
MINUTES

COORDINATING COMMISSION FOR POSTSECONDARY EDUCATION

May 1, 2014

Concordia University

Walz Human Performance Complex, Fieldhouse Viewing Room

800 Columbia Avenue

Seward, Nebraska

Public notice of meeting

Public notice of time and place of regular meeting was given to Commission members, institutional representatives, news media, the Legislative Fiscal Office and the Department of Administrative Services.

NOTICE OF MEETING

NOTICE IS HEREBY GIVEN THAT THE COORDINATING COMMISSION FOR POSTSECONDARY EDUCATION WILL HOLD A MEETING ON MAY 1, 2014. THE MEETING WILL BEGIN AT 8:30 A.M. AND ADJOURN AT APPROXIMATELY 12:00 P.M.

AN AGENDA IS MAINTAINED IN THE COMMISSION OFFICE, 140 N. 8TH STREET, SUITE 300, LINCOLN, NEBRASKA.

COLLEEN ADAM, CHAIR

Meeting called to order at 8:30 a.m.

CALL TO ORDER AND INTRODUCTIONS

Chair Colleen Adam called the meeting to order at 8:30 a.m., welcomed everyone, thanked Concordia University for hosting the Commissioners, and asked for introductions.

Commissioners Present

Colleen Adam
Dr. Deborah Frison
Dr. Ron Hunter
Mary Lauritzen
Dwayne Probyn

Eric Seacrest
Lori Warner
W. Scott Wilson
Carol Zink

Commissioners Absent

Dr. Joyce Simmons

Commission Staff Present

Dr. Kathleen Fimple
Jason Keese
Kadi Lukesh
Dr. Carna Pfeil

Helen Pope
James Schiltz
Gary Timm
Mike Wemhoff

*Reverend Dr. Brian L. Freidrich,
President of Concordia
University*

**GREETING BY REVEREND DR. BRIAN L. FRIEDRICH, PRESIDENT OF
CONCORDIA UNIVERSITY**

Reverend Dr. Brian L. Friedrich, President of Concordia University, welcomed Commissioners, staff, and guests to the University and the Seward community. He thanked the Commission for the work they do on behalf of higher education in Nebraska. He noted that the independent colleges and universities provide 40 percent of the undergraduate and graduate degrees in Nebraska, and equips and prepares one-third of the teachers for our state. Forty percent of the students that attend Concordia are from Nebraska. The other 60 percent come from other states and countries. Alumni are represented in all 50 states and in 6 of the 7 continents.

MINUTES OF MARCH 13, 2014 COMMISSION MEETING

Chair Adam noted that the Work Session minutes from the evening before the March Commission meeting will be up for approval along with the regular Commission meeting minutes.

*Minutes of March 12, 2014 Work
Session and March 13
Commission meeting approved*

Commissioner Wilson moved that the March 12, 2014 Work Session minutes and the March 13, 2014 Commission meeting minutes be approved. Commissioner Lauritzen seconded the motion. A roll call vote was taken. Commissioner Hunter abstained, and all other Commissioners present voted yes.

CHAIR'S REPORT

Chair Adam noted that a student ambassador from Concordia will be on hand after the Commission meeting for a brief campus tour.

*Chair Adam notes Concordia
University campus tour*

Chair Adam read and presented former Commission Chair Ron Hunter with a plaque in appreciation of his dedicated service as Chair of the Coordinating Commission from January 2012 to December 2013.

*Chair Adam presents
Commissioner Hunter with
plaque*

Chair Adam appointed Commissioners Lauritzen, Simmons, and Frison to the nominating committee responsible for submitting nominations for Commission officers for July 1, 2014 through June 30, 2015, at the June 19 Commission meeting.

*Chair Adam appoints nominating
committee*

INTERIM EXECUTIVE DIRECTOR'S REPORT

Dr. Carna Pfeil, Interim Executive Director, introduced Kadi Lukesh, Office Manager/Bookkeeper, to present the third quarter operating budget report. Ms. Lukesh pointed out underspent areas, and noted the upcoming need to utilize those funds. Later in May we will have a research intern working at the office for the summer and will pay the intern out of other contractual services dollars. She noted that the fourth quarter report will look different because of the dollars received for the Executive Director search. Commissioner Seacrest spoke on behalf of the Executive Director Search Committee, commending the staff for setting aside funds for handling the transition expenses. Commissioner Adam requested that the Commission

*Kadi Lukesh gives third quarter
operating budget report*

Dr. Pfeil reports on data research intern

receive a breakdown of expenses associated with the Executive Director Search.

