

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 36

Introduced by Bolz, 29.

Read first time January 08, 2015

Committee: Education

- 1 A BILL FOR AN ACT relating to community colleges; to amend section
- 2 85-1539, Reissue Revised Statutes of Nebraska; to adopt the
- 3 Community College Gap Assistance Program Act; to harmonize
- 4 provisions; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Sections 1 to 11 of this act shall be known and may be
2 cited as the Community College Gap Assistance Program Act.

3 Sec. 2. For purposes of the Community College Gap Assistance
4 Program Act:

5 (1) Committee means the Nebraska Community College Student
6 Performance and Occupational Education Grant Committee;

7 (2) Community college gap assistance program means the program
8 created pursuant to section 3 of this act;

9 (3) Eligible program means a program offered by a community college
10 that is not offered for credit but is aligned with training programs with
11 stackable credentials that lead to a program awarding college credit, an
12 associate's degree, diploma, or certificate in an in-demand occupation,
13 has a duration of not less than sixteen contact hours in length, and does
14 any of the following:

15 (a) Offers a state, national, or locally recognized certificate;

16 (b) Offers preparation for a professional examination or licensure;

17 (c) Provides endorsement for an existing credential or license;

18 (d) Represents recognized skill standards defined by an industrial
19 sector; or

20 (e) Offers a similar credential or training; and

21 (4) In-demand occupation means:

22 (a) Financial services;

23 (b) Transportation, warehousing, and distribution logistics;

24 (c) Precision metals manufacturing;

25 (d) Biosciences;

26 (e) Renewable energy;

27 (f) Agriculture and food processing;

28 (g) Business management and administrative services;

29 (h) Software and computer services;

30 (i) Research, development, and engineering services;

31 (j) Health services;

1 (k) Hospitality and tourism; and

2 (l) Any other industry designated as an in-demand occupation by the
3 committee.

4 Sec. 3. (1) The Community College Gap Assistance Program is
5 created. The purpose of the community college gap assistance program is
6 to provide funding to community colleges to award community college gap
7 assistance to students in eligible programs.

8 (2) To be eligible for community college gap assistance under the
9 community college gap assistance program, an applicant:

10 (a) Shall have a family income which is at or below two hundred
11 fifty percent of Office of Management and Budget income poverty
12 guidelines; and

13 (b) Shall be a resident of Nebraska as provided in section 85-502.

14 (3) Eligibility for such tuition assistance shall not be construed
15 to guarantee enrollment in any eligible program.

16 Sec. 4. Application for community college gap assistance under the
17 community college gap assistance program shall be made to the community
18 college in which the applicant is enrolled or intends to enroll. An
19 application shall be valid for six months from the date of signature on
20 the application. The applicant shall provide documentation of all sources
21 of income. An applicant shall not receive community college gap
22 assistance for more than one eligible program.

23 Sec. 5. (1) An applicant for community college gap assistance under
24 the community college gap assistance program shall demonstrate capacity
25 to achieve the following outcomes:

26 (a) The ability to be accepted to and complete an eligible program;

27 (b) The ability to be accepted into and complete a postsecondary
28 certificate, diploma, or degree program for credit;

29 (c) The ability to obtain full-time employment; and

30 (d) The ability to maintain full-time employment over time.

31 (2) The committee may grant community college gap assistance under

1 the community college gap assistance program to an applicant in any
2 amount up to the full amount of eligible costs.

3 (3) The committee shall deny an application when the community
4 college receiving the application determines that funding for an
5 applicant's participation in an eligible program is available from any
6 other public or private funding source.

7 Sec. 6. The eligible costs for which the committee may award
8 community college gap assistance under the community college gap
9 assistance program include, but are not limited to:

10 (1) Tuition;

11 (2) Direct training costs;

12 (3) Required books and equipment; and

13 (4) Fees, including, but not limited to, fees for industry testing
14 services and background check services.

15 Sec. 7. An applicant for community college gap assistance under the
16 community college gap assistance program shall complete an initial
17 assessment administered by the community college receiving the
18 application to determine the applicant's readiness to complete an
19 eligible program. The initial assessment shall include any assessments
20 required by the eligible program.

21 Sec. 8. (1) A recipient of community college gap assistance under
22 the community college gap assistance program shall:

23 (a) Maintain regular contact with faculty of the eligible program to
24 document the applicant's progress in the program;

25 (b) Sign any necessary releases to provide relevant information to
26 community college faculty or case managers, if applicable;

27 (c) Discuss with faculty of the eligible program any issues that may
28 affect the recipient's ability to complete the eligible program and
29 obtain and maintain employment;

30 (d) Attend all required courses regularly; and

31 (e) Meet with faculty of the eligible program to develop a job-

1 search plan.

