

LEGISLATURE OF NEBRASKA  
ONE HUNDRED THIRD LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 162**

Introduced by McGill, 26.

Read first time January 14, 2013

Committee: Education

A BILL

1 FOR AN ACT relating to postsecondary education; to amend section  
2 85-1413, Revised Statutes Cumulative Supplement, 2012; to  
3 state findings; to define terms; to provide for a  
4 notification process relating to award of associate  
5 degrees as prescribed; to provide duties for the  
6 Coordinating Commission for Postsecondary Education,  
7 community college boards of governors, the Board of  
8 Trustees of the Nebraska State Colleges, and the Board of  
9 Regents of the University of Nebraska; to harmonize  
10 provisions; to repeal the original section; and to  
11 declare an emergency.  
12 Be it enacted by the people of the State of Nebraska,

1           Section 1. (1) The Legislature finds that:

2           (a) Due to the demands of a global economy, the state and  
3 the nation have an increasing need for individuals with a credential  
4 or degree from a postsecondary educational institution;

5           (b) Many students begin their postsecondary education in  
6 a two-year postsecondary educational institution and transfer to a  
7 four-year postsecondary educational institution prior to receiving an  
8 associate degree from the two-year postsecondary educational  
9 institution;

10          (c) Some students who subsequently accumulate the credit  
11 hours necessary for an associate degree while enrolled in the four-  
12 year postsecondary educational institution, or who leave the four-  
13 year postsecondary educational institution prior to completing the  
14 credit hours required for a baccalaureate degree, would benefit from  
15 the award of an associate degree; and

16          (d) The conferring of an associate degree not only  
17 rewards the student's efforts in attaining postsecondary education  
18 but also recognizes the investment of financial resources in  
19 postsecondary education by both the student and the State of  
20 Nebraska.

21          (2) Therefor the Legislature declares that the two-year  
22 postsecondary educational institutions and the four-year  
23 postsecondary educational institutions in the state should work in  
24 collaboration with the Coordinating Commission for Postsecondary  
25 Education to develop a process that reduces the potential barriers to

1 postsecondary degree completion by providing certain transfer  
2 students as provided in section 3 of this act students with  
3 information about their potential eligibility for an associate degree  
4 by a two-year postsecondary educational institution.

5 Sec. 2. For purposes of sections 1 to 5 of this act:

6 (1) Associate degree means an associate of arts degree,  
7 an associate of science degree, or an associate of applied science  
8 degree;

9 (2) Commission means the Coordinating Commission for  
10 Postsecondary Education;

11 (3) Four-year postsecondary educational institution means  
12 a state-supported postsecondary educational institution authorized to  
13 grant baccalaureate degrees; and

14 (4) Two-year postsecondary educational institution means  
15 a community college or other state-supported postsecondary  
16 educational institution authorized to grant associate degrees.

17 Sec. 3. The commission shall collaborate with the  
18 community college boards of governors, the Board of Trustees of the  
19 Nebraska State Colleges, and the Board of Regents of the University  
20 of Nebraska to develop procedures by which four-year postsecondary  
21 educational institutions notify students described in this section  
22 concerning their potential eligibility for the conferring of an  
23 associate degree by a two-year postsecondary educational institution.  
24 Such notification shall go to a student enrolled in a four-year  
25 postsecondary educational institution who has accumulated at least

1 seventy semester credit hours or the equivalent of postsecondary  
2 education credit and who enrolled in such four-year postsecondary  
3 educational institution before completing the requirements for an  
4 associate degree at a two-year postsecondary educational institution.  
5 The two-year postsecondary educational institution from which the  
6 student transferred shall also be notified. The student shall then  
7 have the option of asking the two-year postsecondary educational  
8 institution to review his or her transcript to determine whether, by  
9 incorporating credits earned at the four-year postsecondary  
10 educational institution, he or she has completed the requirements for  
11 an associate degree from the two-year postsecondary educational  
12 institution. Such notification shall be made within sixty days after  
13 the student completes such academic requirements at the four-year  
14 postsecondary educational institution.

