

AMENDMENTS TO LB563

Introduced by Education.

1 1. Strike the original sections and insert the following new
2 sections:

3 Section 1. Sections 1 to 8 of this act shall be known and may be
4 cited as the Access College Early Tech Promise Program Act.

5 Sec. 2. For purposes of the Access College Early Tech Promise
6 Program Act:

7 (1) Academic year means a twelve-month period of instruction as
8 determined by the eligible institution;

9 (2) Access college early scholarship means a scholarship granted
10 pursuant to the Access College Early Scholarship Program Act;

11 (3) Award means a grant of money by the commission to an eligible
12 student to be used for educational expenses;

13 (4) Career program of study has the same meaning as in section
14 85-2102;

15 (5) Commission means the Coordinating Commission for Postsecondary
16 Education;

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

19 (7) Educational expenses means tuition, fees, room, board, books,
20 supplies, and other educational expenses as determined by the eligible
21 institution;

22 (8) Eligible institution means any Nebraska community college, any
23 not-for-profit, two-year college in Nebraska which is a member
24 institution of an accrediting body recognized by the United States
25 Department of Education, or the Nebraska College of Technical Agriculture
26 at Curtis;

27 (9) Eligible occupation means an in-demand occupation designated as

1 an eligible occupation pursuant to section 4 of this act;

2 (10) Eligible program means a program of study that:

3 (a) Is offered by an eligible institution;

4 (b) Is designed to be completed in two academic years or less;

5 (c) Offers a certificate, diploma, or associate degree that directly
6 qualifies the recipient for employment in an eligible occupation; and

7 (d) Is approved to be an eligible program pursuant to section 4 of
8 this act;

9 (11) Eligible student means a full-time student who:

10 (a) Is enrolled in an eligible program at an eligible institution;

11 (b) Received postsecondary education credit while in high school for
12 at least two courses in a single career program of study related to an
13 in-demand occupation;

14 (c)(i) Received an access college early scholarship while in high
15 school; or

16 (ii) Qualified to receive an access college early scholarship while
17 in high school, but the scholarship was not granted due to insufficient
18 funds;

19 (d) Has applied for federal financial aid through the Free
20 Application for Federal Student Aid for the applicable academic year;

21 (e) Has not previously earned an associate degree; and

22 (f) For a student who is applying for an award for a second academic
23 year, has successfully completed the first academic year at an eligible
24 institution and maintained the minimum standards of performance as
25 required by such eligible institution;

26 (12) Full-time student means a student who is enrolled in a minimum
27 of twelve credit hours per semester or nine credit hours per quarter; and

28 (13) In-demand occupation has the same meaning as in section
29 85-2002.

30 Sec. 3. The Access College Early Tech Promise Program is
31 established. Except for duties assigned to the committee as provided in

1 section 4 of this act, the program shall be administered by the
2 commission.

3 Sec. 4. (1) For each biennium, the committee shall establish
4 criteria to determine what constitutes an in-demand occupation that is a
5 high priority for the state for purposes of the Access College Early Tech
6 Promise Program. After establishing such criteria, the committee shall
7 designate each in-demand occupation that meets the criteria as an
8 eligible occupation for such biennium.

9 (2) Each program applicant shall complete an application form
10 developed and provided by the commission and shall submit the form for
11 the biennium for which eligibility is sought to the commission. The
12 application shall include, but not be limited to, the name of the
13 eligible institution, the program description and requirements, the
14 certificate, diploma, or associate degree a student may earn from such
15 program, the eligible occupation for which a graduate of the program
16 would be qualified, and any other information necessary to determine
17 eligibility. The commission shall transmit the applications to the
18 committee, and the committee shall review each application and either
19 approve or deny the application. If an application is approved, the
20 program of study shall be designated as an eligible program for the
21 biennium.

22 (3) An eligible student who is granted an award for his or her first
23 academic year in an eligible program shall be eligible for an award to
24 complete his or her second academic year of such program notwithstanding
25 a decision of the committee to remove the eligible program designation
26 for entering eligible students.

27 Sec. 5. (1) Each student applicant for the Access College Early
28 Tech Promise Program shall complete an application form developed and
29 provided by the commission and shall submit the form for the academic
30 year for which an award is sought to the financial aid office or other
31 official designated by the eligible institution. Such application shall

1 include, but not be limited to, the applicant's name, social security
2 number, and date of birth and any other information necessary to
3 determine eligibility. The financial aid office or other official
4 designated by an eligible institution shall make recommendations
5 regarding the eligibility of each applicant making application to such
6 eligible institution and shall forward each application and
7 recommendation to the commission for review.

