

# NORTH CAROLINA COMMUNITY COLLEGE SYSTEM

## “Non-Budget Legislative Items for the 2006 Session”

March 20, 2006

### New Legislative Items

- A. **Extend Bond Match Deadline** - As you will recall, the 2000 Higher Education Bond Act required that all community colleges that had matching funds requirements be so matched by June 30, 2006. We have five colleges remaining that have not yet done so, and we want to give them one additional year in which to match the available funds. The 1998 Session of the General Assembly extended for one year the matching deadline of the 1993 Higher Education Bonds for seven of the smallest colleges. We ask that the 2006 Session extend the matching requirement by one additional year, to June 30, 2007. This does not require an appropriation of funds.
- B. **Permit the Use of State Aid Funds in Lieu of Federal Funds** – Increasingly in state government, the federal government is changing the rules on the use of federal funds for staffing programs. This recently occurred mid-year in the GED Office within the System Office. We proposed swapping State Aid Grant funds for appropriated funds, and while this was permissible with the fed, it was not approved by the State Budget Office. As the federal government continues to tighten funding, we anticipate more of these kinds of situations. As such, we ask that the State Board be given the authority to re-allocate state and federal funds, at no new appropriated cost, to facilitate program operations and services delivered by the System Office to the colleges.

### Pending Legislation

**House Bill 833 – “Additional Standards for Community College Admissions”**: This is also known as the “criminal background checks bill.” As a requirement for obtaining many degrees in allied health programs, for example, a clinical experience/rotation is required. An increasing number of clinical sites will not allow students to obtain the required clinical experience without a criminal background check. A 1997 advisory letter from the Attorney General’s Office concludes that the NCCCS has no authority to conduct such a check. We desperately need that authority. Why? We know that it costs the NCCCS 1.47 times the cost of educating an allied health professional as it does an average degree-seeking student. With market demands so high for these professionals, it seems a waste of state resources to educate a person who can not be licensed by a Licensing Board because of a criminal background, or who can not participate in a clinical experience. The same is also true for both other licensed programs, and for law enforcement.

**House Bill 550 – “State Board of Education/Community College Rule Making”** – The importance of this legislation can not be overstated, both from an ability to work with the University System, and for the State Board to govern the NCCCS. Let me be clear: **The State Board of CC IS NOT asking for an “exemption” from the Administrative Procedures Act.** The Board is asking for an expedited rule-making process that would still include a public hearing, publication of the proposed rule, a 30-day waiting period, and other procedural activities. The net effects of the expedited process would be;

1. The NCCCS could move more quickly to implement collaborative agreements and programs with the University; AND,
2. The process of implementing rules would be shortened from 7 months to 3 months.

Six agencies, Boards and Commissions already have this authority, including the Board of Governors.

Both of these House Bills are stuck in the Senate Education/Higher Education Committee, having each passed the House in 2005. Please help us to move them.