Memorandum of Understanding
Heller Center for Arts & Humanities
University of Colorado at Colorado Springs
College of Letters, Arts, and Sciences
Enterprise/Auxiliary Services
   Including UCCS Conference Services
Facilities Services
Office of the Provost
Office of the Chancellor

October 3, 2012

I. Purpose
This Memorandum of Understanding (MOU) between the above-identified parties defines the academic, space management and facilities management of the Heller Center for Arts & Humanities. The intent of this memorandum is to ensure maximum utilization of the Center; to ensure that the campus investment in the Center is appropriately distributed to staffing and operating expenses; and to ensure that responsibilities for managing the logistics of the Center are comprehensive and clearly delineated.

Further, this agreement defines the reporting relationships of key faculty and staff assigned to the Center.

II. Facility Purpose and Scheduling
The 36-acre property of Larry and Dorothy Heller was deeded to the CU Board of Regents in May 1997, with stipulations that open space be preserved and the property be used for activities in the fields of humanities and fine arts. Mrs. Heller envisioned using the property for an art studio, classes, retreats, conferences, lectures, performances, and exhibits showcasing the art of Larry Heller and others. For the purposes of this document, the Heller Center includes the grounds, the Main House, the Studio, the Guest House, the Barn, and any future buildings that may be constructed on the property.

Priority scheduling for academic classes during the Fall and Spring Semesters:
Priority shall be provided Monday-Wednesday and Thursdays until 4:00 p.m. during the Fall and Spring semesters for those non-extended studies classes in Heller Center designated departments/programs:
Art History  Anthropology  Biology  Dance  
English  Film  Geography  Gallery Management  
History  Humanities  Languages & Cultures  Sociology  
Music  Philosophy  Political Science  Visual & Performing Arts  
Theatre  WEST

With the exception of events held by the Chancellor, the first Friday of each month (excluding UCCS holidays) will be reserved for Heller Center for Arts & Humanities Public Outreach activities from 10 a.m. until 4:00 p.m.

Admissions and Records (A&R) will have full authority to schedule classes in the Main House and the Studio of the Heller Center through the ISIS system through the final schedule deadline for Fall and Spring semesters.

After the final schedule deadline, any request for the Heller Main House or Studio for Fall or Spring semester, including a request for a class, must be made through the University Center (UC) Scheduling Office. Monday-Thursday times that have not been scheduled by the final schedule deadline will be released and available for use by campus departments and outside groups in accordance with established UC Scheduling procedures.

UC Scheduling will have full authority to schedule classes and events in the summer. Summer classes do not have priority for scheduling.

Faculty teaching academic classes are responsible for returning the space to the “default set-up” as outlined by UC Scheduling and returning to proper placement any items removed from the storage area. Likewise, UC Scheduling staff are responsible for returning spaces to “default set-up” following non-class events and returning to proper placement any items removed from the storage area for those events. The UC does not make daily inspections of the Heller Center but UC Scheduling will periodically inventory equipment and furnishings in the Heller Center storage rooms for proper placement of items.

Generally, there is no rent charged to (non-extended studies) **classes** using the Heller Center and UC Scheduling does not provide set-up or audio-visual support for academic classes held at the Heller Center. Charges may be incurred if a department requests equipment or services that are not normally available for classes taught on the main campus. Academic departments needing support for **classes** are responsible for coordinating their own request through the campus Media Center and campus Facilities Services.

Academic departments needing support for **events** must communicate their requests to the UC Scheduling Office for coordinated support and cost structures.

