

Executive Memorandum No. 12

Control and Management of the Nebraska College of Technical Agriculture at Curtis

The Ninetieth Legislature, First Session, enacted LB 656 which changed the name of the School of Technical Agriculture at Curtis to the Nebraska College of Technical Agriculture at Curtis (NCTA). The Ninetieth Legislature, Second Session, enacted LB 1042 which established a new mission for NCTA under the control and management of the Board of Regents of the University of Nebraska. The Ninety-Second Legislature, First Session, enacted LB 663, which in Sections 62 through 65 gave authority to the Coordinating Commission for Postsecondary Education to determine whether control of NCTA should be retained by the Board of Regents or transferred to another public postsecondary education governing body. See Neb. Rev. Stat §§85-121, 85-121.03, 85-121.04, and 85-121.05. In 1993 the Coordinating Commission for Postsecondary Education concluded that NCTA should remain under the control and management of the Board of Regents, administered by the University of Nebraska-Lincoln (UNL) Institute of Agriculture and Natural Resources (IANR). This document sets forth the general policies of the University for control and management of NCTA under said enactments of the Legislature.

1. Administration and Management

- a. Under the control and direction of the Board of Regents, NCTA will be considered a two-year degree granting campus of the University of Nebraska. The Vice President for Agriculture and Natural Resources and Vice Chancellor for the Institute of Agriculture and Natural Resources at the University of Nebraska-Lincoln will have primary administrative responsibility for operation of the programs of NCTA. A member of the IANR administrative staff may be designated as the Dean of the Nebraska College of Technical Agriculture at Curtis on a partial appointment. If the Dean is not physically located at the NCTA campus, there shall be an on-site administrator at Curtis responsible for the day-to-day operation of the NCTA programs, who shall carry the title Campus Director and Associate Dean. Except as herein provided, NCTA will operate subject to existing University and UNL policies and procedures, including the Bylaws of the Board of Regents, the Bylaws of the University of Nebraska-Lincoln, and written policies and procedures adopted by the Vice President for Agriculture and Natural Resources and Vice Chancellor for IANR.
- b. NCTA has been classified by the Legislature as a technical college. As such, it shall exist as a distinct subprogram of the University (Agency 51) separate and apart from the University's academic colleges established under Neb. Rev. Stat §85-107. It will have a separate operating budget in keeping with the provisions of Neb. Rev. Stat §85-121.03. The Board of Regents shall not transfer funds from other University programs should at anytime the funds appropriated by the Legislature and generated by NCTA be inadequate to provide for the continued operation of the college. The operating budget of NCTA will make provision for funding costs, both direct and indirect, incurred by other units of the University in providing operational support to NCTA in the same manner as for other units of the University.

2. Academic Planning and Programs

The Vice President for Agriculture and Natural Resources and Vice Chancellor for IANR shall develop policies and procedures for the planning, development, review, and approval of academic programs for NCTA. These processes shall be organized to provide for expedient responses to the changes needed in technical education to serve the agricultural industry of the State of Nebraska.

3. Budgeting and Accounting

- a. The biennial operating budget request for NCTA will be submitted as a distinct budget request of the University of Nebraska. Guidelines used to develop the NCT A budget request may also be separate and distinct from the budget request guidelines for the other campuses of the University of Nebraska.
- b. When the operating budgets are prepared following the legislative appropriation process, separate guidelines for budget preparation may be developed for NCT A. The Board will take separate action to approve each NCTA budget. These measures are necessary to ensure that the intent of the Legislature in Neb. Rev. State §85-121.03 is achieved; specifically, that "the Board of Regents shall not transfer funds from any other program or funds to be used for any other program to such college (NCTA) and the Board of Regents may reduce or discontinue any programs of such college which the Board of Regents determines is necessary.
- c. NCTA will use existing cash accounts established with the State Treasurer for UNL and IANR. However, all NCTA activities and balances will be segregated within the UNL-IANR Financial Management Systems.
- d. For annual reporting and auditing purposes, NCTA will be included along with UNL. UNL Accounting will prepare an annual internal report of the results of the NCTA operations, including a statement of changes and fund balances. This report will be reviewed by UNL Operational Analysis with recommendations and observations submitted to the Vice Chancellor for IANR.
- e. Endowment funds of NCTA will be managed as part of the University's endowment fund with separate accounts maintained for NCTA. A management fee will be assessed on a proportionate basis in the same manner as for other units of the University.

