NEBRASKA'S COORDINATING COMMISSION FOR POSTSECONDARY EDUCATION

Community College Gap Assistance Program Act

Program Guidelines

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I. PURPOSE

The purpose of this document is to provide guidance to community colleges on administration of the Community College Gap Assistance Program (CCGAP). The purpose of the CCGAP is to provide funding to community colleges to award community college gap assistance to students in Gap programs of study.

II. STATUTORY PROVISIONS

Nebraska Revised Statutes §§ 85-2001 to 85-2011 govern the Community College Gap Assistance Program Act.

§ 85-2001	Act, how cited.
§ 85-2002	Terms, defined.
§ 85-2003	CCGAP; created; purpose; eligibility.
§ 85-2004	Community college gap assistance; application.
§ 85-2005	Community college gap assistance; criteria; denial of application; when.
§ 85-2006	Community college gap assistance; eligible costs.
§ 85-2007	Applicant; initial assessment.
§ 85-2008	Community college gap assistance; recipient; duties; termination of assistance; when.
§ 85-2009	CCGAP Fund; created; use; investment.
§ 85-2010	CCGAP; committee; duties; meetings.
§ 85-2011	Rules and regulations.

III. APPLICABILITY

The following community colleges are covered by the Act:

- Central Community College
- Metropolitan Community College
- Mid-Plains Community College
- Northeast Community College
- Southeast Community College
- Western Nebraska Community College

IV. START DATE

Community colleges may begin offering CCGAP assistance to eligible students beginning July 1, 2016.

V. GAP PROGRAM OF STUDY

The Commission will maintain a master list of CCGAP programs of study, viewable at https://ccpe.nebraska.gov/community-college-gap-assistance-program, that have been submitted by the community colleges and approved by the Commission.

Gap Program of Study Defined

A Gap program of study means a program offered by a community college that is not offered for credit, is in an in-demand occupation, has a duration of not less than sixteen contact hours in length, and does any of the following:

- Offers a state, national, or locally recognized certificate;
- Offers preparation for a professional examination or licensure;
- Provides endorsement for an existing credential or license;
- Represents recognized skill standards defined by an industrial sector; or
- Offers similar credential or training.

A Gap program of study offered by a community college must also be aligned with training programs with stackable credentials that lead to a program awarding either college credit, an associate's degree, a diploma, or a certificate in an in-demand occupation. The aligned training program can be either for credit or non-credit.

A Gap program of study offered by a community college must be a program instructed by a college faculty member, an adjunct faculty member, or a person or entity contracted and paid to teach by the college administration.

A Gap program of study offered by a community college is one that is not offered for credit. Therefore, non-degree program offerings that are for credit cannot meet this requirement and are not eligible for the CCGAP.

An in-demand occupation means:

- Financial services;
- Transportation, warehousing, and distribution logistics;
- Precision metals manufacturing;
- Biosciences;
- Renewable energy;
- Agriculture and food processing;
- Business management and administrative services;
- Software and computer services;
- Research, development, and engineering services;
- Health services;
- Hospitality and tourism; and
- Any other industry designated as an in-demand occupation by the committee

Contact hour defined

Contact hour means an educational activity consisting of sixty minutes minus break time and required time to change classes. Neb. Rev. Stat. § 85-1503(5).

Format for submitting your Gap program of study list

The Commission has created a simple Microsoft Excel spreadsheet which has been distributed so you can simply add your Gap programs of study. Please only use this format so we can keep everything uniform. With that being said, the format is subject to change by the Commission.

- "Community College" column: please enter your community college name.

- "Gap program of study" column: please enter your proposed Gap program of study name.

- "In-demand Occupation Selection" column: please use the drop-down menu and select the appropriate in-demand occupation your Gap program of study falls within.

- "Length (contact hours)" column: please enter the Gap program of study's length in contact hours. Please note, a number greater than or equal to sixteen must be entered into this column.

- "Aligned Training Program" column: please enter the training program (credit or non-credit) your Gap program of study aligns with. This training program is not confined to offerings at your college. However, priority should be given to those at your college first, then other Nebraska institutions, and finally those training programs outside Nebraska.

- "Aligned Training Program Institution" column: please enter the institution where the training program is being offered.

Preliminary submission of Gap program of study lists

The preliminary Gap program of study list you submitted to the Commission on or around October 15, 2015 is not final. The purpose of this list is for the community colleges to gain an understanding of programs that may meet the eligibility requirements and to determine if any changes to programs and/or courses should be made for inclusion in the CCGAP. The last day to submit your Gap program of study list is March 31, 2016, at which time it will be reviewed and, if the programs meet the eligibility requirements, will be approved by the Commission.

