The CFI with the support of the Development Department shall be responsible for raising funds for the Program. Specifically, such responsibilities include, but are not limited to, soliciting private accredited investors to invest in a Fund, and soliciting private donations to the Foundation for the Program.
- The Foundation may assist the College with donation and gift solicitations for the Program fundraising initiative as reasonably needed.
- The Foundation may assist the College in coordination with the College's Communications Department with marketing activities for the Program.
- The Foundation will track and disclose to the College on a quarterly basis any gifts pledged or received for the benefit of the Program. With regard to in-kind donations for the Program, using guidelines set forth in Internal Revenue Service Publication 561, *Determining the Value of Donated Property*, the Foundation shall report the estimated value for such donation in its disclosure to the College.

3. Management of Funds

- The Foundation shall be responsible for the management of funds relating to the Program from the Foundation to the Corporation. Such flow of funds will primarily represent donation dollars coming into the Foundation for the Program.
- The Foundation shall be responsible for the management of funds relating to the Program from the Corporation to a Fund. Such flow of funds will represent donation dollars being invested into a Fund.
- The Foundation and the College shall mutually agree as to the responsibility for the flow funds from a Fund to the Operating Companies and back from the Operating Companies to each Fund. Such flow of funds will represent capital going into the Operating Companies and returns of capital or loan proceeds going from the Operating Companies to a Fund. The Foundation and the College anticipate that a third party may manage this activity and such third party will be compensated out of a certain percentage of funds that will be designated for these fees.
- The Foundation shall be responsible for the management of the funds relating to the Program paid from a Fund to the Corporation. Such flow of funds may represent income distributions, a return of capital, or reimbursement of expenses.
- The Foundation shall be responsible for the management of the funds relating to the Program from the Corporation to the Foundation. Such flow of funds may represent

- income distributions, a return of capital, or reimbursement of expenses.
 - As reasonably requested, the Foundation shall make distributions to the College from available funds held in the College's account related to the Program.
 - The Foundation and/or the Corporation shall be reimbursed for all reasonable expenses approved in advance by the College related to the management of any funds for the Program. Such expenses include, but are not limited to, audit and accounting fees, tax consulting and preparation fees, legal fees, corporate fees and bank fees relating to the Program incurred by the Foundation and/or the Corporation.
 - Notwithstanding the reimbursement of all reasonable expenses approved in advance by the College that are incurred by the Foundation and/or the Corporation related to the management of the Program, the Foundation will continue to assess its normal administrative fee at the then-current rate, currently set at 6%, for all receipts processed and managed by the Foundation on behalf of the College.
4. Management of Corporation and Fund
- The Program was created to benefit the academic mission of the College and generate additional resources for the College.
 - The quality and soundness of the principles under which a business operates is a major contributor to the business's long-term success.
 - Therefore, the Foundation and the College, each individually, hereby commit to "Prudent Management" of the Corporation and/or any Fund, which is defined as making decisions based on the best interests of the Foundation, the College, Corporation and any Fund, involving individuals with industry expertise to assist in decision-making, striving to maximize the net profits available for distribution to the Foundation for the benefit of the College, and sharing financial and other relevant information on a regular basis between the Foundation, the College, the Corporation and any Fund.
5. Foundation Assets
- Foundation assets, other than those maintained by the Foundation for the benefit of the CFI, will not be at risk should the Program incur any deficits or shortages.

Miscellaneous Provisions

- No party shall have any liability for the obligations, acts or omissions of any other party.
- This Agreement shall be in effect so long as the Program is being developed and/or administered by the College unless the parties agree in writing to terminate this Agreement.
- This Agreement shall be in all respects interpreted and construed in accordance with and be governed by the laws of the State of Colorado without regard to its conflicts of laws.
- This Agreement may not be amended, changed or modified in any manner except by an instrument in writing signed by each of the parties.
- This Agreement (together with all exhibits) constitutes the entire agreement of the parties pertaining to the subject matter hereof and supersedes all prior and contemporaneous agreements, negotiations, proposals, and representations, whether written or oral. The provisions of this Agreement shall be severable, and the invalidity or unenforceability of any provision shall not affect the validity or enforceability of the remaining provisions.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized officers as of the day and date first above written.

_____, Chair
Board of Metropolitan State College
of Denver

Date: _____

_____, Chair
Board of Metropolitan State College of Denver
Foundation, Inc.

Date: _____

Stephen M. Jordan, President
Metropolitan State College of Denver

Date: _____

Carrie Besnette Hauser, Executive Director
Metropolitan State College of Denver
Foundation, Inc.

Date: _____

AGENDA ITEM: **Revisions to Faculty Evaluation – Section V of the *Handbook for Professional Personnel***

BACKGROUND: At the 2009 Board of Trustees Retreat, the Trustees granted Provost Golich a two year time period to engage in a substantial revision of Metro State’s faculty evaluation system. All indicators pointed to the fact that it was badly broken and needed to be revised to align more closely with best practices – based on research – across the country. A task force representing all tenure-line faculty ranks and reviewer levels was convened in late 2009 and has been working on a plan for this revision ever since. Although the task force has not completed the entirety of its work, it has completed the most complex and difficult part of the process – the review and evaluation of tenure-track faculty during their first six years as they move toward their candidacy for tenure. We have already begun the work, based on these changes in the evaluation for tenure, to revise the evaluation for promotions and post-tenure review. Our last task will be to address Department Chair evaluations. The task force made presentations as the proposed changes were being developed at Faculty Senate meetings; the principles and conceptual ideas have also been presented at the Board of Trustees 2010 Retreat and at subsequent meetings of the Finance and Academic and Student Affairs Committees. It also submitted the changes in Section V of the *Handbook for Professional Personnel* for full vetting by General Counsel and discussion with the Deans and with the President. Finally, the changes were put to a vote of all tenure-line faculty; that vote yielded 265 votes – over half of the tenure-line faculty; of these 222 (83.8%) voted in favor of the changes, and 43 (16.2%) voted against. The *Handbook* committee met and voted in favor of the changes.

RECOMMENDATION: We now seek review and approval by the Academic and Student Affairs Board of Trustees Committee. The proposed changes are attached. The following describes the key changes made; the revisions are attached:

1. Faculty members will submit a Portfolio rather than a Dossier for review and evaluation. Portfolios permit individuals to put their best case forward, whereas Dossiers require everyone to submit the same materials.
2. The contractual obligations language has been moved from this section as we all agreed this belongs some place else.
3. The criteria have changed from four areas – teaching, advising, professional development, and service – to three areas – teaching, scholarly activities, and service; advising has been moved into teaching per definitions in section E.1.a. These three areas are carefully defined in section E. In addition, we have included an

“Other” section because we know that many tenure-track faculty do engage in other kinds of significant work, including, but not limited to, service as Department Chairs and Directors of various units.

