

TITLE 281 - COORDINATING COMMISSION FOR POSTSECONDARY EDUCATION

CHAPTER 11 - RULES AND REGULATIONS CONCERNING REVIEW OF PUBLIC INSTITUTIONS' BUDGET AND STATE AID REQUESTS

001 CONSTITUTIONAL AUTHORITY

001.01. Applicable Sections of the Constitution of the State of Nebraska include:

001.01A. Constitution of the State of Nebraska, Edited 1992, Article VII - Education, Section 14, relating to Commission review and modification of budget requests of the Board of Regents of the University of Nebraska, the Board of Trustees of the Nebraska State Colleges, any board or boards established for the Community Colleges, or any other governing board for any other public postsecondary educational institution which may be established by the Legislature.

002 STATUTORY AUTHORITY

Sections 85-1401; 85-1402(2), (4), (6), and (7); 85-1404(2) and (3); 85-1412(1) and (2); 85-1413(5)(d)(g) and (j); 85-1416(1), (2)(a), (b), (c), and (4); relating to the Commission's review of budgets, state aid requests, and major deficit appropriation requests (R.R.S.).

Nebraska Revised Statutes, Section 85-1412(12) relating to the Commission's allocation of incentive funds.

003 SCOPE AND PURPOSE

The Commission shall adopt, amend, repeal, or otherwise implement such rules, regulations, guidelines, and procedures as the Commission deems necessary to continue its ongoing constitutional and statutory responsibility to review, study, recommend, and modify public institutional budget requests if needed to promote compliance and consistence with the Comprehensive Statewide Plan and prevent unnecessary duplication.

A review of budget outlines, budget priorities and tuition levels shall be subject to the rules contained herein, the Statewide Comprehensive Plan, and such other rules, regulations, guidelines, and procedures as shall be promulgated by the Commission.

The purpose of the budget review process is to (1) demonstrate the institution's compliance and consistence with the Comprehensive Statewide Plan, (2) examine consistency with the institution's role and mission, (3) consider major statewide funding issues or initiatives, and (4) prevent unnecessary duplication within an institution, a sector, the state, or region.

The primary focus of budget and budget priority reviews is on new and expanded services and programs and major statewide funding issues or initiatives.

Any footnotes contained herein shall not be construed as a part of the rules of the Commission, but are used for illustrative purposes only.

004 DEFINITIONS

004.01. Commission shall mean the Coordinating Commission for Postsecondary Education.

004.02. Governing Board shall mean the Board of Regents of the University of Nebraska, the Board of Trustees of the Nebraska State Colleges, or the board of governors for each community college area.

004.03. Public Institution shall mean any of the following: the University of Nebraska-Lincoln, University of Nebraska at Omaha, University of Nebraska at Kearney, University of Nebraska Medical Center, Nebraska College of Technical Agriculture, Chadron State College, Peru State College, Wayne State College, Central Community College Area, Metropolitan Community College Area, Mid-Plains Community College Area, Northeast Community College Area, Southeast Community College Area, Western Nebraska Community College Area, including any other campus administered as a separate unit by a governing board, or any other public postsecondary educational institution which may be established by the Legislature after January 1, 1992.

004.04. Modify/Modifications shall mean changes recommended by the commission to budget requests, state aid requests, budget priority lists, or major deficit requests of public institutions, to ensure compliance and consistency with the Comprehensive Statewide Plan and prevent unnecessary duplication.

004.05. Budget Request, as defined by the Revised Statutes of Nebraska, shall mean the complete recitation, on forms prescribed by the Governor's Budget Division and in the manner prescribed by such division, of the operating funds requests of a public institution for the biennium next following the then current biennium.

004.06. New and Expanded Budget Request shall mean the request for funding approved or anticipated new programs, expanded services, or workload increases in the next biennium; for replacing other revenue sources with general fund-support; and for funding increases associated with the prior year's deficit appropriation.

004.07. Budget Priorities shall mean those goals and objectives, with associated funding, comprising a public institution's new and expanded budget request.

004.08. Deficit Appropriation Request shall mean the additional funds requested to supplement the current biennium appropriation.

004.09. Unnecessary Duplication shall mean inefficient replication of functions or activities within a public institution, within a sector; or within the State.

