

**NEBRASKA COMMUNITY COLLEGE ASSOCIATION
BOARD OF DIRECTORS
Special Meeting Minutes
January 24, 2011**

1. PUBLIC MEETING NOTICE

All NCCA Board of Directors, Area Presidents, and the general public having been duly notified a special meeting of the NCCA Board of Directors was held January 24, 2011, at Southeast Community College's Continuing Education Center in Lincoln. President Diane Keller stated that a public meeting notice was published in the Lincoln Journal Star. She also stated that the rules for the Nebraska Public Meeting Laws were available for public viewing. The public meeting notice is attached to these minutes.

2. ATTENDANCE

Directors Present:

President Diane Keller – Central
Secretary Don Oelsigle – Northeast
Treasurer Robert Feit – Southeast
Sandra Borden – Central
Steve Brock for Tim Potter – Metropolitan
Merlyn Gramberg – Western Nebraska
Ernie Mehl – Mid-Plains
David Newell – Metropolitan
Tom Perkins – Western Nebraska
Larry Poessnecker – Northeast
Lynn Schluckebier – Southeast

Staff Present:

Dennis Baack – Executive Director
Melanie Williams – Administrative Assistant

Also present: Dr. Greg Smith – Central, Randy Schmailzl – Metropolitan, Dr. Bill Path - Northeast, Dr. Jack Huck – Southeast, Dr. Todd Holdcomb – Western Nebraska, and Tim Keigher.

3. CALL TO ORDER AND QUORUM DETERMINATION

President Keller called the meeting to order at 9:03 a.m. and asked for roll call and quorum determination. Present and responding were eleven board members representing their respective area governing boards. It was determined that a quorum was present.

4. APPROVAL OF AGENDA

President Keller asked for any additions or changes to the agenda. There were none.

MOTION BY LYNN SCHLUCKEBIER AND SECOND BY TOM PERKINS that the NCCA Board of Directors approve the agenda as presented.

President Keller asked for any objections or discussion. There was none.

A roll call vote was taken.

Voting Aye: Borden, Brock, Feit, Gramberg, Keller, Mehl, Newell, Oelsigle, Perkins, Poessnecker, Schluckebier

Voting Nay: None

RESULT: Motion carried eleven (11) ayes and no nays.

5. APPROVAL OF MINUTES

President Keller asked for any corrections to the October 6, 2010, and January 11, 2011, meeting minutes. It was stated that a word correction was needed in the October 6 meeting minutes on page 5, seventh paragraph, line six. The word 'break' should replace 'brick' in the sentence.

MOTION BY LYNN SCHLUCKEBIER AND SECOND BY MERLYN GRAMBERG that the NCCA Board of Directors approve the October 6, 2010, meeting minutes as corrected and the January 11, 2011, meeting minutes as presented.

President Keller asked for any discussion. There was none.

A roll call vote was taken.

Voting Aye: Borden, Brock, Feit, Gramberg, Keller, Mehl, Newell, Oelsigle, Perkins, Poessnecker, Schluckebier

Voting Nay: None

RESULT: Motion carried eleven (11) ayes and no nays.

6. 2011 LEGISLATIVE AGENDA

Baack stated that he would give a brief overview of each bill and answer any questions the Board may have prior to a position being taken. The four positions which may be taken are support, oppose, monitor, and neutral.

LB 58 was introduced by Senator Adams and would provide for a study of dual-enrollment courses and career academies. Baack stated that this bill was introduced on behalf of the Coordinating Commission and would help determine if some standardized

measures should be established. The Instructional Officers have been working on this for some time and already have some standards in place. Dr. Smith recommended that section 15 of the bill be removed as it was already completed by the Coordinating Commission last legislative session. Baack recommended that the Board monitor this bill and for him to ask Senator Adams to remove section 15. The Board agreed with Baack.

LB 59 was introduced by Senator Adams and would change the state aid to community college provisions. Baack stated that this is the distribution of state aid bill the community colleges submitted to Senator Adams and is already on Select File. He then recommended that the Board go on record as supporting this bill. The Board concurred with Baack.

LB 143 was introduced by Senator Haar and would require public education institutions to file certain contracts of employment with the Nebraska Accountability and Disclosure Commission. Baack stated that this bill would affect the administration at each community college area from Vice President to President. The contracts at the community colleges are already public information so Baack recommends just taking a neutral position on this bill. Dr. Huck also commented that Southeast only has a contract with the President and the remaining administration is just employed with the college. This bill may only apply to the President at each college as is the case with Southeast. The Board agreed to take a neutral position on this bill.

LB 150 was introduced by Senator Lathrop and would require internet notice of public meetings by state entities. Baack stated that this bill would require all public meeting notices to be submitted to the State and displayed on their website. The possibility of eliminating the need for notice in a newspaper may be in the bill but is unclear at this time. Dr. Huck stated that in his reading of the bill, he is unsure if this bill would apply to the community colleges. Baack recommended taking a monitor position on this bill. The Board agreed.