4. Portfolios are to include the following:
 - a. A single Narrative statement, “which presents a reflective self-assessment, highlights accomplishments, and indicates plans for the future” vs. multiple, one-page descriptions of work accomplished.
 - b. An annotated *Curriculum Vitae* that provides brief explanations of work completed or underway, as well as links to relevant items when possible vs. a simple *Curriculum Vitae* where items are only listed.
 - c. All Student Ratings of Instruction (SRI) vs. all Student Evaluations of Teaching. The task force wholly revised and upgraded the SRIs based on the research literature (*see attached*).
 - d. All previous review letters and any relevant responses by the faculty member.
 - e. All reassigned time evaluations and reports (if relevant).
 - f. Additional materials for review. In years three and six, faculty members may now choose four-to-nine items, two of which must be from the Teaching category and one each from the Scholarly Activities and Service categories vs. being required to include all documentation.
 - g. Faculty members must include one summative Peer Observation vs. Peer Observations of 50% plus one of all courses taught. The Peer Observation must be conducted by a trained faculty member vs. being conducted by untrained faculty members.
5. Annual reviews of tenure-track faculty take place on the Academic Year vs. the calendar year, and they are cumulative reviews building toward tenure candidacy vs. one-year snapshots of accomplishments. Please see the attached matrix to see who will be involved in the reviews and what it to be included in each Portfolio.
6. The review cycle is moving from one where the 2nd and 4th years were high stakes reviews in addition to the 6th year to one where the 3rd year review will be the only pre-tenure candidacy high stakes review. This will allow candidates to do what is needed to earn tenure, whereas a 4th year problematic review does not really provide a candidate enough time to do what is needed to earn tenure.

7. It is clearly stated in Section D.8. that the President may extend a faculty member's probationary period toward tenure in the case of extenuating circumstances.
8. Departmental Guidelines will still refine the criteria for performance in each area as determined by disciplinary standards. However, they will now be written as Guidelines geared toward attaining tenure vs. Guidelines for single year performance. These Guideline revisions should be completed by the end of the 2011 calendar year.
9. At the level of the Department, review committees are now defined as "Department/Peer Review Committee"; this is to ensure that, in cases where there are not enough tenured faculty to constitute a minimum Department Committee of three persons, the Department can look to cognate disciplines to constitute a Peer Review Committee.

Review Process for Reappointment and Tenure

	Reviewers	Materials for review*
Late Spring 1 st Year	Chair Dean Provost [†] President [†]	Annotated <i>Curriculum Vitae</i>
Fall 2 nd Year	Chair Dean Provost President [†]	Annotated <i>Curriculum Vitae</i> All Student Ratings of Instruction (SRIs) Narrative Statement, 1-3 pages Review Letters from Year One
Fall 3rd Year	Department/Peer Review Committee Chair School RTP Committee Dean Faculty Senate (College) RTP Committee Provost President	Annotated <i>Curriculum Vitae</i> All Student Ratings of Instruction (SRIs) Narrative, 2-5 pages All previous review letters and responses All reassigned time evaluations and reports Additional materials for review (minimum of 4, maximum of 9)
Fall 4 th Year	Chair Dean Provost [†] President [†]	Annotated <i>Curriculum Vitae</i> All Student Ratings of Instruction (SRIs) All previous review letters and responses Documentation addressing progress on areas of concern, if necessary
Fall 5 th Year	Chair Dean Provost President [†]	Annotated <i>Curriculum Vitae</i> All Student Ratings of Instruction (SRIs) All previous review letters and responses Documentation addressing progress on areas of concern, if necessary
Fall 6th Year	Department/Peer Review Committee Chair School RTP Committee Dean Faculty Senate (College) RTP Committee Provost President	Annotated <i>Curriculum Vitae</i> All Student Ratings of Instruction (SRIs) Narrative, 3-8 pages All previous review letters and responses All reassigned time evaluations and reports Additional materials for review (minimum of 4, maximum of 9)

NOTES: *Additional materials can be requested by any level of review [†] Only if a non-retention recommendation

V. POLICIES AND PROCEDURES FOR TENURE-TRACK FACULTY: RETENTION, TENURE, AND PROMOTION

1. Policies Governing Performance Reviews of Faculty

Policies governing performance reviews of faculty are stated in this Section V. The duties of higher education professionals are complex and diverse. No one source can adequately reflect an individual's performance or carry the burden associated with important personnel and salary decisions. Therefore, the review process requires multiple sources of information that encompass the complex and diverse work of faculty; collectively these data should present a holistic picture of individual faculty as each seeks tenure and/or promotion.

2. Purpose of Faculty Performance Review

Performance review is critical to individual and institutional accountability and renewal. Only after reviewing the performance of faculty will the College be able to recognize outstanding contributions and be able to support, guide, and foster the development of individual talents and knowledge.

Annual performance reviews of tenure-track faculty shall be considered in the following actions and comprehensive evaluations:

1. Reappointment and Awarding of Tenure: All performance reviews of a tenure-track faculty member will be part of the documentation for reappointment and for the awarding of tenure. The reviews shall be cumulative in nature as tenure-track faculty progress through the probationary period, normally a six-year time period. An award of tenure requires adherence to all contractual requirements; a record of conduct consistent with professional standards; and demonstration of long-term high-level performance in all three areas of faculty responsibility: teaching, scholarly activities, and service.
2. Promotion: Performance reviews conducted since the last promotion, if any, or since the time of the first tenure-track contract will be part of the documentation for promotion submitted by faculty applying for advancement in academic rank.
3. Termination For Cause: All performance reviews will be part of all discussions and records concerning the termination of a faculty member, if the termination is performance-related.

3. Explanation of Terms

1. Guidelines: Departmental guidelines must be used for all performance reviews. The Chair of each Department, with the input and advice of departmental faculty, is required to write guidelines specific to the needs of the Department pertaining to the performance areas of teaching, scholarly activities, and service. All guidelines must be consistent with the School's and College's mission statements. Departmental guidelines must be approved by the Dean and the Provost & Vice President for Academic Affairs before they take effect. In the event there is disagreement concerning departmental guideline content, the Provost & Vice President for Academic Affairs will make the final decision. All guidelines must clearly indicate the qualitative standards necessary for reviewing a faculty member's performance, and provide examples of activities for each rating except for a Needs Improvement rating.

Guidelines should be reviewed annually, *but only updated if deemed necessary*. If departmental guidelines are changed, the Chair must submit the current departmental

guidelines and revised departmental guidelines, highlighting and explaining the rationale for any changes, to the School Dean and Provost & Vice President for Academic Affairs for approval no later than March 1 of each year. The Provost & Vice President for Academic Affairs may make revisions to such guidelines. The revised guidelines will be effective for the next evaluation period.

2. Areas of Performance: College faculty are reviewed on their performance in three areas: teaching, scholarly activities, and service. All relevant and official information may be considered in the course of any review or evaluation.
3. Criteria: Each performance area has criteria that provide the basis for evaluation. Refer to section “E” for greater detail.
 - a. Teaching: Teaching is the act of creating and maintaining an environment which enhances the opportunities for student learning and discipline-related growth; it includes advising students to facilitate graduation and to transition to post-baccalaureate careers or further educational opportunities.
 - b. Scholarly Activities: Scholarly and creative activities are disciplinary or interdisciplinary expressions or interpretations that develop ideas, frame questions, create new forms of representation, solve problems, or explore enduring puzzles.
 - c. Service: Service is participation in the shared governance of the academy and the use of disciplinary or professional expertise and talents to contribute to the betterment of multiple environments, including professional and disciplinary associations, or non-profit and governmental agencies.
 - d. Other Duties: Faculty engaged in other duties, including faculty on reassigned time to serve in roles such as Department Chairs or Directors, will be reviewed on those activities.
4. Portfolio for Review: Tenure-track faculty will submit a Portfolio for purposes of their annual reviews for re-appointment. Portfolios will include the following elements:
 - a. Narrative Statement: Faculty will include a Narrative Statement with selected Portfolios, which presents a reflective self-assessment, highlights accomplishments, and indicates plans for the future. The Narrative should present one’s best case to disciplinary colleagues and to colleagues across the College community.