8 (2) The commission shall review each application and verify or deny
9 the eligibility of each applicant under the Access College Early Tech
10 Promise Program Act. The commission shall notify the applicant and the
11 financial aid office or other official designated by an eligible
12 institution of the verification or denial of eligibility and the award
13 amount, if any, for such academic year in writing within thirty days
14 following receipt of the application and recommendation from a financial
15 aid office or other designated official of an eligible institution.

16 (3) An award for an academic year shall not exceed the sum of
17 tuition and fees plus one thousand five hundred dollars for educational
18 expenses minus any Federal Pell Grant granted to the eligible student for
19 such academic year. No award for an academic year shall be less than one
20 thousand five hundred dollars. No eligible student shall be granted
21 awards for more than two academic years pursuant to this section. The
22 commission shall forward such amount directly to the eligible institution
23 as payment of the tuition and mandatory fees remaining after any Federal
24 Pell Grant for such eligible student and for distribution to such
25 eligible student for educational expenses. Except as otherwise provided
26 in this subsection, the commission may distribute awards pro rata on a
27 term-by-term basis.

28 Sec. 6. Within twenty days following notice of an adverse decision,
29 an affected student may submit a request in writing to the executive
30 director of the commission for a review of such adverse decision. The
31 commission shall conduct any such review pursuant to the Administrative

1 Procedure Act.

2 Sec. 7. The commission shall prepare an annual report on awards
3 granted pursuant to the Access College Early Tech Promise Program Act and
4 shall submit the report electronically to the Clerk of the Legislature.
5 The report shall include, but not be limited to, the number and amount of
6 awards, successful completion by award recipients, and workforce outcomes
7 aggregated by eligible institution and by eligible program. Each eligible
8 institution shall cooperate with the commission and the Department of
9 Labor to report workforce outcomes one year, three years, and five years
10 after award recipients complete their eligible programs.

11 Sec. 8. The commission may adopt and promulgate rules and
12 regulations to carry out the Access College Early Tech Promise Program
13 Act.

14 Sec. 9. Section 85-1412, Revised Statutes Cumulative Supplement,
15 2018, is amended to read:

16 85-1412 The commission shall have the following additional powers
17 and duties:

18 (1) Conduct surveys and studies as may be necessary to undertake the
19 coordination function of the commission pursuant to section 85-1403 and
20 request information from governing boards and appropriate administrators
21 of public institutions and other governmental agencies for research
22 projects. All public institutions and governmental agencies receiving
23 state funds shall comply with reasonable requests for information under
24 this subdivision. Public institutions may comply with such requests
25 pursuant to section 85-1417;

26 (2) Recommend to the Legislature and the Governor legislation it
27 deems necessary or appropriate to improve postsecondary education in
28 Nebraska and any other legislation it deems appropriate to change the
29 role and mission provisions in sections 85-917 to 85-966.01. The
30 recommendations submitted to the Legislature shall be submitted
31 electronically;

1 (3) Establish any advisory committees as may be necessary to
2 undertake the coordination function of the commission pursuant to section
3 85-1403 or to solicit input from affected parties such as students,
4 faculty, governing boards, administrators of the public institutions,
5 administrators of the private nonprofit institutions of postsecondary
6 education and proprietary institutions in the state, and community and
7 business leaders regarding the coordination function of the commission;

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

12 (5) Seek a close liaison with the State Board of Education and the
13 State Department of Education in recognition of the need for close
14 coordination of activities between elementary and secondary education and
15 postsecondary education;

16 (6) Administer the Integrated Postsecondary Education Data System or
17 other information system or systems to provide the commission with
18 timely, comprehensive, and meaningful information pertinent to the
19 exercise of its duties. The information system shall be designed to
20 provide comparable data on each public institution. The commission shall
21 also administer the uniform information system prescribed in sections
22 85-1421 to 85-1427 known as the Nebraska Educational Data System. Public
23 institutions shall supply the appropriate data for the information system
24 or systems required by the commission;

25 (7) Administer (a) the Access College Early Scholarship Program Act,
26 (b) the Community College Aid Act, (c) the Nebraska Community College
27 Student Performance and Occupational Education Grant Fund under the
28 direction of the Nebraska Community College Student Performance and
29 Occupational Education Grant Committee, (d) the Nebraska Opportunity
30 Grant Act, (e) the Postsecondary Institution Act, ~~and~~ (f) the community
31 college gap assistance program and the Community College Gap Assistance

1 Program Fund, and (g) the Access College Early Tech Promise Program Act;

2 (8) Accept and administer loans, grants, and programs from the
3 federal or state government and from other sources, public and private,
4 for carrying out any of its functions, including the administration of
5 privately endowed scholarship programs. Such loans and grants shall not
6 be expended for any other purposes than those for which the loans and
7 grants were provided. The commission shall determine eligibility for such
8 loans, grants, and programs, and such loans and grants shall not be
9 expended unless approved by the Governor;

