

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 467

Introduced by Avery, 28.

Read first time January 22, 2013

Committee: Education

A BILL

1 FOR AN ACT relating to the Postsecondary Institution Act; to amend
2 section 85-2405, Revised Statutes Cumulative Supplement,
3 2012; to provide for interstate reciprocity agreements
4 regarding postsecondary distance education; to harmonize
5 provisions; and to repeal the original section.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 85-2405, Revised Statutes Cumulative
2 Supplement, 2012, is amended to read:

3 85-2405 The commission has the following powers and
4 duties:

5 (1) To establish levels for recurrent authorizations to
6 operate based on institutional offerings;

7 (2) To receive, investigate as it may deem necessary, and
8 act upon applications for a recurrent authorization to operate and
9 applications to renew a recurrent authorization to operate;

10 (3) To establish reporting requirements by campus
11 location either through the federal Integrated Postsecondary
12 Education Data System, 20 U.S.C. 1094(a)(17), as such section existed
13 on January 1, 2011, and 34 C.F.R. 668.14(b)(19), as such regulation
14 existed on January 1, 2011, or directly to the commission for any
15 postsecondary institution which has an authorization to operate;

16 (4) To maintain a list of postsecondary institutions
17 which have authorization to operate, which list shall be made
18 available to the public;

19 (5) To enter into interstate reciprocity agreements
20 regarding the provision of postsecondary distance education, to
21 administer such agreements, to approve or disapprove applications to
22 participate in such agreements from postsecondary institutions that
23 have their principal place of business in Nebraska, and to accept or
24 reject authorizations granted by another state to deliver
25 postsecondary distance education pursuant to such agreements;

1 ~~(5)~~—(6) To establish a notification process when a
2 postsecondary institution which has an authorization to operate
3 changes its address or adds instructional sites within this state;

4 ~~(6)~~—(7) To conduct site visits of postsecondary
5 institutions to carry out the Postsecondary Institution Act;

6 ~~(7)~~—(8) To establish fees for applications for a
7 recurrent authorization to operate, ~~and~~ applications to renew or
8 modify a recurrent authorization to operate, and applications to
9 participate in an interstate postsecondary distance education
10 reciprocity agreement, which fees shall be not more than the cost of
11 reviewing and evaluating the applications;

12 ~~(8)~~—(9) To investigate any violations of the act by a
13 postsecondary institution; and

14 ~~(9)~~—(10) To adopt and promulgate rules, regulations, and
15 procedures to administer the act.

16 Sec. 2. Original section 85-2405, Revised Statutes
17 Cumulative Supplement, 2012, is repealed.