

LEGISLATIVE BILL 890

Approved by the Governor April 10, 1984

Introduced by Vickers, 38; Nichol, 48; Sieck, 24;
Clark, 47; Chronister, 18; Eret, 32;
Pappas, 42; Warner, 25; H. Peterson, 35;
Hefner, 19

AN ACT relating to technical community colleges; to amend section 79-2637, Reissue Revised Statutes of Nebraska, 1943, and section 79-2651, Revised Statutes Supplement, 1982; to define and redefine terms; to provide for the allocation and distribution of funds as prescribed; and to repeal the original sections.

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

Section 1. That section 79-2637, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-2637. As used in sections 79-2636 to 79-2662, unless the context otherwise requires:

(1) Technical community college shall mean an educational institution operating and offering programs pursuant to the provisions of sections 79-2636 to 79-2662;

(2) Technical community college area shall mean an area established by section 79-2638;

(3) Board shall mean the Technical Community College Board of Governors for each technical community college area established by sections 79-2636 to 79-2662;

(4) A full-time equivalent student shall mean, in the aggregate, the equivalent of (a) a registered student who in a twelve-month period is enrolled in (a) thirty semester credit hours or forty-five quarter credit hours of classroom or laboratory course work applicable to a degree, diploma, or certificate in a program for which credit hours are offered and awarded, or (b) ~~registered undergraduate student who in a twelve-month period is enrolled in~~ nine hundred contact hours of classroom or laboratory course work for which credit hours are not offered or awarded, ~~applicable to a degree, diploma, or certificate program.~~ Avocational and recreational community service programs or courses shall not be included in determining full-time equivalent students or student enrollment;

(5) Contact hour shall mean an educational activity consisting of sixty minutes minus break time and required time to exchange classes;

(6) Credit hour shall mean the unit used to ascertain the educational value of course work offered by

the institution to students enrolling for such course work, earned by such students upon successful completion of such course work, and for which tuition is charged. A credit hour may be offered and earned in any of several instructional delivery systems, including, but not limited to, classroom hours, laboratory hours, clinical hours, practicum hours, cooperative work experience, and independent study. A credit hour shall consist of a minimum of: (a) Ten quarter or fifteen semester classroom contact hours per term of enrollment; (b) twenty quarter or thirty semester laboratory contact hours per term of enrollment; (c) thirty quarter or forty-five semester clinical or practicum contact hours per term of enrollment; or (d) forty quarter or sixty semester cooperative work experience contact hours per term of enrollment. An institution may include in a credit hour more classroom, laboratory, clinical, practicum, or cooperative work experience hours than the minimum required in this subdivision. The institution shall publish in its catalog, or otherwise make known to the student in writing prior to the student enrolling or paying tuition for any courses, the number of credit or contact hours offered in each such course. Such published credit or contact hour offerings shall be used to determine whether a student is a full-time equivalent student pursuant to subdivision (4) of this section;

(7) Classroom hour shall mean a minimum of fifty minutes of formalized instruction, conducted on or off campus, in which a qualified instructor applying any combination of instructional methods such as lecture, directed discussion, demonstration, or the presentation of audiovisual materials is responsible for providing an educational experience to students;

(8) Laboratory hour shall mean a minimum of fifty minutes of educational activity on or off campus in which students conduct experiments, perfect skills, or practice procedures under the direction of a qualified instructor;

(9) Clinical hour shall mean a minimum of fifty minutes of educational activity on or off campus during which the student is assigned practical experience under constant supervision at a health-related agency, receives individual instruction in the performance of a particular function, and is observed and critiqued in the repeat performance of such function. Adjunct professional personnel, who may or may not be paid by the college, may be used for the directed supervision of students and for the delivery of part of the didactic phase of the experience;

(10) Practicum hour shall mean a minimum of fifty minutes of educational activity on or off campus during which the student is assigned practical experiences, receives individual instruction in the performance of a particular function, and is observed and

critiqued by an instructor in the repeat performance of such function. Adjunct professional personnel, who may or may not be paid by the college, may be used for the directed supervision of the students;

(11) Cooperative work experience shall mean an internship or on-the-job training, designed to provide specialized skills and educational experiences, which is coordinated, supervised, observed, and evaluated by qualified college staff or faculty and may be completed on or off campus, depending on the nature of the arrangement;

(12) Independent study shall mean an arrangement between an instructor and student in which the instructor is responsible for assigning work activity or skill objectives to the student, personally providing needed instruction, assessing the student's progress, and assigning a final grade. Credit hours shall be assigned according to the practice of assigning credits in similar courses;

(13) ~~(5)~~ Full-time equivalent student enrollment total shall mean the total of full-time equivalent students enrolled in a technical community college area in any fiscal year;