Narratives are expected to be cumulative and to grow in length from one iteration to the next. Accordingly, length expectations for narratives are as follows:
 - 2nd year: 1-3 pages
 - 3rd year: 2-5 pages
 - 6th year: 3-8 pages
 - b. Curriculum Vitae: Faculty will include an annotated Curriculum Vitae (CV) annually. The CV must include a comprehensive and detailed listing of faculty work in the Areas of Performance. The listings should be annotated to provide brief descriptions of work completed or in progress. In cases where relevant information can be found on the World Wide Web, the listing should include the url. (An example of an annotated Curriculum Vitae can be found in the

Guidelines for Portfolio Preparation from the Office of the Provost & Vice President for Academic Affairs.)

- c. Student Ratings of Instruction: All annual performance reviews shall include student ratings of instruction for all classes assigned using the approved “Student Ratings of Instruction” form (except for field experiences and internships as determined by the Department). Classes with five or more students must be evaluated using the approved student ratings instrument, and shall be administered at the end of the Fall and Spring semesters and tabulated by the College’s Office of Institutional Research. Classes with fewer than five students must be evaluated according to Department Guidelines.
- d. Previous Reviews: For years two through six, all previous review letters by the levels of review for reappointment and any relevant responses by the faculty member shall be included.
- e. Reassigned Time Evaluations and Reports: If faculty have received reassigned time to conduct work beyond normal duties – e.g., to engage in grant-funded activities, to work on projects for the College such as program review or assessment, to administer a program – the evaluations of this work must be included in their Portfolios.
- f. Additional Materials for Review: In years three and six, faculty must include additional materials to document the work they have done. They can choose to include as many as nine items or as few as four items, two of which must be from the Teaching category and one each from the Scholarly Activities and Service categories.
- g. Peer Observation: Faculty must include one summative Peer Observation conducted by a trained classroom observer in their tenure Portfolio.

D. Annual Performance Reviews of Tenure-Track Faculty:

Each tenure-track faculty member shall be reviewed annually, on a cumulative basis, until awarded tenure or terminated. Reviewers at all levels for each year of review will write a letter commenting upon the faculty member’s strengths and offering suggestions for improvement, recommending for or against reappointment based on the faculty member’s performance and informed by the department guidelines. Faculty hired on joint appointments will select one Department for retention, tenure, promotion, and post-tenure review.

1. At the end of year one, and no later than one month before commencement, each tenure-track faculty member will submit an annotated Curriculum Vitae for review by the Department Chair and School Dean for purposes of reappointment. In cases of a recommendation of nonretention, the Provost and the President will review such recommendations, and the President will make a final determination.
2. In the Fall of year two, each tenure-track faculty member will submit a Curriculum Vitae, all Student Ratings of Instruction, a Narrative Statement (1-3 pages in length), and previous review letters by the levels of review from year one, for review by the Department Chair, School Dean, and Provost & Vice President for Academic Affairs, for

purposes of reappointment. In cases of a recommendation of nonretention, the President will review such recommendations and make a final determination.

NOTE: Additional materials can be requested by any level of review.

3. In the Fall of year three, each tenure-track faculty member will submit a Portfolio, consisting of the following materials for review:
 - a. *Curriculum Vitae*,
 - b. All Student Ratings of Instruction,
 - c. A Narrative Statement, two-to-five pages in length,
 - d. All previous review letters by the levels of review for reappointment and any relevant responses by the faculty member,
 - e. All reassigned time evaluations and reports, if relevant, and
 - f. Selected additional materials for review (a minimum of four items and a maximum of nine items).
 - g. NOTE: Additional materials can be requested by any level of review.

These items will be reviewed by the Department/Peer Review Committee; Department Chair; School Review Committee; School Dean; Faculty Senate Retention, Tenure, and Promotion Committee; and Provost & Vice President for Academic Affairs for purposes of reappointment. The President will review these recommendations and determine whether or not said tenure-track faculty member will be retained and will inform the faculty member of reappointment status.

4. In the Fall of year four, each tenure-track faculty member will submit a Curriculum Vitae, all Student Ratings of Instruction, and all previous review letters by the levels of review for reappointment and any relevant responses by the faculty member, for review by the Department Chair and School Dean for purposes of reappointment. In cases of a recommendation of nonretention, the Provost and the President will review such recommendations, and the President will make a final determination.

If the review letters for year three indicate specific areas of concern that may prevent a successful tenure application, relevant documentation addressing progress on such areas should be included in the faculty member's Portfolio for year four.

NOTE: Additional materials can be requested by any level of review.

5. In the Fall of year five, each tenure-track faculty member will submit a Curriculum Vitae, all Student Ratings of Instruction, and all previous review letters by the levels of review for reappointment and any relevant responses by the faculty member, for review by the Department Chair, School Dean, and Provost & Vice President for Academic Affairs, for purposes of reappointment. In cases of a recommendation of nonretention, the President will review such recommendations and make a final determination.

If the review letters for year four indicate specific areas of concern that may prevent a successful tenure application, relevant documentation addressing progress on such areas should be included in the faculty member's Portfolio for year five.

Note: Additional materials can be requested by any level of review.

6. In the Fall of year six, each tenure-track faculty member will submit a Portfolio, consisting of the following materials for review:
 - a. *Curriculum Vitae*,
 - b. All Student Ratings of Instruction,
 - c. A Narrative Statement, three-to-eight (3-8) pages in length,
 - d. A Summative Peer Observation conducted by a trained observer,
 - e. All previous review letters by the levels of review for reappointment and any relevant responses by the faculty member,
 - f. All reassigned time evaluations and reports, if relevant, and
 - g. Selected additional materials for review (a minimum of four items and a maximum of nine items).
 - h. NOTE: Additional materials can be requested by any level of review.

These items will be reviewed by the Department/Peer Review Committee; Department Chair; School Review Committee; School Dean; Faculty Senate Retention, Tenure, and Promotion Committee; and Provost & Vice President for Academic Affairs. Each level of review will write a letter explaining the rationale for their recommendation for or against tenure. The President and Board of Trustees will review these recommendations and determine whether or not said tenure-track faculty member will be awarded tenure and will inform the faculty member of tenure status.

In addition, if said tenure-track faculty member has applied for promotion at the same time as candidacy for tenure, the President will inform the faculty member of promotion status at the same time as notification of tenure status.

7. Training for all involved in the review process – evaluators at all levels of review and candidates – will be provided.
8. The President may extend a faculty member's probationary period toward tenure for an additional year if there are extenuating circumstances.

E. Criteria and Guidelines and Rating Scale for Performance Reviews

Differences in disciplines and faculty activities among departments will be reflected in the departmental guidelines for teaching, scholarly activities, and service. Departmental guidelines shall include the following:

- A departmental mission statement that is aligned with the School and College mission statements;
- Current departmental goals that are consistent with School goals established by the Dean and the Provost & Vice-President for Academic Affairs; and

- Criteria for performance in each area of teaching, scholarly activities, and service.

There must be qualitative and, if appropriate, quantitative standards of achievement for each rating and examples of activities for each rating, except for “Needs Improvement.” The guidelines shall also be the basis for the narrative used for tenure and promotion evaluation. All guidelines shall establish rigorous performance standards consistent with the goal of academic excellence. In addition, guidelines may establish departmental expectations for additional review activities, such as peer observations, beyond the minimum required herein for annual reappointment and for tenure.

