

LEGISLATIVE BILL 248

Approved by the Governor March 30, 1973

Introduced by Goodrich, 20

AN ACT relating to higher education; to provide for recruitment expenses; to amend sections 79-2616 and 85-304, Reissue Revised Statutes of Nebraska, 1943, and section 85-106, Revised Statutes Supplement, 1972; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 79-2616, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-2616. The state board shall have general supervision and control over the state system of technical community colleges. In addition to the other powers and duties imposed upon the state board by sections 79-2601 to 79-2633, the state board shall be charged with the following powers, duties and responsibilities:

(1) Review the budgets prepared by the area boards;

(2) Establish guidelines for the disbursement of funds; and receive and disburse such funds for maintenance and operation and capital support of the technical community college areas as may be available;

(3) Insure, through the full use of its authority:

(a) That each technical community college area shall offer thoroughly comprehensive educational, training and service programs to meet the needs of both the communities and students served by combining high standards of excellence in academic transfer courses; realistic and practical courses in occupational education, both graded and ungraded, and community services of an educational, cultural, and recreational nature; and

(b) That each technical community college area shall maintain an open-door policy, to the end that no student will be denied admission because of the location of his residence or because of his educational background

or ability; that, insofar as is practical in the judgment of the state board, curriculum offerings will be provided to meet the educational and training needs of the community generally and the students thereof; and that all students, regardless of their differing courses of study, will be considered, known and recognized equally as members of the student body; Provided, that the administrative officers of a technical community college may deny admission to a prospective student or attendance to an enrolled student if, in their judgment, he would not be competent to profit from the curriculum offerings of the technical community college, or would, by his presence or conduct, create a disruptive atmosphere within the technical community college not consistent with the purposes of the institution;

(4) Prepare a comprehensive plan for the development of technical community college education and training in the state;

(5) Define and administer criteria and guidelines for the establishment of new technical community college campuses within the existing areas;

(6) Establish minimum standards to govern the operation of the technical community colleges with respect to:

(a) Qualifications and credentials of instructional and key administrative personnel;

(b) Internal budgeting, accounting, auditing, and financial procedures as necessary to supplement the general requirements prescribed by law;

(c) The content of the curriculum and other educational and training programs, and the requirements, degrees and diplomas awarded by the colleges;

(d) Standard admission policies, and such policies may provide for preference for Nebraska residents in the event facilities are not adequate to accommodate all applicants for admission; and

(e) Standard procedures for recording and reporting the number of weekly instructional hours;

(7) Establish and administer criteria and procedures for all capital construction including the establishment, installation, and expansion of facilities within the various technical community college areas;

(8) Encourage innovation in the development of new educational and training programs and instructional methods; coordinate research efforts to this end; and disseminate the findings thereof; and

(9) To pay expenses for recruitment of the State Technical Community College Director, academic, administrative, professional, and managerial personnel; and

~~(9)~~ (10) Exercise any other powers, duties and responsibilities necessary to carry out the purposes of sections 79-2601 to 79-2633.

Sec. 2. That section 85-106, Revised Statutes Supplement, 1972, be amended to read as follows:

85-106. The Board of Regents shall have power (1) to enact laws for the government of the university; (2) to elect a chancellor, deans, professors, associate professors, assistant professors, instructors, other members of the faculty staff, and employees generally of the university, and to provide for academic tenure for professors, associate professors, and assistant professors; (3) to prescribe the duties of such persons; (4) to fix their compensation; (5) to provide, in its discretion, retirement benefits for present and future employees of the university, subject to the following: (a) The cost of such retirement benefits shall be funded in accordance with sound actuarial principles with the necessary contributions for both past service and future service being treated in the university budget in the same way as any other operating expense, (b) the maximum university contribution under any such retirement plan shall not exceed the sum of (i) six per cent of each university employee's salary or wage earnings for any calendar year before any agreement for reduction of salary or wage earnings, and (ii) pursuant to an agreement for reduction of salary or wage earnings, the amount of the reduction of salary or wage earnings, (c) each employee's contribution shall at least equal the university's contribution to any such retirement fund; Provided, that in lieu of making such contribution, each such employee may enter into an agreement for reduction of salary or wages for the purchase by the Board of Regents of an annuity contract for such employee, under the provisions of the Technical Amendments Act of 1958 to the Internal Revenue Code, as amended, but the amount of the reduction of salary or wages allowable under this subdivision may not include credit for service prior to March 29, 1972, (d) the retirement benefits of any employee for service prior to September 1, 1961 shall be those provided under the retirement plan then in force

which benefits shall not be abridged; Provided, that such retirement benefits shall become fully vested in the event of an employee's termination of employment, if such an employee shall have at least ten years of service at the date of termination, and (e) the investment of retirement funds shall be pursuant to sections 72-1237 to 72-1259; (6) to equalize and provide for uniform benefits for all present and future employees, including group life insurance, group hospital-medical insurance, group long-term disability income insurance and retirement benefits; (7) to provide, through the University Extension Division, for the holding of classes at various localities throughout the state avoiding unnecessary duplication of courses offered by other educational institutions in such localities; and (8) to remove the chancellor, deans, professors, associate professors, assistant professors, instructors, other members of the faculty staff, and employees generally, when the interests of the university shall require it; and (9) to pay expenses for recruitment of academic, administrative, professional, and managerial personnel.

Sec. 3. That section 85-304, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

85-304. The board shall have the power:

(1) To appoint a president and such other persons as may be required for each school;

(2) To fix their compensation and prescribe their duties;

(3) To remove all persons appointed, but the affirmative votes of four members of the board shall be necessary to remove a president or an assistant during the time for which such persons were appointed;

(4) Through an extension division to provide for holding of classes at various localities throughout the state, avoiding unnecessary duplication of courses offered by other educational institutions in such localities; and

(5) To acquire real and personal property and dispose of the same whenever any of the state colleges will be benefited thereby, but no grounds upon which any buildings of any of the state colleges are located shall be disposed of without the consent of the Legislature; and

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16) To pay expenses for recruitment of academic, administrative, professional, and managerial personnel.

Sec. 4. That original sections 79-2616 and 85-304, Reissue Revised Statutes of Nebraska, 1943, and section 85-106, Revised Statutes Supplement, 1972, are repealed.