(14) ~~(6)~~ General academic transfer program course shall mean a course offering in a one or two-year degree credit program, at the associate degree level or below, intended by the offering institution for transfer into a baccalaureate program. A The completion of the specified courses in a general academic transfer program in this category may include the award of a formal degree, upon completion of the program;

(15) ~~(7)~~ Vocational-technical program course shall mean a course offering in an instructional program, at the associate degree level or below, intended to prepare individuals for immediate entry into a specific occupation or career. The primary intent of the institutions offering a vocational-technical program shall be that such program is for immediate job entry. A The completion of the specified courses in a vocational-technical program in this category may include the award of a formal degree, diploma, or certificate, upon completion of the program;

(16) Academic support course shall mean a general education academic course offering which may be necessary to support a vocational-technical and occupational program;

(17) ~~(8)~~ Class 1 course shall mean a vocational-technical course offering program shall mean a vocational-technical offering which requires the use of equipment, facilities, or instructional methods which could be easily adapted for use in a general academic transfer program classroom or laboratory;

(18) ~~(9)~~ Class 2 course shall mean a vocational-technical course offering program shall mean a vocational-technical offering which requires the use of

specialized equipment, facilities, or instructional methods not easily adaptable for use in a general academic transfer program classroom or laboratory;

(19) ~~(10)~~ Reimbursable educational unit shall mean a full-time equivalent student multiplied by (a) a factor of one for a general academic transfer course or an academic support course, program; (b) a factor of one and fifty hundredths for a Class 1 course, vocational-technical program; and (c) a factor of one and seventy-five hundredths for a Class 2 course; and vocational-technical program; and

(20) ~~(11)~~ Reimbursable educational unit total shall mean the total of all reimbursable educational units accumulated in a technical community college area in any fiscal year.

Sec. 2. That section 79-2651, Revised Statutes Supplement, 1982, be amended to read as follows:

79-2651. (1) The Legislature, in an effort to promote quality postsecondary education and to avoid excessive taxation upon the taxable property of each area, may appropriate each year from such funds as may be available an amount for the aid and assistance of the technical community colleges. Such funds so appropriated by the Legislature shall be allocated and distributed to the area boards by the Department of Administrative Services as follows:

(a) Fifty-eight per cent of such funds appropriated by the Legislature shall be allocated to the technical community college areas in the same proportion as the first one thousand nine hundred audited reimbursable educational units or portion thereof for each area for the immediately preceding fiscal year is to the first one thousand nine hundred audited reimbursable educational units or portion thereof of all technical community college areas combined for such fiscal year; and

(b) The balance of such funds shall be distributed to the areas in the same proportion as all audited reimbursable educational units in excess of one thousand nine hundred for each area for the immediately preceding fiscal year is to the audited reimbursable educational units in excess of one thousand nine hundred for all technical community college areas combined for such fiscal year.

(2) In the event the total funds allocated to any technical community college area for the current fiscal year, as determined in subsection (1) of this section, are less than the total funds received by such area board from the immediately preceding fiscal year's legislative appropriation, a percentage of the difference of the allocated amounts shall be distributed to such area and deducted from that portion of the funds which are distributed pursuant to subdivision (1)(b) of this section. Such percentage shall equal seventy-five per

cent for fiscal year 1984-85, fifty per cent for fiscal year 1985-86, and twenty-five per cent for fiscal year 1986-87. This subsection shall not be applicable after fiscal year 1986-87.

(3) After all of the allocations and deductions required by subsection (2) of this section have been made, the adjusted balance to be allocated pursuant to subdivision (1)(b) of this section shall be reallocated according to such subdivision.

(4) The Department of Administrative Services shall distribute the total of such appropriated and allocated funds to the area boards in ten as nearly as possible equal monthly payments between the fifth and twentieth day of each month beginning September 1984 and each September thereafter. in ten as nearly as possible equal monthly payments between the fifth and twentieth day of each month beginning September 1977, and each September thereafter, except that for any additional amounts appropriated by Legislative Bill 816A, Eighty-seventh Legislature, Second Session, 1982, the payments shall be made in seven as nearly as possible equal monthly payments beginning in December 1982. Fifteen per cent of such funds shall be distributed in equal amounts to each of the six technical community college areas and the balance shall be distributed to the areas in the same proportion as the audited reimbursable educational unit total for each area for the immediately preceding fiscal year is to the audited reimbursable educational unit total of all technical community college areas combined for such fiscal year.

Sec. 3. That original section 79-2637, Reissue Revised Statutes of Nebraska, 1943, and section 79-2651, Revised Statutes Supplement, 1982, are repealed.