004.10. Incentive Funds shall mean those special purpose funds used to support priorities of the Commission to achieve consistency and compliance with the Comprehensive Statewide Plan, state goals and priorities, or planned state objectives or other special purpose funds designated to the Commission by the Legislature.

004.11. Outline shall mean the informational summaries provided to the institution's governing board describing the respective institution's budget for the next fiscal year or biennium including projections of funds for retention of current programs and services, inflationary costs necessary to maintain current programs and services, and proposed new and expanded programs and services.

004.12. Outcomes shall mean those definable, measurable quality and/or quantity indicators, as defined by the institutions, used to assess progress toward and/or achievement of stated goals and objectives of continuation budgets and budget priorities.¹

¹ Examples: Graduation rates, graduate placement rates, program completes, research results, cost containment, market share, facility square foot usage, student retention, or any other key indicator that demonstrates accomplishment of stated goals.

005 INSTITUTIONAL REPORTING

005.01. The Board of Regents of the University of Nebraska and Board of Trustees of the Nebraska State Colleges shall submit outlines of their biennial budget requests, and major deficit budget requests, along with any other supporting information deemed necessary by the institution or requested by the Commission to identify the major components necessary for the Commission to determine the institution's compliance and consistency with the Comprehensive Statewide Plan and the existence of any unnecessary duplication, to the Commission at least 30 days prior to the required date of submission of the public institution budget requests to the Governor and the Legislature.

005.02. The Boards of Governors of the Community Colleges or their designated representatives shall submit to the Commission on September 15th of each biennial budget request year outlines of their proposed state aid requests, along with any other supporting information deemed necessary by the institution or requested by the Commission to identify the major components necessary for the Commission to determine the institution's compliance and consistency

with the Comprehensive Statewide Plan and the existence of any unnecessary duplication.

006 BUDGET REQUEST

The submission of the institution's budget request information shall consist of an outline, as defined by the Commission, together with such necessary supporting information as may be required by the Commission to identify the major components necessary for the Commission to determine the public institution's compliance with criteria stated in 008. The Commission shall review and modify budget requests, deficit appropriation requests, and state aid requests of governing boards as provided by law.

007 INSTITUTIONAL BUDGET PRIORITIES

Submission of budget priorities shall include information as defined by the Commission. Priorities shall be in the context of the Comprehensive Statewide Plan, institutional role and mission and prevention of unnecessary duplication. Priorities shall include proposed outcomes. The Commission shall analyze and submit to the Governor and Legislature recommendations for approval or modification of each governing board's budget priority request together with a rationale for each such recommendation.

008 BUDGET REVIEW CRITERIA

Review criteria for Budget Requests and Budget Priorities shall include:

008.01 Compliance and Consistency with the Comprehensive Statewide Plan. The budget requests, state aid requests, deficit appropriation requests, and budget priorities shall demonstrate compliance and consistency with the Comprehensive Statewide Plan, through appropriately supplied institutional data as requested by the Commission.

008.02 Compliance with the Role and Mission Requirements. The budget requests, state aid requests, deficit appropriation requests, and budget priorities shall be consistent and comply with the role and mission of the institution, as defined by law.

008.03 Prevention of Unnecessary Duplication. The prevention of unnecessary duplication in the use and allocation of funds shall be a high priority of the Commission. Budget requests and budget priorities shall not contribute to unnecessary duplication.

009 ADDITIONAL CONSIDERATIONS

009.01. Commission modifications, approvals, and/or recommendations shall be submitted to the Governor and the Legislature by October 15th of each year.

009.02. The Commission may recommend to the Governor and the Legislature establishment of incentive funds to achieve consistency with the Comprehensive Statewide Plan's goals for postsecondary education.

009.03. As appropriate, the Commission shall allocate state incentive funds among public institutions pursuant to statutory directives to the Commission authorizing such funds.

009.04. The Commission shall provide to the Governor and the Appropriations Committee of the Legislature on October 1st of each even-numbered year a report identifying public policy issues relating to student tuition and fees.

009.05. The Commission may conduct surveys and studies it deems appropriate and may in the conduct of same, request information from governing boards and appropriate administrators of public institutions and other governmental agencies.

009.06. The Commission may make such determinations as are necessary to assure compliance with this rule and applicable statutes.

009.07. Nothing in these rules shall be construed to affect other constitutional, statutory, or administrative requirements for the submission of budget or state aid requests by the governing boards, or designated representatives, to the Governor and the Legislature.