LB 372 was introduced by Senator Adams and would change provisions relating to postsecondary course and program offerings. This would allow the University to use the word 'certificate' in some of their upper division courses. Dr. Smith stated that he had participated in the meetings with the University and did put before them the request the use a different term instead of certificate so that individuals would not confuse the community colleges and University. That request was rejected. Baack stated that the CEO Council recommended staying neutral but remain vigilant in watching the University in what they apply for and what the Coordinating Commission is willing to approve to make sure that these courses do take place in the upper division courses. The Board concurred with the CEO Council.

LB 386 was introduced by Senator Heidemann and would provide job training grants for internships. This bill would encourage business and industry to accept interns with a financial reward. Discussion was then had regarding the need to clarify the terms used in the bill which refer to what school year the student is in to be eligible

for the grant. Baack recommended that the Board support this bill with the recommendation for clarification in the language. The Board agreed.

LB 397 was introduced by Senator Lathrop and would redefine a term in the Industrial Relations Act. Baack stated a number of bills were introduced related to the Industrial Relations Act and would recommend to the Board that a monitor position be taken on all of them. Discussion is still being had in the Legislature regarding this and any of these bills could change at any given moment. He also stated that this bill is a 'vehicle' bill and would change as more discussion is had. It was disclosed that the Metro board has already passed a resolution opposing any legislation changing the C.I.R. The Board agreed to monitor all bills related to the Industrial Relations Act until hearings are held and a more accurate picture of the contents of the bill is revealed.

LB 507 was introduced by Senator Harms and would change the Welfare Reform Act requirements relating to education for recipients of assistance. This bill would allow individuals who are participating in the Welfare to Work program to be able to use the time used for attaining their GED as work hours. As the law currently stands, they are not able to do this. Baack recommended that the Board support this bill. The Board concurred.

LB 516 was introduced by Senator Christensen and would authorize the carrying of concealed handguns in educational institutions by security personnel, administrators, or teaching staff. Baack then stated that no one is allowed to carry any concealed weapon on an educational facility according to the current law. The individuals would still be required to take the state mandated training and it would require a super majority vote of the individual board to authorize this bill. Discussion was had from the varying point of views of board members.

MOTION BY TOM PERKINS AND SECOND BY DON OELSLIGLE for the NCCA Board of Directors to take a position of opposition for LB 516.

President Keller asked for any further discussion. There was none.

A roll call vote was taken.

Voting Aye: Gramberg, Keller, Mehl, Newell, Oelsligle, Perkins, Poessnecker, Schluckebier

Voting Nay: Borden, Brock, Feit

RESULT: Motion carried eight (8) ayes and three (3) nays.

LB 547 was introduced by Senator Cook and would provide for a study of state aid to community colleges. Brock stated that this bill was brought before the Board and rejected so Metro decided to go ahead and pursue it in the Legislature. Newell then stated that it was determined at the previous board meeting that the NCCA should

continue to work towards a solution and Metro believes that it will not be a solution they can be supportive of. They feel that there is a need to help the Legislature realize that there will probably not be a proposal submitted that Metro can be supportive of. He continued to state that it has said a list of principles was agreed upon by everyone but Metro has never agreed to those principles. Baack stated that these principles were agreed upon in 2006 by the CEO council but not the NCCA board. Newell then stated that it is hard to negotiate with too many pre-conditions and someone needs to know that this organization is at an impasse and is not going to produce an acceptable end product. This bill says that the Legislature should do a study and gather information beyond the NCCA because the NCCA doesn't seem to willing to wrestle with the overall question of a formula. We need to move towards a process which is going to find a result and Metro has been continuously rejected on proposals they have brought before the Board.

Feit asked the question of what would Metro do if a bill was written by the Legislature that they did not support like the previous formula bill written by Senator Raikes. Newell replied that it would be their right to oppose it just as it would be the right of the Association to oppose it if they did not like it. This is a process that's ultimately going to be done by the Legislature and Metro is telling them that they give up on the NCCA.

Brock stated that Metro did support LB 59 which will be in effect for two years and this bill is just being pro-active on the next two years. He continued to state that they do not believe this bill will get much traction but it will give them the opportunity to speak to the Legislature on this topic.

Borden stated that she believes it was agreed upon at the previous board meeting that a study should be done but by the Association, not the Legislature. The Legislature just did a study concerning the community colleges and a majority of the information being asked for in this current bill was already submitted in the prior study.

President Keller explained to the Board that she cannot support this bill because it states that a new funding formula cannot include equalization and that is something she is not in agreement with.

MOTION BY STEVE BROCK AND SECOND BY DAVID NEWELL for the NCCA Board of Directors to take a position of support for LB 547.

President Keller asked for any discussion. Gramberg stated that he would like to be a participant in finding a solution rather than turning it over to someone else. President Keller then stated that she would like the Metro representatives to keep in mind that just because an opposition vote was given, it does not mean that other areas are against Metro but rather just do not agree on the position before them. Newell stated that the NCCA has gone as far as it can go and does not seem to want to go any further.