1. Criteria and Guidelines

While criteria for the Areas of Performance are stated in this section of the *Handbook*, guidelines must specify the standards for each rating (Exceeds Standards, Meets Standards, Needs Improvement) pertaining to each criterion listed below, and must provide examples of activities for each rating except for a “Needs Improvement” rating:

- Teaching: Teaching is a complex and reflective human activity that, in the higher education context, is offered in a forum that is advanced, semi-public, and essentially critical in nature. No single definition can possibly suffice to cover the range of talents that go into excellent teaching or that could be found across the board in the varied departments and disciplines of an entire college. Good teachers are scholars, researchers, inventors, scientists, creators, artists, professionals, investigators, practitioners or those with advanced expertise or experience who share knowledge, using appropriate methodologies, and who demonstrate and encourage enthusiasm about the subject matter in such a way as to leave the student with a lasting and vivid conviction of having benefited from that interaction.

Effective teachers typically maintain high academic standards, prepare students for professional work and development, facilitate student achievement, and provide audiences for student work. Some might add that the best teaching transmits specific skills or enhances talents that students possess, while others would note that good teaching develops habits of mind or provides models of scholarly, scientific, artistic or professional behavior and inquiry much more important than particular information. Faculty typically aspire to a number of other civic purposes in the classroom that may also include encouraging their students to long for the truth, to aspire to achievement, to emulate heroes, to become just, or to do good, for example.

At the instructional level, the most important responsibilities of a teacher to his/her students are the following:

- (1) Content Expertise: To demonstrate knowledge and/or relevant experience: Effective teachers display knowledge of their subject matters in the relevant learning environment (classroom, on-line, hybrid, field work, etc.), which typically includes the skills, competencies, and knowledge in a specific subject area in which the faculty member has received advanced experience, training, or education.
- (2) Instructional Design: To re-order and re-organize this knowledge/experience for student learning: Effective teachers design course objectives, syllabi, materials, activities, and experiences that are conducive to learning.

- (3) Instructional Delivery: To communicate and “translate” this knowledge/experience into a format accessible to students: Effective teachers communicate information clearly, create environments conducive to learning, and use an appropriate variety of teaching methods.
- (4) Instructional Assessment: To evaluate the mastery and other accomplishments of students: Effective teachers design assessment procedures appropriate to course objectives, ensure fairness in student evaluation and grading, and provide constructive feedback on student work.
- (5) Advising In and Beyond the Classroom: To provide guidance for students as they pursue undergraduate and post-baccalaureate education and/or employment: Effective advisors interact with students to provide career guidance and information, degree program guidance and information (e.g., advice on an appropriate schedule to facilitate graduation), and answers to questions relating to a discipline.
- b. Scholarly Activities: Scholarly and creative activities are disciplinary or interdisciplinary expressions or interpretations that develop ideas, frame questions, create new forms of representation, solve problems, or explore enduring puzzles.
- Purposes include, but are not limited to, the following: advancing knowledge or culture through original research or creative activities; interpreting knowledge within or across disciplines; synthesizing information across disciplines, across topics, or across time; aiding society or disciplines in addressing problems; or enhancing knowledge of student learning and effective teaching.
- Typically, to be considered scholarship, findings should be disseminated to either peer review by disciplinary scholars or professional or governmental organizations; or critical reflection by a wider community, including corporations or non-profit organizations, for example.
- In addition to these scholarly activities, and depending on the specific Department Guidelines, this category may also include activities in which the faculty member shares other knowledge with members of the learned and professional communities; continued education and professional development activities appropriate to professional status or assignments; and other activities specific to the faculty member’s discipline or assigned responsibilities.
- c. Service: Faculty engage in service when they participate in the shared governance and good functioning of the institution; service to the institution can be at the program, department, school, or college level. Beyond the institution, faculty engage in service when they use their disciplinary and/or professional expertise and talents to contribute to the betterment of their multiple environments, such as regional communities, professional and disciplinary associations, non-profit organizations, or government agencies. Examples of service might include:
- Committee participation
 - Committee leadership
 - Program or department contributions
 - Board participation

- Unpaid public service to community and/or professional organizations
- Contributions to disciplinary associations

1. Rating Scale

The following rating scale must be applied to each criterion.

Exceeds Standards	This rating represents a level of extraordinary performance that demonstrably and substantially surpasses the “Meets Standards” rating. There is no limit on the number of faculty who may attain this rating, but it is reserved for those whose performance clearly exceeds the requirements to attain the “Meets Standards” rating.
Meets Standards	This rating represents a level of performance that demonstrably and substantially exceeds the basic competency standard but does not meet or exceed the highest expectations of the College. Sustained performance at this level or above is necessary to support an application for tenure or promotion. However, ratings alone do not guarantee a favorable decision under the tenure or promotion policies. Performance at this level or above is necessary for a satisfactory post-tenure review.
Needs Improvement	Does not meet standards. While this rating represents a level of performance that may meet a basic, minimal competency standard, it is insufficient to support an application for promotion or tenure, and if continued, a satisfactory post-tenure review. Performance at this level may reduce a faculty member’s eligibility for base salary increases and in some cases may render the faculty member ineligible for salary increases, and subject to a performance improvement plan, disciplinary action, and dismissal in accordance with applicable College procedures.

In reviewing faculty performance using these ratings, evaluators shall conscientiously adhere to the descriptions of each rating category, taking care to acknowledge differing levels of performance among faculty members.

2. Reassigned Time Activities

- The evaluation of reassigned time shall be based upon the documented completion of the objectives approved in writing for reassigned time.
- All reassigned time activities will be approved by the Chair, Dean, and Provost & Vice President for Academic Affairs.

- c. Evaluation of reassigned time activity to work within the Department will be evaluated by the Chair. Evaluation of reassigned time to complete work outside the department will be done by the supervisor of the project in which the faculty member is involved.
- d. It is the responsibility of the faculty member to provide the supervisor with documentation of the reassigned time activities at least two weeks before the supervisor is required to conduct the faculty member's review.
- e. If a faculty member has been granted reassigned time to work on a project for which there is no supervisor on campus, then the Department Chair will evaluate the faculty member's contributions based on documentation collected jointly by the chair and the faculty member. This evaluation shall be completed after consultation with the Dean.
- f. If a performance review is due before the reassigned time activities are completed, a progress report and evaluation of completed activities will be provided by the faculty member.
- g. At the completion of the reassigned time, the faculty member will provide a final report to the Chair and/or supervisor.
- h. If the faculty member is given a non-departmental administrative appointment, the evaluation of this reassigned time will be considered separately from the faculty's performance review.

3. Special Cases

- a. Leaves of absence (medical, without pay):

Faculty granted a leave of absence for no more than one semester will submit a performance Portfolio to evaluate their activity only during that part of the year in which they were fulfilling their responsibilities as a faculty member. If a faculty member was on leave for more than a semester, no evaluation will be conducted.

4. Responsibilities of Tenure-Track Faculty and Reviewers

- a. Faculty Member: Each fall semester beginning in the second year of employment, tenure-track faculty must prepare a Portfolio as described above in section "D." The evaluation period is the previous academic year: Fall, Spring, and Summer. The due date for the document will be published in the academic calendar.

Any faculty member who fails to provide the required Portfolio risks not being reappointed for the following year. Faculty who can document an emergency or extenuating circumstance shall be given appropriate consideration.