The following matrix further defines the process for scheduling:
<table>
<thead>
<tr>
<th>Activity</th>
<th>Request is for full term of class</th>
<th>Class/Event is in a Heller dept**</th>
<th>Mon-Wed or Thurs until 4 p.m. during fall/spring semester</th>
<th>Request is made prior to the semester’s first day of classes</th>
<th>Can event/class receive priority scheduling?</th>
<th>Schedule up to one year in advance?</th>
<th>Schedule Space through:</th>
<th>Special Set-up media?</th>
<th>Cost to rent space?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Academic Class (not extended studies)</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>A&amp;R x3896</td>
<td>255-3313</td>
<td>255-3280</td>
</tr>
<tr>
<td></td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>UC Sched x3471</td>
<td>255-3313</td>
<td>255-3280</td>
</tr>
<tr>
<td></td>
<td>Yes</td>
<td>No</td>
<td>n/a</td>
<td>n/a</td>
<td>No</td>
<td>No</td>
<td>UC Sched x3471</td>
<td>255-3313</td>
<td>255-3280</td>
</tr>
<tr>
<td></td>
<td>No</td>
<td>Yes</td>
<td>n/a</td>
<td>n/a</td>
<td>No</td>
<td>No</td>
<td>UC Sched x3471</td>
<td>255-3313</td>
<td>255-3280</td>
</tr>
<tr>
<td>Event, Conference or Meeting</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>n/a</td>
<td>No</td>
<td>No</td>
<td>UC Sched x3471</td>
<td>255-3471</td>
<td></td>
</tr>
<tr>
<td>(including student clubs and academic departments)</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>n/a</td>
<td>Yes</td>
<td>Yes</td>
<td>UC Sched x3471</td>
<td>255-3471</td>
<td></td>
</tr>
<tr>
<td></td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>n/a</td>
<td>No</td>
<td>No</td>
<td>UC Sched x3471</td>
<td>255-3471</td>
<td></td>
</tr>
<tr>
<td></td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>n/a</td>
<td>Yes</td>
<td>Yes</td>
<td>UC Sched x3471</td>
<td>255-3471</td>
<td></td>
</tr>
<tr>
<td>Extended Studies</td>
<td>No</td>
<td>n/a</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>UC Sched x3471</td>
<td>255-3471</td>
<td></td>
</tr>
<tr>
<td></td>
<td>No</td>
<td>n/a</td>
<td>No</td>
<td>n/a</td>
<td>Yes</td>
<td>Yes</td>
<td>UC Sched x3471</td>
<td>255-3471</td>
<td></td>
</tr>
</tbody>
</table>

**Class is in one of these depts/programs: AH, ANTH, BIOL, DNCE, ENGL, FILM, GES, GM, HIST, HUM, MUS, PHIL, PSC, SOC, THTR, VA, VAPA**

*Fees can incur for any classes needing services, technology or fixtures not available at the Heller Center and custodial services if an event occurs on a weekend.

All other requests for space:

Auxiliary Services, through the UC Scheduling Office, will manage all non-full-term class related requests for event, meeting and conference space at the Heller Center, including the Main House, the Guest House (if not otherwise occupied by an Artist/Scholar-in-Residence), and the Studio. Space may be requested up to one-year in advance provided the space is not during the academic priority times listed above. There is a charge for non-academic activity at the Heller Center. This charge is administered through the UC Scheduling Office. In exchange for base funding set-up support, the Chancellor’s office is not charged for up to 25 events per fiscal year. Further, the
Office of the Provost will provide base funding to the University Center in exchange for the support of 30 events per year that are organized by Heller Center designated academic departments. An application process is required for academic department events and all applications are made to the Faculty Director of the Heller Center. The support is for basic access and does not include services, technology or fixtures not available at the Heller Center. The base funding will be reviewed annually to assure support costs do not exceed funding.

All other campus department events, that do not have a required admission fee, pay a minimum lease fee of $200 per event for the Heller Center. Campus events with an admission fee and events not hosted by a campus department will pay Conference Services fees.

Limited to one time per month, student clubs may substitute the weekly University Center space reservation for a Heller Center reservation at no cost. This limitation of once per month does not apply to student art shows presented in the Studio or to student access to the Heller Garden, as long as access to the Main House, and the Guest House are not required (outside-accessed restrooms at the back of the Guest House will be available). Scheduling of the Studio as well as a schedule of student activity in the garden, however, must be made through the UC Scheduling office.

The UC Scheduling Office reserves the right to refuse to schedule an event at the Heller Center when the event is incompatible with the Heller Center’s mission and site limitations (maximum of 40 people inside Main House, 20 people inside Green House, 1 person staying overnight in Guest House, 20 people inside Studio; maximum of 100 people on site at one time, including outside events).

University Advancement, Special Events Office, shall coordinate all events on behalf of the Office of the Chancellor and these events will be included on the calendar maintained by UC Scheduling.

All events scheduled at the Heller Center must be submitted for listing on the UC Scheduling Calendar by the reserving unit. The Heller Guest House has a separate scheduling process that is included as an appendix to this document.

III. Roles
This section describes the working relationship between all parties involved including coordinated scheduling of the Heller Center. This list is not inclusive of all responsibilities and additional roles may be identified at a later date after the execution of this document.