15 The notification shall be implemented beginning with the  
16 2013-14 academic year and shall specify the roles of the student, the  
17 commission, and the institutions.

18 Sec. 4. The two-year postsecondary educational  
19 institutions and the four-year postsecondary educational institutions  
20 in the state shall agree upon the contents of the notification  
21 required pursuant to section 3 of this act. The notification shall  
22 include, at a minimum, the requirements for degree audit by the two-  
23 year postsecondary educational institution and information concerning  
24 the process for a student to be awarded an associate degree in the  
25 future if he or she at the time of the notification declines

1 conferral of or does not meet the requirements for an associate  
2 degree.

3 This section does not limit the ability of a community  
4 college board of governors, the Board of Trustees of the Nebraska  
5 State Colleges, or the Board of Regents of the University of Nebraska  
6 from developing academic transfer agreements pursuant to their  
7 respective roles and missions as provided in Chapter 85, article 9.

8 Sec. 5. Each two-year postsecondary educational  
9 institution and four-year postsecondary educational institution in  
10 the state shall provide students with information about the  
11 notification procedure developed pursuant to sections 1 to 4 of this  
12 act.

13 Sec. 6. Section 85-1413, Revised Statutes Cumulative  
14 Supplement, 2012, is amended to read:

15 85-1413 (1) Pursuant to the authority granted in Article  
16 VII, section 14, of the Constitution of Nebraska and the Coordinating  
17 Commission for Postsecondary Education Act, the commission shall  
18 establish and revise as needed a comprehensive statewide plan for  
19 postsecondary education which shall include (a) definitions of the  
20 role and mission of each public postsecondary educational institution  
21 within any general assignments of role and mission as prescribed in  
22 sections 85-917 to 85-966 and (b) a plan for facilities which utilize  
23 tax funds designated by the Legislature.

24 (2) The planning process of the commission (a) shall be  
25 policy-based and ongoing in order to achieve, within the coordination

1 function of the commission pursuant to section 85-1403, the best  
2 possible use of available state resources for high quality and  
3 accessible postsecondary educational services and (b) shall take into  
4 consideration (i) the needs of the state as described in subsection  
5 (3) of this section, (ii) general assignments of role and mission for  
6 each public institution in sections 85-917 to 85-966, and (iii) plans  
7 for facilities which utilize tax funds designated by the Legislature.

8 (3) In establishing the plan, the commission shall assess  
9 the postsecondary educational needs of the state in the following  
10 areas:

11 (a) The basic and continuing needs of various age groups;

12 (b) Business and industrial needs for a skilled work  
13 force;

14 (c) Demographic, social, and economic trends;

15 (d) The needs of the ethnic populations;

16 (e) College attendance, retention, and dropout rates;

17 (f) The needs of recent high school graduates and place-  
18 bound adults;

19 (g) The needs of residents of all geographic regions; and

20 (h) Any other areas the commission may designate.

21 (4) The plan shall provide a structure or process which  
22 encourages and facilitates harmonious and cooperative relationships  
23 between public and private postsecondary educational institutions and  
24 shall recognize the role and relationship of elementary and secondary  
25 education and private postsecondary educational institutions in the

1 state to postsecondary education.

2 (5) The commission shall incorporate into the plan  
3 provisions and policies to guide decisionmaking by the commission  
4 pursuant to this section and sections 85-1414 and 85-1415. The  
5 provisions and policies shall address issues which include, but are  
6 not limited to:

7 (a) The facilitation of statewide transfer-of-credit  
8 guidelines to be considered by institutional governing boards. The  
9 statewide transfer-of-credit guidelines shall be designed to  
10 facilitate the transfer of students among public institutions. The  
11 statewide transfer-of-credit guidelines shall not require nor  
12 encourage the standardization of course content and shall not  
13 prescribe course content or credit value assigned by any public  
14 institution to the courses;

15 (b) Recommended guidelines for admissions which recognize  
16 selective and differentiated admission standards at public  
17 institutions and which are consistent with the role and mission of  
18 each public institution. It is the intent of the Legislature that  
19 changes in admission standards be implemented in conjunction with the  
20 role and mission statements established pursuant to this section and  
21 sections 85-917 to 85-966 and the adoption of statewide transfer-of-  
22 credit and remedial program policies to assure that access to  
23 postsecondary education is not limited;