- b. Department/Peer Review Committee: Departments must establish a Department/Peer Review Committee to conduct reviews of tenure-track faculty in their third and sixth year. (If a Department does not have at least three eligible tenured faculty members, a Peer Review Committee will be established which will include members from cognate departments.) The review will be conducted according to the faculty candidate's departmental guidelines. The procedures used by the Department/Peer Review Committee in arriving at its evaluation recommendations, including evidence examined and additional forms developed by

the Committee for its use, must be presented to and approved by a majority of the tenure-track and tenured faculty in the department. The Department/Peer Review Committee must include at least three tenured faculty members who have been trained in the evaluation process.

- c. Chair: The Department Chair works with the tenured and tenure-track faculty to develop departmental guidelines which contain clearly articulated standards for each criterion. These departmental guidelines must be written in the context of the College's, School's, and Department's/Program's mission and the contractual obligations of the faculty. The Chair must ensure that the guidelines are reviewed annually by the department faculty. The Chair or the Department/Peer Review Committee will use the departmental guidelines as the basis for the faculty member's performance review.
- (1) The Department Chair shall hold two annual conferences with each faculty member. The Spring conference, to be held before May 1, will serve to discuss the expectations of the faculty member as set forth in the Department guidelines.

During the annual Fall conference, the Chair reviews the faculty member's reappointment Portfolio and provides a review and reappointment, or non-reappointment, letter which becomes part of the performance review. Should a faculty member receive a rating of "Needs Improvement" in any area in this review, the conference shall address how the faculty shall demonstrate satisfactory improvement in each such area to ensure at least a "Meets Standards" rating in future reviews.
 - (2) Department Chairs must maintain copies of the signed performance review of each faculty member and provide a copy to the dean and the faculty member.
- d. School Review Committee: Schools must establish a School Review Committee to conduct reviews of tenure-track faculty in their third and sixth/tenure years. Committee members must be tenured. School committees must be representative of the range of disciplines in a School. Half of the members of the School committee shall be elected by the School faculty and half appointed by the Dean. The size of the School committee will be determined by the tenured faculty of the school and a vote of the tenured faculty will be required to change the number of members of the committee. Any person on a full administrative contract (except Chairs) is not eligible to vote on the School Review Committee. Faculty may serve as a voting member on not more than one review committee (department, School or College) during the academic year. The School committee is responsible for interviewing applicants for tenure and promotion. The School committee shall make a recommendation to the Dean by a majority vote of its members. The recommendation will be based on a thorough review of the portfolio, information gathered from the interview, departmental guidelines, and any other relevant and official information.
- e. Dean: Deans, in consultation with their chairs and the faculty, provide the overall vision for their school as defined in a mission statement.
- (1) Deans shall approve departmental guidelines, ensuring that, although the differences between departments reflect the diversity and uniqueness of the

different disciplines within each school, all departments' guidelines are, in general, equally comprehensive and rigorous.

- (2) Deans shall review with the chair the review of a faculty member's performance in all areas before the chair completes his or her evaluation of the faculty member.
 - (3) Deans shall ensure that all documents required for the annual performance review are completed. These include the departmental evaluation guidelines and the annual performance review.
 - (4) Deans shall make efforts to ensure the fair and equitable performance review of individual faculty.
 - (5) Deans shall review and render a decision on the performance review of any faculty member who does not agree with the chair's review.
 - (6) Deans will forward the signed performance reviews to the personnel office.
- f. Faculty Senate Committee: The Faculty Senate Review Committee is established to conduct reviews of tenure-track faculty in their third and sixth/tenure year. Membership of the Faculty Senate Reappointment, Tenure, and Promotion Committee is established by the Faculty Senate Bylaws. Committee members must be tenured. Faculty may serve as a voting member on not more than one review committee (Department, School or Senate) during the academic year. The Faculty Senate Committee shall make a recommendation to the Vice President for Academic Affairs by a majority vote of its members. The recommendation will be based on a thorough review of the portfolio, departmental guidelines, and any other relevant and official information.
- g. Provost & Vice President for Academic Affairs: The Provost & Vice President for Academic Affairs sets general College academic goals that reflect the teaching mission of the College as set forth by the Board of Trustees. These goals are to be given to the Dean of each school for use in designing and, if appropriate, revising school goal statements in concert with the faculty of the school.
- The Provost & Vice President for Academic Affairs ensures that the guidelines established by each department in each school for teaching, scholarly activities and service are generally equally comprehensive and rigorous and consistent with College policies and goals.

F. Disagreement on Rating

If the faculty member and chair disagree on the rating(s) and/or the deficiencies noted during the annual review, the procedure below should be followed:

1. The faculty member should indicate and explain the disagreement.
2. The faculty member will have five working days to provide the chair with a written statement justifying a higher rating.
3. The Chair will review the case presented by the faculty member within five working days following the presentation of the statement.

4. The Chair and the faculty will meet again within 15 working days following the marked disagreement to attempt to reach an agreement.
5. If agreement is not reached, the Chair must, within five working days of the meeting, write a response to the justification presented by the faculty member explaining why the rating was not changed.
6. The faculty member's justification and the Chair's response shall be forwarded to the Dean. The Dean will consider both carefully, along with the departmental guidelines, and make a determination of a rating within seven working days of receiving the statements. The dean may also consider other documents, e.g., ratings of other faculty to assess consistency in applying guidelines.
7. The faculty and the Chair will be informed of the Dean's decision in writing.
8. In cases where, after the Dean's evaluation, disagreement still exists, the Provost & Vice President for Academic Affairs shall consider the rating and make a final determination.

AGENDA ITEM:

Clarifying Language for Full-time Non-Tenure Track Line Faculty – Section IV.G.1.b. of the *Handbook for Professional Personnel*

BACKGROUND:

Current *Handbook* language provides vague language describing this category of faculty. They are distinguished from Category I faculty, who are tenure-line, and from Category III faculty, who are part-time. In recent years, Metro State has commonly referred to all Category II faculty members as “Visiting Faculty,” a practice which does not align with the norm at institutions of higher education where Visiting Faculty is a title reserved for faculty members, who really are serving the institution for a defined time, typically limited to no more than two years.

The new language delineates eight different designations of Category II faculty and carefully articulates roles and responsibilities for each:

1. Visiting Faculty;
2. Professional-, Executive-, Artist-, Musician-in-Residence;
3. Lecturer;
4. Senior Lecturer (typically distinguished from Lecturer by years of service);
5. FRIP (Faculty Recruitment Incentive Program) Lecturers;
6. Research Faculty (supported by external grants);
7. Clinical Faculty (typically found in Nursing and Teacher Education); and
8. Other.

A second key element of this *Handbook* language change is that Lecturer and Senior Lecturer workloads are now shifted from 4/4 to “5/5 teaching; recommend no more than three preparations per semester and no expectation of scholarly activities other than that related to maintaining currency in discipline, *or* 4/4 teaching load with service and scholarly activities,” the latter to be negotiated with Department Chairs in consultation with School Deans.

RECOMMENDATION:

We recommend approval; document attached.