4. Personnel

- a. Except as hereafter provided, all personnel policies, procedures, rules, and regulations contained in the Bylaws of the Board of Regents, the University-wide Personnel Policy Manual, and other written personnel policies, procedures, rules, and regulations adopted by the Board of Regents shall apply to employees of NCTA. Academic-administrative, managerial/professional, and office/service staff of NCTA will be eligible to participate in all University benefit programs under the same terms and conditions as other University employees with all costs to be paid from the separate budget of NCTA. Employees of NCTA will be paid through the University of Nebraska payroll system.
- b. NCTA personnel will be covered by liability insurance and workers' compensation to the same extent as other University employees with the cost of these coverages to be paid from the separate budget for NCTA.
- c. Faculty of NCTA shall be considered to be faculty of the University of Nebraska. Notwithstanding the general provisions of these policies concerning the applicability of the

Bylaws of the Board of Regents and the Bylaws of the University of Nebraska-Lincoln to NCTA, Sections 2.12, 2.12.1, 2.12.2, and 2.12.3 of the Bylaws of the Board of Regents relating to faculty governance shall not apply to NCTA. Further, notwithstanding the general provisions of these policies relating to the applicability of the Bylaws of the Board of Regents and the Bylaws of the University of Nebraska-Lincoln, Sections 4.4.2, 4.4.3, 4.4.5, 4.4.7, 4.5, 4.6, 4.8, 4.9, 4.10, 4.11, 4.14.1, and 4.14.2 of the Bylaws of the Board of Regents relating to certain rights and responsibilities of the professional staff shall not apply to NCTA. NCTA faculty may be assigned academic rank, but shall not be eligible for continuous appointment (tenure). NCTA faculty shall be employed only by special appointment pursuant to the provisions of Section 4.4.1 of the Bylaws of the Board of Regents. NCT A faculty shall enjoy the same rights of academic freedom and be subject to the same requirements of academic responsibility as other faculty of the University in accordance with Sections 4.1, 4.2, and 4.4.4 of the Bylaws of the Board of Regents.

- d. Managerial/professional and office/service staff of NCTA will be subject to the University classification and compensation system. The responsibility for classification of positions will be determined by the UNL Human Resources Department with the approval of the Vice Chancellor for IANR. It is recognized that future differences in funding levels may necessitate exceptions to the University-wide pay plan and separate salary guidelines for both the NCT A operating budget and the NCT A operating budget request. Managerial/professional and office/service staff of NCTA will be subject to Board of Regents personnel policies, procedures, rules, and regulations.

5. Purchasing

Purchasing activities of NCTA will be conducted in accordance with the Board of Regents Purchasing Policy and accomplished through the UNL Purchasing office in compliance with established procedures and practices.

6. Risk Management

- a. The UNL Director of Risk Management will provide support for planning, organizing, coordinating, and directing a comprehensive risk management program for NCT A under the general direction of the University of Nebraska risk manager. Specific duties and responsibilities are:
 - 1. Coordinate building/contents valuation
 - 2. Initiate claims reporting and processing
 - 3. Conduct environmental health and safety programs
 - 4. Conduct preliminary investigation into incidents, accidents, and/or potentially compensable events.
- b. Costs of insurance premiums will be in proportion to coverage provided to NCTA. Assessments for the University's self-insurance trust will be made in the same manner as other participating entities. Costs associated with both will be charged to the separate budget of NCTA.

7. Physical Facilities

a. Deferred Repair Projects

Funding requests will be submitted to the Nebraska Building Renewal Task Force by NCTA. Any allocation of funds by this Task Force will be made to NCTA and placed in a separate UNL company/center for use by NCTA. When funds are allocated for deferred repair projects at NCTA, professional services will be obtained in accordance with University policy and in coordination with the {J.NL Facilities Management staff and the Director of Facilities at Central

Administration. Design review will be conducted by UNL Facilities Management staff. As-builts and project records will be retained by the UNL Facilities Management office.

b. Architectural and Engineering Services

Services required by NCT A will be obtained either in accordance with University Policy for Selection of Architecture, Engineering, Landscape Architecture, and Land Surveying Services or acquired from UNL Facilities Management.

c. Need or Program Statements

NCTA will be responsible for preparation of need or program statements required in connection with capital projects. In connection therewith, UNL Facilities Management staff will have review responsibilities and will advise NCTA on construction, project estimates, and fiscal impact information.

d. Capital Construction Budget Request

The capital construction budget request will be submitted by NCT A through the Vice President for Agriculture and Natural Resources and to the Director of Facilities at Central Administration. The Capital Construction Budget Request for NCTA will be submitted as a distinct budget request of the University of Nebraska.

When funds are allocated for a capital project at NCT A, professional services will be obtained in accordance with University policy and in coordination with the UNL Facilities Management staff and the Director of Facilities at Central Administration. Design review will be conducted by UNL Facilities Management staff. As-builts and project records will be retained by the UNL Facilities Management.

e. Physical Plant Services

When required, the UNL Facilities Management office will provide its services to NCTA. When appropriate, cost of these services will be billed to and paid by NCTA in the same manner as such costs are paid by internal units of the University.

f. Reports

Quarterly construction reports, quarterly energy utilization reports, and tree management reports will be submitted by NCT A in accordance with established University policies and procedures.

8. General

Any matter not specifically addressed in this Executive Memorandum relative to operation and management of NCTA shall be subject to the administrative responsibility of the person serving as Vice President for Agriculture and Natural Resources and Vice Chancellor for IANR in accordance with applicable law and University policies and procedures.

Reference: February 24, 1989
Revised BRUN, February 19, 1994