Future alterations of your Gap program of study list

Promptly notify the Commission of any Gap program of study no longer offered so we can update the cumulative list. If your community college is seeking to make an addition to your Gap program of study list, please submit that addition for Commission review. You will be notified whether the new Gap program of study has been approved or not shortly thereafter.

Certification of your Gap program of study list

When you submit your Gap program of study list to the Commission, you are certifying that, to the best of your knowledge and belief, all information contained within complies

with statutory requirements. Specifically, you are certifying your Gap programs of study are not-for-credit offerings pursuant to Neb. Rev. Stat. § 85-2002(3).

Using your Commission approved Gap program of study list

As prospective applicants to this program have diverse training needs, community colleges may reasonably package or combine any number of the programs listed on their approved Gap program of study list into a singular Gap program of study. For example, individual Gap program of study OSHA training programs can be combined into a single Gap program of study for students who need multiple OSHA training courses.

VI. FUNDING ALLOCATIONS

Initially, community colleges will be allocated state CCGAP funding based on each community college area's proportionate share of three-year average reimbursable educational units. This allocation method is subject to change based on factors including, but not limited to, need and performance. The grant committee that is charged with oversight of this program, upon its findings, may ask for the return of unused funds in order to reallocate them.

"Reimbursable education units" is defined as in Neb. Rev. Stat. § 85-1503. Please note that distributions will be quarterly and subject to change as the funding source is lottery dollars that are transferred to the Commission quarterly. The Commission will estimate projected Gap funding for the community colleges to assist in planning. Transfer of allocations will be made electronically to all community colleges within ten (10) days of the Commission receiving the quarterly transfer of lottery funds.

Estimated quarterly distributions dates each year (subject to change):

- 1st Quarter: October 5th
- 2nd Quarter: January 5th
- 3rd Quarter: April 5th
- 4th Quarter: July 5th

The community colleges are expected to be prudent stewards of their funding allocations and to appropriately plan their number of student CCGAP recipients in light of that allocation. Effective monitoring of the allocation is paramount to ensure sufficient funds remain for recipients throughout their respective Gap program of study's duration.

VII. STUDENT ELIGIBILITY

Pursuant to Neb. Rev. Stat. § 85-2003, to be eligible for community college Gap assistance an applicant:

a) Must have a family income which is at or below two hundred fifty percent of the U.S. Department of Health and Human Services income poverty guidelines; and
b) Shall be a resident of Nebraska as provided in Nev. Rev. Stat. § 85-502.

Nebraska Revised Statute § 85-2003 mistakenly references the Office of Budget and Management income poverty guidelines. OMB has never issued such guidelines. Please

see https://www.federalregister.gov/articles/2016/01/25/2016-01450/annual-update-of-the-hhs-poverty-guidelines for an explanation from the Office of the Federal Register.

Income Requirements

As noted above, an applicant must have a family income which is at or below two hundred fifty percent of the U.S. Department of Health and Human Services income poverty guidelines. The most recent update for the income poverty guidelines is located at https://aspe.hhs.gov/poverty-guidelines. The Office of the Federal Register as well as the U.S. Department of Health and Human Services will continue to post future updates. For CCGAP purposes, family is defined as either the applicant, and if applicable, the applicant and spouse. This means on the "Income Qualification" section of the student application, only one or two names will be entered. This also means when using the U.S. HHS income poverty guidelines you will only use either the first row, indicating a family size of just the applicant, or the second row, indicating a family size of two for the applicant and spouse.

To satisfy audit documentation requirements, community colleges must obtain the applicant's, and if applicable the spouse's, most recent federal Internal Revenue Service Form 1040. The Form 1040 will be used to verify if any additional forms of income were not reported on the student application "Income Qualification" section. For example, child support and retirement income may be reported on Form 1040 but not reported by an applicant under "Income Qualification." Form 1040 is not to be used to compute the annual family income required for the applicant's eligibility in the CCGAP. If the applicant, or the applicant's spouse, has not filed a Form 1040 because no income was received the prior year, community college staff must make a written statement to that effect on the student's application or elsewhere in the student's record and proceed with the application.