Section IV.G.1.

a. Category II Faculty

- (1) Category II faculty members are employees at will, in accordance with state law (Section 24-19-101 et seq, Colorado Revised Statutes). As such, their employment may be terminated at any time without prior notice, in the discretion of the President.
- (2) Category II faculty members may be temporary or ongoing, full time or part time employees. They may hold honorary academic rank and perform instructional and advising duties similar to Category I faculty, in addition to a variety of other duties, including administration. However, Category II faculty members are not eligible to be considered for or awarded tenure or promotion in academic rank.
- (3) Category II faculty employment provides the College with the flexibility to design faculty positions with combinations of duties and qualifications that are outside the traditional limitations imposed by the need to earn and retain tenure.
- (4) Category II faculty provide the College with the ability to appoint to instructional positions, and compensate appropriately, people whose qualifications to teach may not specifically meet the academic requirements that apply to Category I and Category III faculty members. Examples include, but are not limited to the following: Experienced and accomplished practitioners in the many fields where they can appropriately enrich the academic experience of our students and provide a link to the work communities they represent; recent graduates of doctoral programs, seeking experience and opportunity; or faculty whose program or grant requires service for more than the calendar year. The following descriptions of appropriate titles and workload are intended to capture the wide range of Category II faculty designations and duties:
 - (a) **Visiting Faculty** with rank determined by Appendix A degree level considerations, years of service, and academic accomplishments.
 - (i) Temporary appointment for exchange scholars or national or international scholars on leaves from their home institution or for recently retired scholars from other institutions of higher education who become available for one semester or one academic year. Rank determined by rank at home institution.
 - (ii) Temporary appointment to fill a vacancy in open tenure-line.
 - (iii) Duties: negotiated but, teaching default is 4/4; other assignments as needed may be appropriate.
 - (b) **Professional in residence, executive in residence, artist in residence, musician in residence or other title created by negotiation and tailored to unique qualifications of candidate.** May be ongoing or temporary, above, to take advantage of short term availability of nationally or internationally known expert or practitioner.

- (i) Used to recruit and/or retain candidates with exceptional practical experience who may or may not have usual terminal degree qualifications.
- (ii) Renewable yearly based on performance evaluation.
- (iii) Duties: negotiated but normal 4/4 teaching with service to college and community expectations.
- (iv) Criteria:
 - (a) Currency in discipline;
 - (b) PD support at chair and dean discretion.
- (c) **Lecturer** - Category II full time position for a faculty member who has credentials, which, at a minimum, meet Appendix A Instructor requirements.
 - (i) Generally for use in departments with high service teaching loads; position primarily devoted to teaching multiple sections of lower-division or introductory courses.
 - (a) Positions depend on available funding.
 - (b) This type of category II appointment is intended to increase full time coverage above the targeted 60% T/TT coverage target.
 - (ii) Duties:
 - (a) 5/5 teaching; recommend no more than three preparations per semester and no expectation of scholarly activities other than that related to maintaining currency in discipline, *or* 4/4 teaching load with service and scholarly activities;
 - (b) Scholarly activity support at chair and dean discretion.
- (d) **Senior lecturer** – Category II full time position for a faculty member who has credentials, which, at a minimum meet Appendix A Assistant Professor requirements.
 - (i) May be used to fill a potential TT line especially under tight budget conditions
 - (a) Positions depend on available funding
 - (b) This type of Category II appointment is usually intended to increase full time coverage above the targeted 60% T/TT coverage target.
 - (ii) Duties:

- (a) 5/5 teaching; recommend no more than three preparations per semester and no expectation of scholarly activities other than that related to maintaining currency in discipline, *or* 4/4 teaching load with service and scholarly activities;
- (b) Scholarly activity support at chair and dean discretion.
- (iii) **Lecturers** with a total of six years (at least three of which must have been consecutive and at least one of which must have been within 18 months of the senior lecturer appointment) of exemplary service to Metro State at that rank, may be reappointed as a Senior Lecturer, based on a recommendation from department faculty, the department chair, the dean and the provost. If promoted to a Senior Lecturer, the salary will be adjusted to reflect the new title.
- (e) **FRIP (Faculty Recruitment Incentive Program) Lecturers** – Category II full time position created to help encourage the attainment of the two major objectives of the MSCD Affirmative Action program:
 - (i) The fostering of a multicultural campus and the appreciation of diversity; and
 - (ii) The improvement of employment opportunities for all underrepresented faculty.
 - (iii) Special Conditions:
 - (a) Before a FRIP appointment can be made, there must be a tenure-track position available and allocated by the Provost/Vice President for Academic Affairs.
 - (b) As with all temporary faculty appointments, only the President is authorized to offer a contract.
 - (c) FRIP participants will be a *temporary term appointment for one academic year*. Subsequent term appointments are subject to the absolute discretion of the College.
 - (d) A FRIP candidate must have a minimum of a master's degree or the equivalent in the appropriate field of study, and must be able to demonstrate admission to an accredited terminal degree or doctoral program in that field. Strong preference will be given to those applicants who have achieved candidacy at their doctoral institutions, i.e., those who have passed comprehensive/preliminary examinations and completed all required course work, leaving only dissertation requirements to meet in order to receive the Ph.D.
 - (iv) Duties: 3/3 teaching load and progress toward degree. Performance of FRIP employees will be evaluated. Teaching effectiveness and progress towards

the degree will be assessed among other factors including currency in discipline.

- (v) Academic Development Awards provide financial support up to a maximum of \$10,000, over a maximum period of five (5) years to cover reimbursement for tuition and fees, dissertation expenses, and/or other incidental expenses associated with the completion of a participant's terminal degree requirements and/or other academic special conditions as defined in the participant's employment contracts. This award limit will not include the cost of any equipment assigned to the FRIP participant. Other PD support at chair and dean discretion. The \$10,000 does not apply to reassigned time; the latter is part of the instructional workload assignment.
- (f) **Research Faculty** – hired via grant or other “soft” funding (e.g., contracts)
 - (i) Duties determined by the grant
- (g) **Clinical Faculty** – (NOTE: As with Section 2 above, which describes a range of “Professional in Residence” kinds of Category II faculty, the title of “Clinical Faculty” is intended to be flexible enough to apply to a variety of disciplines where this time of “field supervision faculty” are the norm – e.g., nursing, teacher education, social work, etc.). Thus, clinical faculty titles are designed to comply with criteria defined by accreditation associations, such as the Colorado State Board of Nursing (CSBN).
- (h) **Other:** Special cases where duties, compensation, and title are mutually determined by contract. Should be rare, and tied to providing the College flexibility to design faculty positions with combinations of duties and qualifications that are outside the traditional limitations imposed by the need to earn and retain tenure. Such positions can also be instructional positions that meet special needs of the college or for people whose qualifications to teach may not specifically meet the academic requirements that apply to Category I and Category III faculty members. Example: Bill Gates desires to teach CIS or CS or business leadership courses.
- (5) Category II faculty members may apply for Category I vacancies as they arise. These applications will be considered on their merits, under the same criteria as all applicants.
- (6) **Recommended Full Time Faculty Deployment** – of the 60% Full Time Faculty
 - (a) No more than 10% should be Lecturers/Senior Lecturers
 - (b) No more than 10% should be Visiting Faculty
 - (c) A minimum of 80% should be Tenure/Tenure-Track Faculty

AGENDA ITEM **Appendix A Change for Theatre**

BACKGROUND: During the last two academic years, the theatre department has attempted to add courses in Advanced Sound, Specialty Stage Makeup, Dance for Theatre, Theatrical Projection Systems, and Theatre Business. These classes have been put on hold due to the lack of qualified candidates in the affiliate pool who have the current minimum MA degree and experience, expertise, or training in these specialty subject areas. Within the theatrical industry, these specialty areas do not require advanced degrees.

The theatre department is under review for first time accreditation by the National Association of Schools of Theatre (NAST) and many of these class offerings were discussed during the accreditors' site visit or addressed in the site visit report.