Faculty Director, Heller Center for Arts & Humanities
- The Faculty Director reports to the Office of the Provost and is a tenured faculty member in a discipline related to the mission of the Heller Center.
- The Faculty Director is a revolving position with a three-year term. The position may rotate among any of the chairs of the departments represented on the Heller Academic Committee (as stipulated in the Heller Gift Agreement): Anthropology, English, Geography and
Environmental Sciences, History, Humanities, Languages and Cultures, Philosophy, Political Science, Sociology, and VAPA. Over time, the expectation is that chairs from a variety of these disciplines will fill the position of Faculty Director. The Faculty Director will be the chair of the Heller Academic Committee.

- The Faculty Director responds to all classroom-related questions regarding use of the facility and serves as the arbitrator regarding conflicts. This applies only to those times specifically reserved for pre-scheduled classroom use of the facility (note, academic use of the facility receives priority Monday-Wednesday and Thursdays until 4:00 p.m. during the fall and spring semesters if scheduled by the final semester schedule deadline).
- The Faculty Director manages the Artist/Scholar-in-Residence program at the Heller Guest House and communicates with the University Center the dates when the Guest House will be occupied. An appendix regarding the Artist/Scholar-in-Residence procedure is included at the end of this MOU and is considered a part of this agreement.
  - Communicates with the Artist/Scholar-in-Residence regarding level of University Support
  - Communicates that the University does not provide for personal items or any support beyond general maintenance of the facility.
- The Faculty Director reviews all official Heller Center communication materials, including website and social media, with the Curator and/or Arts Coordinator.
- The Faculty Director shall represent Heller Center interests at campus meetings and events when appropriate.
- The Faculty Director shall work in a collaborative manner with the Heller Curator, Arts Coordinator, Provost, and Auxiliary/Enterprise Management Division to meet mission goals including reviewing all marketing materials.
- The Faculty Director shall meet with the Dean of the College of Letters, Arts, and Sciences and with faculty and staff as directed by the Provost. Further, the Faculty Director shall annually promulgate to the campus the arts and humanities activities held at the Heller Center. The Offices of Admissions and Records and UC Scheduling shall assist the Faculty Director by providing the scheduled listings.
- The Faculty Director shall advise the Provost and, when appropriate, the Senior Associate Vice Chancellor for Administration and Finance, of any issues or concerns known to the Faculty Director that might impact programmatic and revenue objectives. These include issues or concerns related to the original covenant and to relations with neighbors. Further, the Faculty Director, Curator, Provost, and Senior Associate Vice Chancellor for Administration and Finance shall meet twice a year or as needed to review Heller usage and progress.

**Curator, Heller Center for Arts & Humanities**

- Direct report to the Office of the Provost.
- Manages the cultural heritage of the Heller Center
- Curates the Heller Center art collection.
• Interprets the Heller Center collection.
• Creates and implements Heller Center public outreach efforts and programs
• Collaborates with Facilities Services on rehabilitation/renovation/construction of Heller Center Buildings.
• Collaborates on Heller Center communication materials, including website and social media, with the Faculty Director and/or Arts Coordinator
• Represents Heller Center interests at meetings and events when appropriate.
• Works in a collaborative manner with the Faculty Director, Arts Coordinator, Provost, Facilities, and Auxiliary/Enterprise Management Division to meet mission goals.
• The Curator shall advise the Provost and, when appropriate, the Senior Associate Vice Chancellor for Administration and Finance, of any issues or concerns known to the Curator that might impact programmatic and revenue objectives. These include issues or concerns related to the original covenant and to relations with neighbors. Further, the Curator, Faculty Director, Provost, and Senior Associate Vice Chancellor for Administration and Finance shall meet twice a year or as needed to review Heller usage and progress.

Provost, Academic Affairs

• The Provost or Associate Provost is the supervisor of record for the Faculty Director and the Curator of the Heller Center. The Provost or Associate Provost will agree with the Faculty Director and with the Curator at the beginning of each evaluation cycle on a set of measurable goals and outcomes tied to each person’s duties, and will rely on the achievement of those goals and outcomes in performing the evaluation at the end of the cycle.
• The Provost or Associate Provost provides executive leadership to the Faculty Director as regards academic program deliverables.
• The Provost or Associate Provost provides executive leadership to the Curator as regards curatorial and/or outreach deliverables.
• The Provost or Associate Provost and the Senior Associate Vice Chancellor for Administration and Finance are responsible for jointly participating with the Faculty Director or the Curator, as appropriate, and the appropriate offices in any problem resolution wherein the conflict impacts both the academic/curatorial/outreach and enterprise/auxiliary management missions and the problem cannot be resolved directly between the parties.