Dr. Pfeil reported that a data research intern, Caitlyn Deal, will start at the Commission on May 15 and work until mid-August. She comes from the Survey Research and Methodology Program at the University of Nebraska-Lincoln.

Jason Keese gives update on legislative bills of interest

Jason Keese, Communications Coordinator, briefed the Commissioners on the final Legislative Update, noting that the Legislature adjourned on April 17. A summary sheet was distributed to Commissioners. Commissioner Probyn inquired what the ramifications of LB546 would be, removing the Coordinating Commission from the revenue bond review process for the State Colleges and University of Nebraska. Dr. Pfeil stated the Commission would no longer review and make recommendations to the executive committee of the Legislature on individual revenue bond projects. The Legislature will now review revenue bonds and retains the authority to approve revenue bonds. Mr. Keese answered questions from the Commissioners.

Tip O'Neill, President of the Association of Independent Colleges and Universities of Nebraska

Dr. Pfeil asked Tip O'Neill, President of the Association of Independent Colleges and Universities of Nebraska, to address the Commissioners. Mr. O'Neill stated that he has been asked to serve as an at-large representative on the MHEC (Midwestern Higher Education Compact) State Authorization Reciprocity Agreement (SARA) Steering Committee. The committee approves states and institutions to be part of MHEC/SARA. He would like to send a joint letter to the U.S. Department of Education from the Coordinating Commission, the Association of Independent Colleges and Universities, the University of Nebraska, and the state and community colleges, regarding the regulation of handling consumer complaints. Dr. Pfeil, with the Executive Committee's approval, will assist with drafting a letter to the U.S. Department of Education along with Mr. O'Neill.

Dr. Pfeil speaks about Executive Director search

Dr. Pfeil reported the Executive Director search has begun and several applications have been received. She distributed binder items for the Search Committee, and asked Commissioner Seacrest to discuss the search. Commissioner Seacrest noted that without a consultant, the committee is handicapped to an extent, but are working diligently and will manage the search. The emphasis currently is on recruiting candidates. Ads have been placed in publications and online, and he encouraged word of mouth to locate interested candidates. The search committee consists of Commissioners Frison, Wilson, Zink, Seacrest and Adam. Mr. Keese was asked to indicate where ads have been placed and the cost associated with advertising. Dr. Pfeil distributed a timeline for interviews that will be held the day before and the day of the July 31 Commission meeting.

Dr. Pfeil notes involvement in audit of Agency 83

Dr. Pfeil noted that she and Gary Timm, Chief Finance and Administrative Officer, were involved in the audit of Agency 83. Agency 83 is a way for the State to distribute appropriations to community colleges. The Coordinating

Commission was involved in the audit of Agency 83 because we are responsible for distributing funds to the community colleges.

Mr. Timm came to the Coordinating Commission from the State Department of Insurance. Recently they have requested his help and he has been able to accommodate their request for assistance.

Public Hearing on matters of general concern

PUBLIC COMMENT ON MATTERS OF GENERAL CONCERN

There was no testimony regarding Matters of General Concern.

Chair Adam closed the Public Hearing on Matters of General Concern.

Public Hearing on Planning and Consumer Information Items

PUBLIC HEARING ON PLANNING AND CONSUMER INFORMATION COMMITTEE ITEMS

There was no testimony regarding Planning and Consumer Information Committee Items.

Chair Adam closed the Public Hearing on Planning and Consumer Information Committee Items

PLANNING AND CONSUMER INFORMATION COMMITTEE

James Schiltz presents 2013 Supplemental Forms Report

2013 Supplemental Forms Report

Commissioner Lauritzen stated the Supplemental Forms Report is a valuable and necessary report, but noted that the Commission would like to change the name. She introduced James Schiltz, Data Analyst, to present the report. Mr. Schiltz gave a PowerPoint presentation on the 2013 Supplemental Forms Report, and answered questions from the Commissioners.

Motion for new name for Supplemental Forms Report approved

Commissioner Seacrest made a motion to change the title of the Supplemental Forms Report to *Nebraska Postsecondary Enrollment, Tuition & Fees, and Financial Aid Report*, with a secondary title of *2013 Supplemental Forms*. Commissioner Hunter seconded the motion. A roll call vote was taken, with all Commissioners present voting yes.