The student application provides the community college with the applicant's family gross income data. Community college staff can compute the annual family gross income of the applicant from this data and verify that it does not exceed two hundred fifty percent (250%) of the current year's U.S. Department of Health and Human Services income poverty guidelines. For every individual with income listed on the "Income Qualification" section of the student application, the most recent pay stub must be provided. The pay stub(s) are to be used to verify the income indicated on the "Income Qualification" section of the student application. If the applicant, or applicant's spouse, is unemployed and has no pay stub, community college staff must make a written statement to that effect on the student's application or elsewhere in the student's record and proceed with the application.

U.S. Citizenship Requirements

A student receiving CCGAP funding must be either a citizen of the United States or a qualified alien under the federal Immigration and Nationality Act. The CCGAP student application asks the same questions as the United States Citizenship Attestation Form developed by Nebraska's Department of Administrative Services to comply with Neb. Rev. Stat. §§ 4-108 through 4-114. The form is available at http://das.nebraska.gov/lb403/attestation_form.pdf for your reference.

Pursuant to Neb. Rev. Stat. § 4-112, any prospective CCGAP applicant who has selected the second option as a qualified alien must be verified through the U.S. Department of Homeland Security (SAVE system) or an equivalent program as designated by the U.S. Department of Homeland Security. The community colleges by law must complete this verification. The turnaround time for verification in the Commission's experience is mostly instantaneous with a few cases requiring about a week to verify. United States Citizenship and Immigration Services charges a fee per verification and sets a monthly minimum floor on the verification fee regardless of inquires at $25.00 (subject to change). This fee may be paid from your Gap administrative allocation.

VIII. APPLICATION

The Commission has developed a standard CCGAP application form that community colleges must use in their intake process for this program. Application for CCGAP shall be made to the community college in which the applicant is enrolled or intends to enroll. An application shall be valid for six months from the date of signature on the application. The applicant must provide certification of all sources of income and cannot receive CCGAP assistance for more than one Gap program of study.

Nebraska Revised Statute § 85-2005 requires a CCGAP applicant, through their initial assessment or other means, to demonstrate capacity to achieve the following outcomes:

a) The ability to be accepted to and complete a Gap program of study;
b) The ability to be accepted into and complete a postsecondary certificate, diploma, or degree program for credit;
c) The ability to obtain full-time employment; and
d) The ability to maintain full-time employment over time.

The community colleges must reasonably document a CCGAP applicant's capacity to achieve the above outcomes.

The community college may grant CCGAP assistance under this program to an applicant in any amount up to the full amount of eligible costs.

The community college shall deny an application if it determines that funding for an applicant's participation in a Gap program of study is available from any other public or private funding source.

IX. INITIAL ASSESSMENT

Applicants to the CCGAP must complete an initial assessment administered by the community colleges in accordance with Neb. Rev. Stat. § 85-2007 to determine the applicant's readiness to complete a Gap program of study. The community colleges shall make the determination of readiness based on an assessment tool of their choice. The initial assessment and the determination of readiness must be documented in a reasonable manner to allow for review.

X. STUDENT RESPONSIBILITIES

Pursuant to Neb. Rev. Stat. §§ 85-2008 and 85-2010 a CCGAP recipient must:

a) Maintain regular contact with faculty of the Gap program of study to document the applicant's progress in the program;
b) Sign any necessary releases to provide relevant information to community college faculty or case managers, if applicable;
c) Discuss with faculty of the Gap program of study any issues that may affect the recipient's ability to complete the Gap program of study an obtain and maintain employment;
d) Attend all required courses regularly;
e) Meet with faculty of the Gap program of study to develop a job-search plan; and
f) Upon completion of any community college Gap program of study complete surveying when requested by the community college.

Community colleges must reasonably document that these requirements are being met when applicable.

XI. ELIGIBLE STUDENT COSTS

Pursuant to Neb. Rev. Stat. § 85-2006 eligible student costs under the CCGAP include, but are not limited to:

a) Tuition;
b) Direct training costs;
c) Required books and equipment; and
d) Fees, including, but not limited to, fees for industry testing services and background check services.

XII. GAP RECIPIENT CANCELLATION; USE OF CANCELLATION AND/OR REFUND POLICY

If a Gap recipient cancels or withdraws his or her enrollment in a Gap program of study, the community colleges must use their existing cancellation or refund policy to determine the amount of aid, if any, is refunded back to your Gap aid account. However, community colleges are encouraged, in an effort to reuse Gap aid dollars to achieve program success, to refund as much as possible to your Gap aid account if a Gap recipient withdraws or cancels after the program start date. For example, if the canceling Gap recipient is not the breakeven student for that program, then community colleges are encouraged to determine if it is possible that those aid dollars, in full or otherwise, could be returned to the Gap aid account for future reuse.