The following quote is from the National Association of Schools of Theatre Handbook and Procedures Manual. "NAST recognizes the Master of Fine Arts as the appropriate terminal degree for performance, design/technology, and playwriting faculty. At the same time, the Association recognizes that some highly qualified artist-teachers may hold other academic degrees; others may not hold any academic degrees. In such cases, the institution should base appointments on experience, training, and expertise at least equivalent to those required for the master's degree in the appropriate field."

The current policy does not allow us to hire highly experienced and qualified niche instructors for specialty courses who do not meet the current minimum degree requirements. The current requirement of a minimum MA degree is prohibitive. By creating a broader and deeper applicant pool we will be better placed to identify and hire quality candidates.

This change was initiated by Dr. Marilyn Hetzel, and vetted with Dr. Joan L Foster, Dean – School of Letters, Arts and Sciences; and National Association of Schools of Theatre Site Visitors: Dr. Robert Hansen, Associate Dean - College of Arts and Sciences, University of North Carolina at Greensboro and Dr. William J. Doan, Associate Dean - College of Arts and Architecture, Pennsylvania State University

RECOMMENDATION: We recommend approval; document attached.

Appendix A: Theatre, Page 17

Current *Handbook* language

FIELD	INSTRUCTOR	ASSISTANT PROFESSOR	ASSOCIATE PROFESSOR	PROFESSOR
Industrial Design	B + 2	M + 4	M + 4	M + 4
Journalism	B + 6	M + 6	M + 6	M + 6
Technical Communications	B + 8	M + 6; or D	M + 6; or D	M + 6; or D
Theatre (relevant work experience must be professional)	M	MFA + 3; or M + 4; or D + 2	MFA + 4; or M + 5; or D + 3	MFA + 5; or M + 6; or D + 4
Women's Studies	M	D	D	D

Proposed new *Handbook* language:

Instructor: **B + 8**

Assistant Professor: MFA + 3; or M + 4; or D + 2

Associate Professor: MFA + 4; or M + 5; or D + 3

Professor: MFA + 5; or M + 6; or D + 4

AGENDA ITEM XXX: **Appendix A Change for Art**

BACKGROUND:

During AY 2009-10 a national search was conducted to hire a tenure-track faculty into the Art Education program of the Art Department. Ten applications were received. Three were qualified per current Handbook language. A hire was not made. Opening the qualifications as requested here will allow for recent graduate candidates to apply for such positions. A similar change was made in the Art History area and that in turn yielded three outstanding hires – all of whom were recent graduates, or in the process of completing dissertation.

The current policy does not allow us to be competitive in the field. The requirement of “+3” years experience is prohibitive. By creating broader and deeper applicant pools we will be better placed to identify and hire quality candidates (particularly at the start of their professional careers).

This change was initiated by Professor Greg Watts, Chair of the Art Department, and has been discussed with the following: Assistant Professor Rachael Delaney (Art Education faculty); L.A.S. Dean, Dr. Joan L. Foster; Provost/VPAA, Dr. Vicki Golich; Dr. Percy Morehouse.

RECOMMENDATION: We recommend approval; document attached.

Appendix A: Art Education

Current *Handbook* language?

Anthropology	M	D	D	D
Art (New Media)	B + 3	M (Art) + 6 or MFA	M (Art) + 6 or MFA	M (Art) + 6 or MFA
Art Education	MA + 3; or MFA + 3	MFA + 3; or D + 3	MFA + 6; or D + 6	MFA + 10; or D + 10
Art History	M	D	D	D
Art Studio	M	MFA	MFA	MFA
Biology	M	D	D	D

Proposed New *Handbook* language:

	Instructor	Assistant	Associate	Full
Art Education	M; MFA	ABD; MFA	D; MFA +6	D; MFA +10

AGENDA ITEM:

Adoption of a Plus/Minus Grading Scheme

BACKGROUND:

Metropolitan State College of Denver currently uses a whole-grade-only grading scheme. As described in the accompanying documents from the Faculty Senate, the faculty have long sought to adopt a more sophisticated plus/minus grading scheme that is more commonly found in four-year institutions of higher education.

The Faculty Senate Academic Policy Committee conducted year-long research into adopting the new grading scheme and fully vetted the idea with the Senate and the Student Government Assembly. The Faculty Senate voted overwhelmingly to adopt this new grading scheme.

RECOMMENDATION:

We recommend approval; document attached.

FACULTY SENATE



Friday, March 18th, 2011

Dear Provost Golich,

This letter is to inform you in writing that the Metropolitan State College of Denver Faculty Senate passed the following resolution on a plus-minus grading system at its general assembly on March 16, 2011. Over the course of the academic year, the issue was vetted with the students at the college through the Student Government Assembly and with the Administration through its representatives on the Faculty Senate Academic Policies Committee. The resolution passed by a vote of 54 to 11 with no abstentions (83% in favor), which represents the largest margin in the 16-year history of this issue. The Faculty Senate looks forward to your written response to this matter.

!-

The Faculty Senate, in accordance with the preference poll of our students and the unanimous vote of support by the Student Government Assembly Legislative and Executive Branches, recommends that Metro State institute a plus/minus grading system based on the scale indicated below. Programs that currently require a C or better in a course for credit in a major would honor a C- or better for credit. Programs would have the option to revise their criteria to C, if deemed appropriate for the discipline.

Letter Grades with Decimal Equivalents:

**A+ (4.00), A (4.00), A- (3.67), B+ (3.33), B (3.00), B- (2.67),
C+ (2.33), C (2.00), C- (1.67), D+ (1.33), D (1.00), D- (.67), F (0.00)**

-!

The Faculty Senate is committed to working with the administration in developing new protocols for shared governance and we look forward to charting the this course collectively. A brief history of the +/- issue along with the rationale behind it and the unannouncedly approved SGA resolution (SR 11-09), follow.

Sincerely,

Dr. Kamran Sahami

Faculty Senate President

Cc: Dr. Stephen M. Jordan, President of the Metropolitan State College of Denver
Dr. Larry Worster, Faculty Senate Vice President
Dr. Noah Fritz, Faculty Senate Secretary

History of Consideration of a Plus/Minus Grading Scheme at MSCD

Circa 1995-1996, in conjunction with a surge of nation-wide research, MSCD Faculty proposed adopting a “plus/minus” grading scheme. This was not implemented.

The Faculty Senate discussed a plus/minus grading system in October 2005. In March 2006, the MSCD Faculty Senate voted to support (33/25) a “plus/minus” grading scheme that allowed individual faculty to choose to assign plus/minus grades. Grade points corresponding to individual grades were proposed as follows:

Additionally, the motion stipulated that students would be required to have a 2.0 GPA to graduate and to maintain their academic standing with regard to financial aid, athletics, and other activities. Policies that require a “C” would differentiate between a “C” and a “C-”.

This proposal was presented to the office of the Provost and subsequently put before the President’s Cabinet. This group voted to form a task force to further study the impacts of implementing such a system. The President’s Cabinet (circa April 2006) recommended approval to implement the plus/minus grading system in Fall 2007. An administrative decision on this policy does not appear to have been made before the installation of a new Provost/Vice President, and the issue was reviewed by the (new) Provost’s office. Ultimately, this proposal did not take effect.

Arguments considered by the committee.