Nebraska Postsecondary Enrollment, Tuition & Fees, and Financial Aid Report: 2013 Supplemental Forms approved

Commissioner Lauritzen, on behalf of the Planning and Consumer Information Committee, moved to approve the *Nebraska Postsecondary Enrollment, Tuition & Fees, and Financial Aid Report: 2013 Supplemental Forms*. A roll call vote was taken, with all Commissioners present voting yes.

Chair Adam called for a break at 10:10 a.m. The meeting resumed at 10:25 a.m.

*Steve Carper, President of
Omaha School of Massage and
Healthcare of Herzing University*

PUBLIC HEARING ON ACADEMIC PROGRAMS COMMITTEE ITEMS

Steve Carper, Campus President at Omaha School of Massage and Healthcare of Herzing University, came forward in support of the Health and Wellness program proposal. He offered to answer questions the Commissioners may have.

Chair Adam closed the Public Hearing on Academic Programs Committee Items.

ACADEMIC PROGRAMS COMMITTEE

*Omaha School of Massage and
Healthcare of Herzing University
– Health and Wellness (BS)*

Application to Modify a Previous Authorization to Operate – Omaha School of Massage and Healthcare of Herzing University – Health and Wellness (BS)

Dr. Fimple presents the proposal

Commissioner Zink, Chair of the Academic Programs Committee, introduced Dr. Kathleen Fimple, Academic Programs Officer, to give background information on the program. Dr. Fimple presented the program, noting that the Commission has approved several programs for this institution. The financials, enrollment and curriculum are all within the requirement range. This particular program gives students the option to become a health and wellness coach. Commissioner Probyn inquired as to where the library is located. Mr. Carper noted there is a small library on campus, but with virtual access, students are able to pull information from all of the Herzing University locations.

*Omaha School of Massage and
Healthcare of Herzing University
– Health and Wellness (BS)
approved*

Commissioner Zink, on behalf of the Academic Programs Committee, moved to approve the modification to the recurrent authorization to operate for Omaha School of Massage and Healthcare of Herzing University to include the BS in Health and Wellness. A roll call vote was taken, with all Commissioners present voting yes.

*CCC – Environmental Health
and Safety (AAS, diploma, two
certificates)*

Central Community College – Proposal for New Instructional Program: Environmental Health and Safety (AAS, diploma, two certificates)

Dr. Fimple presents information

Dr. Fimple presented the program, stating there are two certificates. The applied certificate is specific to an entity like OSHA. The generalist certificate would cover the same type of topics, but not be specific to a certain entity. One advantage of this program is its design to prepare students to earn the Associate Safety Professional (ASP) credential.

*CCC – Environmental Health
and Safety (AAS, diploma, two
certificates) approved*

Commissioner Zink, on behalf of the Academic Programs Committee, moved to approve Central Community College's new instructional program: Environmental Health and Safety (AAS, diploma, two certificates). A roll call vote was taken, with all Commissioners present voting yes.

SCC – Diversified Manufacturing Technology (AAS, diploma, certificate)

Dr. Fimple presents the proposal

SCC – Diversified Manufacturing Technology (AAS, diploma, certificate) approved

SCC – Geographic Information Systems Technology (certificate)

Dr. Fimple presents the proposal

SCC – Geographic Information Systems Technology (certificate) approved

WNCC – Surgical Technology (AAS)

Dr. Fimple presents the proposal

Dr. Terry Gaalswyk, VP of Educational Services at WNCC

WNCC – Surgical Technology (AAS) approved

Southeast Community College – Proposal for New Instructional Program: Diversified Manufacturing Technology (AAS, diploma, certificate)

Dr. Fimple presented the proposal, indicating that this program is made possible by a grant from the Trade Adjustment Assistance Community College and Career Training (TAACCCT). This program requires course work in seven manufacturing-related fields. The courses would be offered at the Milford SCC campus, as well as online.

Commissioner Zink, on behalf of the Academic Programs Committee, moved to approve Southeast Community College’s new instructional program: Diversified Manufacturing Technology (AAS, diploma, certificate). A roll call vote was taken, with all Commissioners present voting yes.