A Gap recipient who withdraws or cancels after the program start date should, barring extenuating circumstances, be excluded from future participation from the CCGAP and marked as "Did Not Complete" in the tracking spreadsheet.

If a community college purchased any other items as eligible student costs beyond tuition for a Gap recipient (e.g., welding jacket, boots, etc.), who cancels after the program start date, the community college must make a good faith attempt to reuse

these items or obtain a refund to help offset the original expense. If the items are reused for another Gap recipient, the cost of these items on the spreadsheet is to be associated with the student who actual uses them.

XIII. ELIGIBLE COMMUNITY COLLEGE COSTS

Beyond the eligible student costs listed earlier, community colleges may use a statutorily defined amount of their CCGAP allocation to assist in defraying the costs of direct staff support services, including, but not limited to, marketing, outreach, applications, interviews, and assessments. The amount of such administrative assistance is as follows:

a) Up to twenty (20) percent of any amount allocated for such purposes to the two smallest community colleges;
b) Up to ten (10) percent of any such amount to the two largest community colleges; and
c) Up to fifteen (15) percent of any such amount to the remaining two community colleges.

For purposes of this section, community college size is determined based on the most recent three-year rolling average full-time equivalent enrollment. The Commission will communicate the administrative allocation amount to the community colleges.

When expending CCGAP funds, the community colleges must reasonably mark or identify them as such in their accounting system in order to facilitate outside review. Administrative costs must be able to be differentiated from student costs for outside review to verify compliance with administrative percentage limits.

XIV. COMMON APPLICANT TRACKING SYSTEM

The Commission has developed a common applicant tracking system for the CCGAP that is to be implemented consistently by each participating community college. The tracking system was designed so it can easily be updated, saved, and then submitted to the Commission. The community colleges must sufficiently complete the sheets within this Excel spreadsheet labeled as “Tracking” and “Expenses.” The community colleges do not need to enter information on the other sheets located within the Excel spreadsheet. These other sheets are strictly for Commission data gathering and reporting.

XV. COMMUNITY COLLEGE REPORTING REQUIREMENTS

The success of the Gap program centers on the ability to communicate positive results to the Nebraska legislature. This information is needed by the legislature when considering any funding changes and whether to continue the program beyond the first five years. To collect such data, community colleges must submit to the Commission on a quarterly basis an up-to-date common applicant tracking spreadsheet and a narrative section describing the status of the program. The quarterly reports are due two weeks after the conclusion of the preceding quarter. The start date for this program is July 1, 2016, and therefore quarters will be based off of the July 1st through June 30th year.

The common applicant tracking spreadsheet includes a post-completion section to indicate if the Gap program completer had any of the following outcomes: new employment, if that new employment was within their identified in-demand occupation area, retained current employment, is unemployed but continuing with further education, is unemployed, is deceased, or had no response. In order to sufficiently complete this section of the tracking spreadsheet, community colleges must survey or follow up with Gap completers. The method and mode of surveying is at the community colleges discretion provided that such surveying will collect the information needed to complete the common applicant tracking spreadsheet.

The most significant data that can be collected from Gap completers is if they gained new employment, and if so, if it was in their in-demand occupation area, or if they retained their current employment. If the Gap completer has obtained either of these results at the time of program completion, please input it into the tracking spreadsheet as soon as possible. No further surveying for these students who had gained new employment or retained employment would need to be done. However, if a completer at the time of completion had not yet gained new employment or retained employment, it would be beneficial to follow up with that student for a period of up to six months to determine if new employment has been reached and input that data on the tracking spreadsheet. Once a Gap completer has indicated new employment, no further surveying needs to be completed. If after six months post-completion a Gap completer has not obtained new employment, please fill out the completer section of the spreadsheet with the appropriate response (e.g., unemployed, deceased, etc.). The legislative history related to this program indicates Nebraska's senators are extremely interested in job attainment rates which makes being able to collect and report this information vital to the success and continuation of the Gap program.