A roll call vote was taken.

Voting Aye: Brock, Newell

Voting Nay: Borden, Feit, Gramberg, Keller, Mehl, Oelsligle, Perkins, Poessnecker, Schluckebier

RESULT: Motion failed two (2) ayes and nine (9) nays.

MOTION BY LYNN SCHLUCKEBIER AND SECOND BY MERLYN GRAMBERG for the NCCA Board of Directors to take a position of opposition for LB 547.

President Keller asked for any discussion. She then asked the Board if there would be any advantages to taking a neutral position on the bill. Newell stated that the real issue is whether the NCCA will find commonality and he doesn't believe that will happen.

MOTION BY STEVE BROCK AND SECOND BY DON OELSLIGLE to call the question.

A roll call vote was taken.

Voting Aye: Borden, Brock, Feit, Gramberg, Keller, Mehl, Oelsligle, Perkins, Poessnecker, Schluckebier

Voting Nay: Newell

RESULT: Motion carried ten (10) ayes and one (1) nay.

A roll call vote was taken on the motion to oppose LB 547.

Voting Aye: Feit, Gramberg, Keller, Oelsligle, Perkins, Poessnecker, Schluckebier

Voting Nay: Borden, Brock, Mehl, Newell

RESULT: Motion carried seven (7) ayes and four (4) nays.

Break was taken from 10:46 a.m. to 10:54 a.m.

LB 564 was introduced by Senator Fulton and would change and eliminate provisions of the Industrial Relations Act and the State Employees Collective Bargaining Act. Baack stated that this was another bill dealing with the C.I.R. and the Board had already taken a position of monitor until a more accurate picture was available.

LB 603 was introduced by Senator Conrad and would exempt fees and admission charged by student organizations at institutions of higher education from

sales tax. Newell stated that with the current financial outlook of the State, this bill will probably not get out of committee and recommended a monitor position be taken. The Board concurred. Baack stated that he would attend the hearing to get a better understanding of the bill and relay any information to the Board.

LB 619 was introduced by Senator Larson and would remove school districts, learning communities, and education service units from the Industrial Relations Act. This bill again pertains to the C.I.R. and a monitor position has already been taken.

LB 637 was introduced by Senator Adams and would adopt the Postsecondary Institution Act and change provisions relating to the Coordinating Commission for Postsecondary Education. Baack stated that this bill would give the Coordinating Commission more authority in regards to out-of-state, for profit educational institutions from coming into the state. The Commission would be able to request more information and set-up guidelines that those institutions must follow. It was determined that a neutral position be taken.

LB 657 was introduced by Senator Janssen and would change and eliminate postsecondary education student residency provisions. Baack stated that this bill would repeal the current law which allows for non-documented students to receive in-state tuition. The students must receive a high school diploma, spent three years in the state, and be actively trying to gain citizenship in order to attain in-state tuition. The Board had taken a position of opposition to a bill similar to this last year.

MOTION BY DON OELSLIGLE AND SECOND BY TOM PERKINS for the NCCA Board of Directors to take a position of opposition for LB 657.

President Keller asked for any further discussion. There was none.

A roll call vote taken.

Voting Aye: Brock, Feit, Gramberg, Keller, Mehl, Oelsligle, Perkins, Poessnecker, Schluckebier

Voting Nay: Borden

Not Voting: Newell

RESULT: Motion carried nine (9) ayes, one (1) nay, and one (1) not voting.

LB 664 was introduced by Senator Nelson and would repeal the Industrial Relations Act and the State Employees Collective Bargaining Act and prohibit public collective bargaining and work stoppage. Again, this bill has to do with the C.I.R. and the Board has already taken a position of monitor on it.

7. REVIEW OF 2011 MEETING DATES AND SITES

President Keller reviewed the upcoming meeting dates and sites with the Board. Newell stated that he would like to switch the locations of the second and third quarter meeting locations.

MOTION BY DAVID NEWELL AND SECOND BY STEVE BROCK that the NCCA Board of Directors change the location of the second quarter meeting location to Omaha.

President Keller asked for further discussion. Newell stated that he would like the Board to see the Culinary Arts facility and also have a lunch prepared by the students.

A roll call vote was taken.

Voting Aye: Borden, Brock, Feit, Gramberg, Keller, Mehl, Newell, Oelsligle, Perkins, Poessnecker, Schluckebier

Voting Nay: None

RESULT: Motion carried eleven (11) ayes and no nays.

8. UPDATE ON VOLUNTARY FRAMEWORK FOR ACCOUNTABILITY

Perkins gave a brief update on the voluntary framework for accountability that Western, Central, and Mid-Plains are participating in. The hope is that with this study, a technical manual will be developed for use across the country.

Feit brought it to the Board's attention that Hornung will no longer be serving as an alternate for ACCT State Coordinator and a new one will need to be chosen. It was decided that President Keller will actively look for an alternate and appoint that individual.

There being no further business, the meeting adjourned at 11:18 a.m.

Diane Keller, President

Don Oelsligle, Secretary