10 (9) On or before December 1 of each even-numbered year, submit to
11 the Legislature and the Governor a report of its objectives and
12 activities and any new private colleges in Nebraska and the
13 implementation of any recommendations of the commission for the preceding
14 two calendar years. The report submitted to the Legislature shall be
15 submitted electronically;

16 (10) Provide staff support for interstate compacts on postsecondary
17 education; and

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

20 Sec. 10. Section 85-1539, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 85-1539 (1) There is hereby created the Nebraska Community College
23 Student Performance and Occupational Education Grant Committee. The
24 committee shall consist of (a) a representative of the Coordinating
25 Commission for Postsecondary Education who shall serve as chairperson of
26 the committee, (b) a representative of the Department of Economic
27 Development, (c) a representative of the Department of Labor, (d) a
28 representative of the State Department of Education, (e) a representative
29 affiliated with one of the two community college areas with the two
30 smallest full-time equivalent student enrollment totals for the most
31 recent fiscal year, (f) a representative affiliated with one of the two

1 community college areas with the two largest full-time equivalent student
2 enrollment totals for the most recent fiscal year, and (g) a
3 representative affiliated with one of the two community college areas not
4 included in the categories provided in subdivisions (1)(e) and (f) of
5 this section. Each member shall be appointed by the agency or community
6 college areas being represented. The representatives appointed pursuant
7 to subdivisions (1)(e) through (g) of this section shall serve terms of
8 two years and shall be succeeded by a representative affiliated with the
9 community college areas not represented for the preceding term.

10 (2) The committee shall develop guidelines for and annually
11 determine the allocation of aid or grants to the community colleges for
12 (a) applied technology and occupational faculty training, instructional
13 equipment upgrades, employee assessment, preemployment training,
14 employment training, and dislocated worker programs benefiting the State
15 of Nebraska or (b) programs or activities to enhance (i) student
16 performance in the areas of degree, certificate, or diploma completion,
17 retention, or foundations education as defined in section 85-932.01 or
18 (ii) the collection, reporting, analysis, and utilization of student
19 data. The total amount allocated for a fiscal year shall not exceed the
20 amounts appropriated from the Nebraska Community College Student
21 Performance and Occupational Education Grant Fund and such other funds as
22 may be appropriated by the Legislature for purposes of this section for
23 such fiscal year. The commission shall certify the allocation determined
24 by the committee on or before September 10 of the fiscal year for which
25 such allocation is being certified and shall report such allocation to
26 the Department of Administrative Services. The commission shall
27 distribute the allocated funds to the selected community college board or
28 boards in a single payment between the fifth and twentieth day of October
29 of each year.

30 (3) Applications for aid or grants pursuant to subsection (2) of
31 this section may be submitted by a community college area independently

1 or in collaboration with other community college areas.

2 (4) The committee shall review programs submitted pursuant to the
3 Access College Early Tech Promise Program Act and approve or deny each
4 program for eligibility on a biennial basis.

5 Sec. 11. Section 85-2104, Revised Statutes Cumulative Supplement,
6 2018, is amended to read:

7 85-2104 Applications for the Access College Early Scholarship
8 Program shall be prioritized for students qualifying pursuant to
9 subdivision (1) or (2) of this section, and applications for students
10 qualifying only pursuant to subdivision (3) of this section shall only be
11 considered if funds are available after fulfilling the applications for
12 students qualifying pursuant to subdivision (1) or (2) of this section.
13 Priority dates shall be determined by the commission on a term basis. A
14 student who is applying to take one or more courses for credit from a
15 qualified postsecondary educational institution is eligible for the
16 Access College Early Scholarship Program if:

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

19 (a) Supplemental Security Income;

20 (b) Supplemental Nutrition Assistance Program benefits;

21 (c) Free or reduced-price lunches under United States Department of
22 Agriculture child nutrition programs;

23 (d) Aid to families with dependent children; or

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

26 (2) The student or the student's parent or legal guardian has
27 experienced an extreme hardship; or

28 (3) Such student is requesting assistance pursuant to the program to
29 cover the cost of tuition and fees for a course that is part of a career
30 program plan of study, up to two hundred fifty dollars per term, and the
31 student's family has an annual household income at or below two hundred

1 percent of the federal poverty level.

2 Sec. 12. Original section 85-1539, Reissue Revised Statutes of
3 Nebraska, and sections 85-1412 and 85-2104, Revised Statutes Cumulative
4 Supplement, 2018, are repealed.