XVI. FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA); TRANSMISSION OF YOUR COMMON TRACKING SPREADSHEET

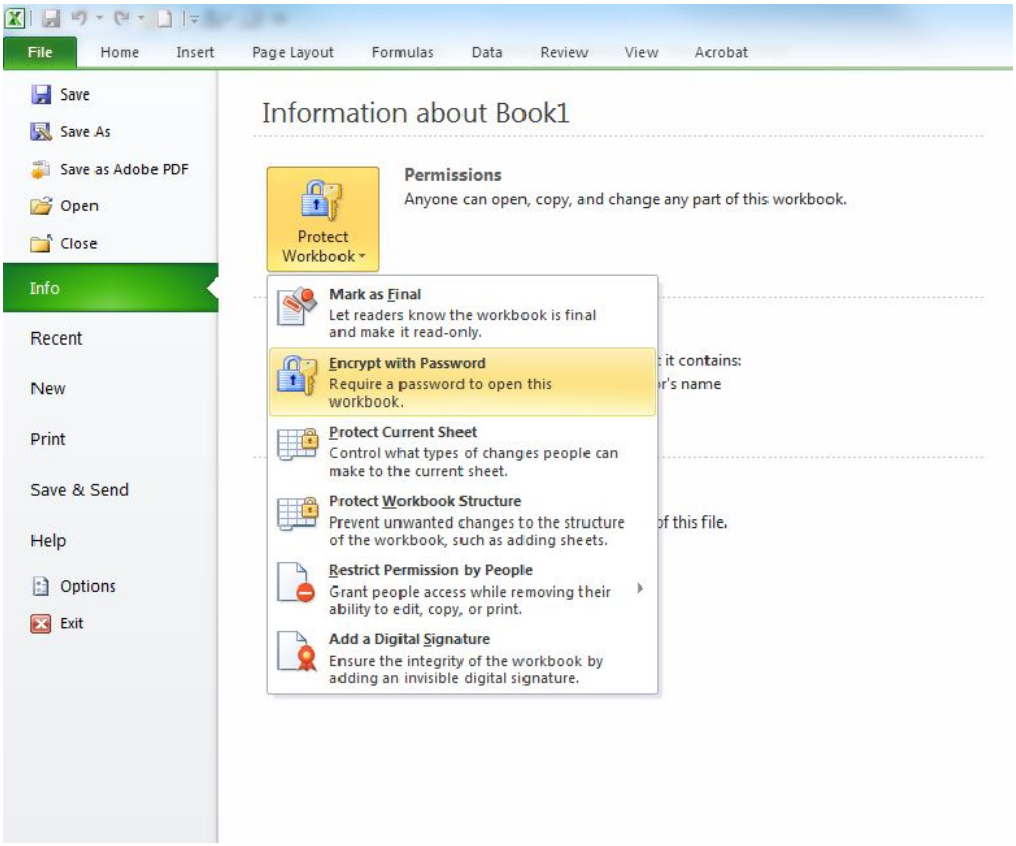
The common applicant tracking spreadsheet you will be emailing the Commission on a quarterly basis likely qualifies as an education record (or multiple education records) under FERPA. Under 34 § 99.31(a)(4)(i) of the Code of Federal Regulations, current as of May 4, 2016, the community colleges may disclose personally identifiable information from an education record of a student without student consent, as the disclosure is in connection with financial aid for which the student has applied or which the student has received, which is necessary for the Commission to enforce the terms and conditions of the aid. No additional releases need be obtained from the student for the transmission of the tracking spreadsheet.

When disclosures are made under this financial aid exception, the recordkeeping and redisclosure provisions apply in 34 CFR §§ 99.32 and 99.33. See FERPA Online Library, http://www2.ed.gov/policy/gen/guid/fpco/ferpa/library/ferpayale.html. Please be mindful and implement these sections according to your institution's FERPA policy when making these disclosures to the Commission.

In order to protect the personally identifiable information during electronic transmission to the Commission, each community college must encrypt the tracking spreadsheet with a password prior to submission. The community colleges must take necessary data security precautions while the tracking spreadsheet and any other items are in their possession (e.g., located on their servers). The Commission will supply each community

college with a unique password to encrypt their spreadsheet with and for which the Commission will use to decrypt that spreadsheet upon receipt.

Encrypting within Microsoft Excel 2010 is as simple as clicking File→Info→Protect Workbook→Encrypt with Password and also as shown in the image below. Please note these instructions are for Microsoft Excel 2010 whereas other versions may have different steps to enable encryption. Please refer to online resources for assistance.



XVII. RIGHT TO AUDIT

The community colleges must maintain a reasonable accounting system that enables the Commission to readily audit all components of this program. Community colleges must maintain such records, together with such supporting or underlying documents and materials, for at least the preceding five (5) years.