Proponents of plus/minus grading point to several advantages of the system. Among these are:

1. All of the other four-year-with-graduate-school institutions in Colorado use plus/minus grading. All follow the scale proposed above, with the exception that CU-Boulder has an A+ grade with associated 4.0 quality points. Of the four-year state colleges, two have whole letter grade systems. Adams State uses plus/minus grading.
2. Plus/minus grading allows for more accurate representation of students’ performance.
3. Plus/minus grading makes it easier to assign grades in borderline cases. The existing system is seen by many faculty see the current whole letter grading system too restricting.
4. Plus/minus grading may be used to reduce grade inflation. The research on this indicates that a small dip in overall college GPA of less than .05 may occur following a change, mostly to students at the very top and very bottom of the GPA range.
 - a. Current percentages:
 - i. Business: A: 24%; B: 32%; C: 21%; D: 6%; F: 7%; NC: 3%

- ii. LAS: A: 33%; B: 27%; C: 15%; D: 5%; F: 7%; NC: 6%
- iii. Prof Studies: A: 46%; B: 24%; C: 10%; D: 3%; F: 7%; NC: 3%
- iv. Overall: A: 35%; B: 27%; C: 15%; D: 3%; F: 7%; NC: 3%

Source: OIR Datebook: 2006-2007

5. With plus/minus grading, students are less likely to perform “just well enough” to make an A, B, or C. The greater continuity of possible grades means that students are awarded the grades appropriate to their performance in a course.
6. A move to plus/minus grading is consistent with national trends. Over the last 40 years, institutions have move more often in this direction.

Some common objections to plus/minus grading:

1. There is no overwhelming need to change in the system.

Response: As whole grades are part of the plus-minus system faculty who have no need for pluses and minuses, or do not choose to assign pluses and minuses, can continue to give whole grades. It is important to restate that the scale for grades in a course is the prerogative of the faculty member and their respective departments. Grading in some courses may be more qualitative in nature, so that a finer distinction of grades than the existing letter grades is unnecessary.

2. The assignment of minuses can have a negative effect on minimum requirements for GPA and financial aid.

Response: It is true that a student who needs to maintain a 2.0 grade average cannot do so by consistently earning C-minuses (which would result in a grade point average of 1.67). Research shows that the GPA of students on the lower and higher ends of the grading spectrum are impacted most significantly. It seems entirely appropriate that students who are not achieving well enough would be brought to the attention of college services to help these student be successful. Students who need to maintain a B or C average would be in the population whose GPAs are not significantly impacted by the change.

3. The use of a plus/minus grading system could lower GPA's for “A” students. The concern is that top students might be less competitive than they have been for graduate school, fellowships and other achievements based on GPA.

Response: This is the flipside of arguing that plus/minus grading is potentially a tool to combat grade inflation. The effect on top students, however, is at least as likely to be positive. Top students who receive the occasional B are much more likely to benefit from the B+ grade. Also, faculty who now assign very few A's may be more willing to assign A minuses. In any case, given that all of our peer institutions use plus/minus grading, this change would increase the equity of comparisons for students from different universities.

4. The implementation of plus/minus grading will lead to more grade appeals.

Response: There is no mention of this phenomenon in the research literature.

The proposed motion is deliberately brief. An implementation schedule is not specified, so that the appropriate administrative offices will not be subjected to difficult time schedules for implementation. This will also allow sufficient time for departments, colleges, and programs to assess the effects of the changes and develop any necessary catalog changes; and administer a communication plan to the College community.

The Office of the Registrar has stated the College must have an adequate implementation timeline that includes all administrative offices, as indicated above. In addition, the new policy may have an impact on the CAPP system if the grading rules change. For example, if the recommended minimum grade of C for each course to count in an academic program remains unchanged, there will not be a major impact on the CAPP system. However, if the minimum grade changes to a C-, there will be implementation challenges regarding deferring degrees during the implementation process. Other impacts to students may include financial aid, academic standing, Veteran students, and athletes needing to meet NCAA requirements. The Registrar strongly recommends communicating this proposal to Banner Managers so that system owners can start thinking about the impact of the change.

AGENDA ITEM: Office of Human Resources report of personnel actions for the Board's information, which have occurred since the last Board Meeting on May 4, 2011.

BACKGROUND: Report of personnel actions which have occurred since the last Board agenda of May, 2011. Temporary appointments, resignations, terminations, retirements, transitional retirements, promotions, reassignments, reclassifications, leave without pay, non-renewal, and final sabbatical reports which are delegated to the President and do not require approval by the Board.

INFORMATION: The following personnel items are presented to the Board of Trustees as information.

RESIGNATIONS

Mr. Booker T. Harris, Assistant Men's Basketball Coach, Effective May 20, 2011.
(Accepted Position outside of College)

Ms. Cierra Nusbaum, Laboratory Coordinator, Effective May 9, 2011.
(Personal Reasons)

Mr. Frederick Davis, Director of Institution Diversity, Effective April 21, 2011.
(Accepted Position outside of College)

Ms. Cherrelyn Napue, Associate VP of Development and Alumni Relations, Effective May 31, 2011. (Personal Reasons)

Dr. William R. Todd, Staff Psychologist, Effective June 30, 2011.
(Accepted Position outside of College)

Ms. Jennifer Lutes, Administrative Specialist, Effective April 15, 2011.
(Transferred to Classified Position)

Ms. Jennifer Provizer, Study Abroad Advisor, Effective May 2, 2011.
(Transferred to Classified Position)

Ms. Jodie Benabe, Post-Doctoral Psychotherapist Intern, Effective May 31, 2011.
(Contract Ended)

Dr. Nancy Sasaki, Assistant Professor of Biology, Effective May 13, 2011.

(Accepted Position outside of College)

Ms. Michelle Templeton, Staff Psychologist, Effective August 1, 2011.

(Accepted Position outside of College)

RETIREMENTS

Ms. Ruth Hensen, Training Coordinator CIEL, Effective June 30, 2011.

REASSIGNMENTS

Ms. Battsetseg Stinson, Payroll Manager, Annual Salary: \$54,500.00 – Effective May 1, 2011.

(FROM TEMPORARY TO PERMANENT)

Mr. Steven Haigh, Director of Student Media, Annual Salary: \$53,500.00 – Effective May 1, 2011.

(FROM Interim Assistant Director of Student Publications (\$47,000.00) TO Director of Student Media (\$53,500.00))

Ms. Katherine Goldberg, Associate Director of Admissions/Transfer Services, Annual Salary:

\$55,000.00 – Effective April 1, 2011. (FROM Assistant Director of Admissions/Transfer Services (\$49,699.00) TO Associate Director of Admissions/Transfer Services (\$55,000.00))

Dr. John Landry, Title III Project Manager, Annual Salary: \$89,000.00 at 50% FTE – Effective May 15, 2011. (FROM FACULTY CAPSTONE TO ADMINISTRATOR)

Ms. Breinne Hamilton, Disability Coordinator, Annual Salary: \$43,888.00 – Effective May 1,

2011. (FROM Disability Service Coordinator (\$33,316.00) TO Disability Coordinator (\$43,888.00))

Dr. Ann Murphy, Dean, School of Business, Annual Salary: \$165,000.00 – Effective June 1, 2011.

(FROM Associate Dean, School of Business (\$111,748.00) TO Dean, School of Business (\$165,000.00))

Ms. Meghan Hartvigson, Assistant Director - Outreach & Engagement, Annual Salary: \$44,000.00

– Effective July 1, 2011. (FROM TEMPORARY TO PERMANENT)