Senior Associate Vice Chancellor for Administration and Finance

• The Senior Associate Vice Chancellor communicates with the Faculty Director as regards enterprise/auxiliary management program deliverables.
• The Provost or Associate Provost and the Senior Associate Vice Chancellor for Administration and Finance are responsible for jointly participating with the Faculty Director or the Curator, as appropriate, and the appropriate offices in any problem resolution wherein the conflict impacts both the academic/curatorial/outreach and
enterprise/auxiliary management missions and the problem cannot be resolved directly between the parties.

- The Senior Associate Vice Chancellor has the authority to determine the capital investment made by enterprise/auxiliary management in the Heller Center.

**Facilities Services**

- Pays all utility bills.
- Manages contracted cleaning as requested by the University Center for which Facilities Services will receive additional remuneration.
  - In exchange for funding the full operating costs of the Center, the Office of the Chancellor receives up to 25 events per year for which there are no additional cleaning charges.
- Provides all facilities management for the Center including but not limited to:
  - Five times weekly, once per day (except during semester breaks), routine cleaning and trash removal, and as requested for special events.
  - Maintenance—both routine and capital improvements.
  - Landscaping maintenance.

**University Center**

- Schedules as detailed in section II above.
- Coordinates with the Faculty Director on scheduling requests. Provides setup and event support for special events.
- Assesses charges as detailed above. Processes contracts if applicable, sends invoices and collects revenue from clients.
- Maintains a Heller Center Event Scheduling and Conference website with linking to the Heller Center official site.
- Provides an annual report on usage, revenues, and facilities management issues to be reviewed by the Senior Associate Vice Chancellor for Administration and then submitted to the Chancellor.
- Key management and relocking:
  - Re-keys Center as necessary in consultation with the Faculty Director, Department of Public Safety, and Facilities Services.
  - Tracks key issuance to users.
  - Provides check-out process through the University Center front desk for the daily issuance and return of keys to faculty users of the facility teaching semester long classes.
- Building Security:
  - Locks and secures the facility or arranges for University Police to lock and secure buildings at the facility at the end of the day.
  - Works with the University Police on patrol schedule based on facility use.
IV. **Financial Investment and Terms:**

The campus shall make the following investment in the Heller Center for the Arts & Humanities:

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Provost Office</th>
<th>Facilities</th>
<th>Univ Ctr</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Base</td>
<td>Benefits</td>
<td>Base</td>
<td>Base</td>
</tr>
<tr>
<td><strong>Faculty Director Stipend</strong></td>
<td>5000</td>
<td></td>
<td>1450</td>
<td></td>
</tr>
<tr>
<td><strong>.50 FTE Heller Curator/Historian</strong></td>
<td>27000</td>
<td></td>
<td>7830</td>
<td></td>
</tr>
<tr>
<td>Less Funds available</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>From LAS (current position)</td>
<td>-8346</td>
<td></td>
<td>-2420</td>
<td></td>
</tr>
<tr>
<td><strong>.50 FTE Heller Curator Funds needed</strong></td>
<td>18654</td>
<td></td>
<td>5410</td>
<td></td>
</tr>
</tbody>
</table>

Facilities
- Operations 26500
- Utilities 12000
- Less Funds available -10000
- **Operations and Utilities needed** 28500

**Set up and event support (non-academic)** 5000

**Total Base needed** 23654 6860 28500 5000 64014

Financial Agreements:

- All parties agree that Auxiliary Services will manage all revenues for space leasing at the Heller Center.
- Guest House:
  - All parties agree that Guest House lodging rates are not negotiable with individual clients. Lodging rates will be reviewed annually and any change to rates will be made effective July 1 of each year.
  - Guest House revenues and direct/indirect expenses shall be deposited into a dedicated speedtype managed by the University Center Director. Indirect expenses include University Center staff costs to support the Guest House program. Indirect expenses shall be determined by the University Center Director and reviewed by the Senior Associate Vice Chancellor and the campus Controller. Indirect expenses shall be reviewed annually and changes to rates effective July 1 of each year. At the end of each fiscal year, unspent revenues will be allocated to the Heller Center for programming activities. This allocation will occur at the beginning of the following fiscal year.
- All other property rentals:
  - 50% of all revenues collected shall be allocated to the University Center to compensate for time and effort in supporting the functions.
V. General Terms and Conditions
This section contains the aspects of the agreement related to the execution of the agreement between the parties.

Avenues for periodic review
- This agreement may be changed annually upon mutual agreement of all parties and upon approval of the Chancellor.

VI. Approval:

Pam Shockley-Zalabak
Chancellor

Date: 10/5/17