24 (c) Recommended enrollment guidelines consistent with the  
25 role and mission of each public institution and specific

1 recommendations designed to increase diversity through more effective  
2 enrollment and retention at public institutions;

3 (d) Recommended guidelines for rational and equitable  
4 statewide tuition rates and fees for public institutions. The  
5 commission shall identify public policy issues relating to tuition  
6 and fees of the public postsecondary educational institutions in the  
7 state. The recommended guidelines shall take into account the role  
8 and mission of each public institution and the need to maximize  
9 access to public postsecondary education regardless of a student's  
10 financial circumstance;

11 (e) In conjunction with and consistent with its  
12 recommended guidelines on admission standards, recommended guidelines  
13 which place the primary emphasis at the community college level for  
14 postsecondary education remedial programs and reduce the role of the  
15 University of Nebraska in offering remedial programs. The commission  
16 shall collaborate with the Commissioner of Education to develop  
17 recommendations for secondary schools designed to reduce the need for  
18 remedial or developmental programs at the postsecondary level;

19 (f) In consultation with the governing boards or their  
20 designated representatives, designation of geographic and  
21 programmatic service areas for each public institution consistent  
22 with role and mission assignments. Except as permitted by the  
23 commission pursuant to section 85-1414, no public institution shall  
24 provide programs at any site outside its assigned geographic and  
25 programmatic service area unless permitted under rules and



1 regulations adopted and promulgated by the commission;

2 (g) After consultation with the governing boards and  
3 experts from outside the State of Nebraska, the establishment of a  
4 peer group or groups for each public institution for purposes of  
5 budget review. In fulfilling this charge, the commission may accept a  
6 peer group determined by a governing board in consultation with out-  
7 of-state experts;

8 (h) Effective use of information technologies and  
9 telecommunications to aid in the delivery of instruction at the  
10 postsecondary level. In cooperation with the Nebraska Educational  
11 Telecommunications Commission, other state agencies, and, when  
12 appropriate, representatives of elementary and secondary public  
13 education, the commission may assist in the development of  
14 instructional delivery systems employing information technologies and  
15 telecommunications. The commission, with the involvement of  
16 faculties, public institutions and private postsecondary educational  
17 institutions, and the information technology and telecommunications  
18 community, shall establish policies to ensure that the objectives of  
19 quality and efficiency are met in the delivery of information  
20 technology and telecommunications-aided instruction;

21 (i) Workforce development. The commission shall explore  
22 methods to improve the competitive quality of the work force and  
23 shall encourage enhanced communications and partnerships between  
24 public institutions and business and industry;

25 (j) Public service activities. The public institutions

1 shall develop and provide to the commission a comprehensive inventory  
2 of public service programs and activities of public institutions; and

3 (k) Financial aid strategy. The commission shall develop  
4 a state strategy for state-supported student financial aid programs  
5 with the goal of assuring access to and choice in postsecondary  
6 education in Nebraska for Nebraska residents within the limits of  
7 available state resources; and -

8 (l) Collaborate with the community college boards of  
9 governors, the Board of Trustees of the Nebraska State Colleges, and  
10 the Board of Regents of the University of Nebraska on the  
11 notification procedure required pursuant to sections 1 to 5 of this  
12 act.

13 (6) The commission shall develop a unified statewide  
14 facilities plan in consultation with the governing boards or their  
15 designated representatives and update the plan periodically.

16 (7) Prior to March 15 of the year following a year in  
17 which any revision is made to the comprehensive statewide plan, the  
18 Education Committee of the Legislature shall review the comprehensive  
19 statewide plan and revisions thereto at a public hearing and report  
20 its findings electronically to the Legislature.

21 Sec. 7. Original section 85-1413, Revised Statutes  
22 Cumulative Supplement, 2012, is repealed.

23 Sec. 8. Since an emergency exists, this act takes effect  
24 when passed and approved according to law.