

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FOURTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 102**

Introduced by Sullivan, 41; Cook, 13; Crawford, 45; Kolowski, 31.

Read first time January 08, 2015

Committee: Education

1 A BILL FOR AN ACT relating to postsecondary education; to amend sections  
2 85-1412, 85-2101, 85-2102, 85-2104, 85-2106, and 85-2108, Reissue  
3 Revised Statutes of Nebraska; to rename and change provisions  
4 relating to the Access College Early Scholarship Program Act; to  
5 create a scholarship program; to provide for eligibility; to  
6 harmonize provisions; and to repeal the original sections.  
7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 85-1412, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3 85-1412 The commission shall have the following additional powers  
4 and duties:

5 (1) Conduct surveys and studies as may be necessary to undertake the  
6 coordination function of the commission pursuant to section 85-1403 and  
7 request information from governing boards and appropriate administrators  
8 of public institutions and other governmental agencies for research  
9 projects. All public institutions and governmental agencies receiving  
10 state funds shall comply with reasonable requests for information under  
11 this subdivision. Public institutions may comply with such requests  
12 pursuant to section 85-1417;

13 (2) Recommend to the Legislature and the Governor legislation it  
14 deems necessary or appropriate to improve postsecondary education in  
15 Nebraska and any other legislation it deems appropriate to change the  
16 role and mission provisions in sections 85-917 to 85-966.01. The  
17 recommendations submitted to the Legislature shall be submitted  
18 electronically;

19 (3) Establish any advisory committees as may be necessary to  
20 undertake the coordination function of the commission pursuant to section  
21 85-1403 or to solicit input from affected parties such as students,  
22 faculty, governing boards, administrators of the public institutions,  
23 administrators of the private nonprofit institutions of postsecondary  
24 education and proprietary institutions in the state, and community and  
25 business leaders regarding the coordination function of the commission;

26 (4) Participate in or designate an employee or employees to  
27 participate in any committee which may be created to prepare a  
28 coordinated plan for the delivery of educational programs and services in  
29 Nebraska through the telecommunications system;

30 (5) Seek a close liaison with the State Board of Education and the  
31 State Department of Education in recognition of the need for close

1 coordination of activities between elementary and secondary education and  
2 postsecondary education;

3 (6) Administer the Integrated Postsecondary Education Data System or  
4 other information system or systems to provide the commission with  
5 timely, comprehensive, and meaningful information pertinent to the  
6 exercise of its duties. The information system shall be designed to  
7 provide comparable data on each public institution. The commission shall  
8 also administer the uniform information system prescribed in sections  
9 85-1421 to 85-1427 known as the Nebraska Educational Data System. Public  
10 institutions shall supply the appropriate data for the information system  
11 or systems required by the commission;

12 (7) Administer (a) the Access College Early and Access College Early  
13 Plus Scholarship Program Act, (b) the Community College Aid Act, (c) the  
14 Nebraska Community College Student Performance and Occupational Education  
15 Grant Fund under the direction of the Nebraska Community College Student  
16 Performance and Occupational Education Grant Committee, (d) the Nebraska  
17 Opportunity Grant Act, and (e) the Postsecondary Institution Act;

18 (8) Accept and administer loans, grants, and programs from the  
19 federal or state government and from other sources, public and private,  
20 for carrying out any of its functions, including the administration of  
21 privately endowed scholarship programs. Such loans and grants shall not  
22 be expended for any other purposes than those for which the loans and  
23 grants were provided. The commission shall determine eligibility for such  
24 loans, grants, and programs, and such loans and grants shall not be  
25 expended unless approved by the Governor;

26 (9) On or before December 1 of each even-numbered year, submit to  
27 the Legislature and the Governor a report of its objectives and  
28 activities and any new private colleges in Nebraska and the  
29 implementation of any recommendations of the commission for the preceding  
30 two calendar years. The report submitted to the Legislature shall be  
31 submitted electronically;

1 (10) Provide staff support for interstate compacts on postsecondary  
2 education; and

3 (11) Request inclusion of the commission in any existing grant  
4 review process and information system.

5 Sec. 2. Section 85-2101, Reissue Revised Statutes of Nebraska, is  
6 amended to read:

7 85-2101 Sections 85-2101 to 85-2108 and sections 4 and 6 of this act  
8 shall be known and may be cited as the Access College Early and Access  
9 College Early Plus Scholarship Program Act.

10 Sec. 3. Section 85-2102, Reissue Revised Statutes of Nebraska, is  
11 amended to read:

12 85-2102 For purposes of the Access College Early and Access College  
13 Early Plus Scholarship Program Act:

14 (1) Commission means the Coordinating Commission for Postsecondary  
15 Education;

16 (2) Extreme hardship means any event, including fire, illness,  
17 accident, or job loss, that has recently resulted in a significant  
18 financial difficulty for a student or the student's parent or legal  
19 guardian;

20 (3) Postsecondary educational institution means a two-year or four-  
21 year college or university which is a member institution of an  
22 accrediting body recognized by the United States Department of Education;

23 (4) Qualified postsecondary educational institution means a  
24 postsecondary educational institution located in Nebraska which has  
25 agreed, on a form developed and provided by the commission, to comply  
26 with the requirements of the act; and

27 (5) Student means a student:

28 (a) For purposes of the Access College Early Scholarship Program,  
29 attending a Nebraska high school with a reasonable expectation that such  
30 student will meet the residency requirements of section 85-502 upon  
31 graduation from a Nebraska high school; or -

1       (b) For purposes of the Access College Early Plus Scholarship  
2 Program, enrolled at a qualified postsecondary educational institution  
3 and domiciled in Nebraska pursuant to section 85-502.