2 (2) A community college may terminate college gap assistance under
3 the college gap assistance program for a recipient who fails to meet the
4 requirements of this section.

5 Sec. 9. (1) The Community College Gap Assistance Program Fund is
6 created. The fund shall be administered by the committee. Any money in
7 the fund available for investment shall be invested by the state
8 investment officer pursuant to the Nebraska Capital Expansion Act and the
9 Nebraska State Funds Investment Act.

10 (2) The total of community college gap assistance awarded from the
11 Community College Gap Assistance Program Fund during any fiscal year
12 shall not exceed one million five hundred thousand dollars.

13 (3) Money in the fund may also be used by the committee:

14 (a) To establish application and funding procedures; and

15 (b) To assist community colleges in defraying the costs of direct
16 staff support services, including, but not limited to, marketing,
17 outreach, applications, interviews, and assessments as follows: (i) Up to
18 twenty percent of any amount allocated for such purposes to the two
19 smallest community colleges; (ii) up to ten percent of any such amount to
20 the two largest community colleges; and (iii) up to fifteen percent of
21 any such amount to the remaining two community colleges. For purposes of
22 this subsection, community college size shall be determined based on the
23 most recent three-year rolling average full-time equivalent enrollment.

24 Sec. 10. (1) The committee shall develop a common applicant
25 tracking system for the community college gap assistance program that
26 shall be implemented consistently by each participating community
27 college.

28 (2) The committee shall coordinate statewide oversight, evaluation,
29 and reporting efforts for the community college gap assistance program.

30 (3) The committee shall meet at least quarterly to evaluate and
31 monitor the performance of the community college gap assistance program

1 to determine if performance measures are being met and shall take
2 necessary steps to correct any deficiencies. Performance measures
3 include, but are not limited to, eligible program completion rates, job
4 attainment rates, and continuing education rates.

5 Sec. 11. The committee may adopt and promulgate rules and
6 regulations to carry out the Community College Gap Assistance Program
7 Act.

8 Sec. 12. Section 85-1539, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 85-1539 (1) There is hereby created the Nebraska Community College
11 Student Performance and Occupational Education Grant Committee. The
12 committee shall consist of (a) a representative of the Coordinating
13 Commission for Postsecondary Education who shall serve as chairperson of
14 the committee, (b) a representative of the Department of Economic
15 Development, (c) a representative of the Department of Labor, (d) a
16 representative of the State Department of Education, (e) a representative
17 affiliated with one of the two community college areas with the two
18 smallest full-time equivalent student enrollment totals for the most
19 recent fiscal year, (f) a representative affiliated with one of the two
20 community college areas with the two largest full-time equivalent student
21 enrollment totals for the most recent fiscal year, and (g) a
22 representative affiliated with one of the two community college areas not
23 included in the categories provided in subdivisions (1)(e) and (f) of
24 this section. Each member shall be appointed by the agency or community
25 college areas being represented. The representatives appointed pursuant
26 to subdivisions (1)(e) through (g) of this section shall serve terms of
27 two years and shall be succeeded by a representative affiliated with the
28 community college areas not represented for the preceding term.

29 (2)(a) The committee shall develop guidelines for and annually
30 determine the allocation of aid or grants to the community colleges for
31 (i a) applied technology and occupational faculty training, instructional

1 equipment upgrades, employee assessment, preemployment training,
2 employment training, and dislocated worker programs benefiting the State
3 of Nebraska or (ii ~~h~~) programs or activities to enhance (A ~~i~~) student
4 performance in the areas of degree, certificate, or diploma completion,
5 retention, or foundations education as defined in section 85-932.01 or (B
6 ~~ii~~) the collection, reporting, analysis, and utilization of student data.
7 The total amount allocated for a fiscal year shall not exceed the amounts
8 appropriated from the Nebraska Community College Student Performance and
9 Occupational Education Grant Fund and such other funds as may be
10 appropriated by the Legislature for purposes of this section for such
11 fiscal year. The commission shall certify the allocation determined by
12 the committee on or before September 10 of the fiscal year for which such
13 allocation is being certified and shall report such allocation to the
14 Department of Administrative Services. The commission shall distribute
15 the allocated funds to the selected community college board or boards in
16 a single payment between the fifth and twentieth day of October of each
17 year.

18 (b ~~3~~) Applications for aid or grants pursuant to this subsection
19 ~~section~~ may be submitted by a community college area independently or in
20 collaboration with other community college areas.

21 (3) The committee shall administer the Community College Gap
22 Assistance Program Act and the College Gap Assistance Program Fund.

23 Sec. 13. Original section 85-1539, Reissue Revised Statutes of
24 Nebraska, is repealed.