4       Sec. 4. The Access College Early Plus Scholarship Program is  
5 established. The purpose of the program is to provide financial  
6 assistance to low-income students to attend a qualified postsecondary  
7 educational institution after high school completion, which students  
8 previously received a scholarship pursuant to the Access College Early  
9 Scholarship Program. The Access College Early Plus Scholarship Program  
10 shall be administered by the commission.

11       Sec. 5. Section 85-2104, Reissue Revised Statutes of Nebraska, is  
12 amended to read:

13       85-2104 (1) A student who is applying to take one or more courses  
14 for credit from a qualified postsecondary educational institution is  
15 eligible for the Access College Early Scholarship Program if:

16       (a 1) Such student or the student's parent or legal guardian is  
17 eligible to receive:

18       (i a) Supplemental Security Income;

19       (ii b) Supplemental Nutrition Assistance Program benefits;

20       (iii e) Free or reduced-price lunches under United States Department  
21 of Agriculture child nutrition programs;

22       (iv d) Aid to families with dependent children; or

23       (v e) Assistance under the Special Supplemental Nutrition Program  
24 for Women, Infants, and Children; or

25       (b 2) The student or the student's parent or legal guardian has  
26 experienced an extreme hardship.

27       (2) A student who is applying for financial assistance to attend a  
28 qualified postsecondary educational institution after high school  
29 completion is eligible for the Access College Early Plus Scholarship  
30 Program if such student:

31       (a) Previously received a scholarship pursuant to the Access College

1 Early Scholarship Program;

2 (b)(i) Received a grade point average of 2.0 or better on a 4.0  
3 scale for all courses completed while in high school pursuant to the  
4 Access College Early scholarship; or

5 (ii) Received a grade point average of 2.0 or better on a 4.0 scale  
6 during the student's first year of college; and

7 (c) Enrolls in a qualified postsecondary educational institution as  
8 a full-time student.

9 Sec. 6. (1) An applicant for the Access College Early Plus  
10 Scholarship Program shall complete an online application form developed  
11 and provided by the commission and shall submit the application to the  
12 commission. Such application shall include, but not be limited to, award  
13 year selection, the applicant's social security number and date of birth,  
14 the qualified postsecondary educational institution, and information  
15 necessary to determine the student's eligibility.

16 (2) The commission shall review the application and verify the  
17 student's eligibility under the Access College Early and Access College  
18 Early Plus Scholarship Program Act. The commission shall notify the  
19 student and the qualified postsecondary educational institution of the  
20 award amount. The Access College Early Plus Scholarship award amount  
21 shall equal five hundred dollars for a recipient in his or her first year  
22 of college or one thousand dollars for a recipient in his or her second  
23 year of college. The commission shall forward such amount directly to the  
24 qualified postsecondary educational institution as payment for such  
25 student's total educational expenses.

26 (3) The commission shall make such payment in the order the  
27 applications are received, except that the commission may limit the  
28 number of Access College Early Plus Scholarships awarded in each academic  
29 year.

30 (4) The commission may limit the number of Access College Early Plus  
31 Scholarships a student may receive.

1           (5) For any student receiving an Access College Early Plus  
2 Scholarship for total educational expenses, the qualified postsecondary  
3 educational institution receiving the payment shall report any student  
4 that does not maintain full-time status to the commission and shall  
5 return unused funds to the commission in accordance with such  
6 institution's return policy in a reasonable time. The commission shall  
7 keep the identity of students receiving Access College Early Plus  
8 Scholarships confidential, except as necessary to comply with the  
9 requirements of the act.

10           Sec. 7. Section 85-2106, Reissue Revised Statutes of Nebraska, is  
11 amended to read:

12           85-2106 The commission shall prepare an annual report on  
13 scholarships awarded pursuant to the Access College Early and Access  
14 College Early Plus Scholarship Program Act and shall submit the report  
15 electronically to the Clerk of the Legislature. The report shall include,  
16 but not be limited to, the number and amount of scholarships awarded, the  
17 postsecondary educational institutions attended by scholarship  
18 recipients, and information regarding the success of scholarship  
19 recipients in the courses for which the scholarships were awarded.

20           Sec. 8. Section 85-2108, Reissue Revised Statutes of Nebraska, is  
21 amended to read:

22           85-2108 The commission may adopt and promulgate rules and  
23 regulations to carry out the Access College Early and Access College  
24 Early Plus Scholarship Program Act.

25           Sec. 9. Original sections 85-1412, 85-2101, 85-2102, 85-2104,  
26 85-2106, and 85-2108, Reissue Revised Statutes of Nebraska, are repealed.