Southeast Community College – Proposal for New Instructional Program: Geographic Information Systems Technology (certificate)

Dr. Fimple presented the program, noting this is a “stand-alone” certificate, not one that will build on into a diploma or degree. SCC conducted a needs survey of GIS-related Nebraska employers, who indicated an interest in hiring employees with GIS skills and training. There is no other program like this offered at any other Nebraska institution.

Commissioner Zink, on behalf of the Academic Programs Committee, moved to approve Southeast Community College’s new instructional program: Geographic Information Systems Technology (certificate). A roll call vote was taken, with all Commissioners present voting yes.

Western Nebraska Community College – Proposal for New Instructional Program: Surgical Technology (AAS)

Dr. Fimple presented the proposal, indicating when WNCC surveyed healthcare entities in the region, a large number reported they utilized temporary or “traveling” surgical technologists due to a local shortage. Local employers also indicated a need and demand for this program.

Dr. Terry Gaalswyk, Vice President of Educational Services at Western Nebraska Community College, spoke to the Commissioners about the demand for local surgical technologists and answered questions from the Commissioners.

Commissioner Zink, on behalf of the Academic Programs Committee, moved to approve Western Nebraska Community College’s new instructional program: Surgical Technology (AAS). A roll call vote was taken, with all Commissioners present voting yes.

*UNMC – Nanomedicine for
Diagnosis and Therapy –
Graduate Certificate*

*Commissioner Zink notes UNMC
intends to eliminate the program*

*Commissioners vote to concur
with UNMC to discontinue
Nanomedicine for Diagnostic
and Therapy – Graduate
Certificate program*

UNO – Geology (BS, BGS)

*Dr. Fimple presented the
proposal*

*UNO – Geology (BS, BGS)
approved*

*Modified process for existing
program review form*

Dr. Fimple presents information

*Modified process for existing
program review form approved*

University of Nebraska Medical Center – Existing Program Review – Nanomedicine for Diagnosis and Therapy – Graduate Certificate

Commissioner Zink reported that at its last meeting the Coordinating Commission asked to postpone this item until this meeting so UNMC staff could be present to answer questions. On April 29th, an email was received from Susan Fritz, Interim Vice Provost at the University of Nebraska – Lincoln, noting UNMC intends to begin the approval process to eliminate the graduate certificate in Nanomedicine for Diagnosis and Therapy. Commissioner Zink noted that as a Commission, we cannot approve an institution's discontinuance of a program, but we can vote to concur with UNMC's decision to eliminate the program.

Commissioner Zink moved to concur with the University of Nebraska Medical Center's decision to discontinue the program: Nanomedicine for Diagnosis and Therapy – Graduate Certificate. Commissioner Hunter seconded the motion. A roll call vote was taken, with all Commissioners present voting yes.

University of Nebraska at Omaha – Follow-up report on an existing instructional program – Geology (BS, BGS)

Dr. Fimple presented the report, noting the numbers of graduates has increased considerably in the past few years. The program made notable improvement and is close to the Commission productivity threshold of an average of seven graduates per year.

Commissioner Zink, on behalf of the Academic Programs Committee, moved that the University of Nebraska at Omaha's program - Geology (BS, BGS) be continued. A roll call vote was taken, with all Commissioners present voting yes.

Modified process for existing program review form

Commissioner Zink stated that at the March work session, the Commissioners talked in detail about low-producing programs. The direction from the Commissioners, to the staff and the Academic Programs Committee was to create a form to assist them in reviewing existing instructional programs. Dr. Fimple presented the form and indicated that this form will give the institutions more direction on the detailed information that the Commission wants reported. The existing program review is on a seven year cycle with reports due to the Commission office by June 30 each year.

Commissioner Zink, on behalf of the Academic Programs Committee, moved to approve the modified process for existing program review form. A roll call vote was taken, with all Commissioners present voting yes.

*Annual Reports from Institutions
Holding Recurrent Authorizations
to Operate in Nebraska*

Dr. Fimple comments

**Information Item: Annual Reports from Institutions Holding
Recurrent Authorizations to Operate in Nebraska**

Dr. Fimple commented that Gallup University was approved but has chosen not to seek accreditation, which would have been the next step in continuing as a degree-granting institution.

**Information Item: Reasonable and moderate extensions,
department reorganizations, program name changes and other
institutional activities relating to existing programs**

Dr. Fimple presented the Information Items, noting the Academic Programs Committee asked to explain precision agriculture. Precision agriculture evaluates the different forms of agriculture technology, studies the understanding of the theory of GPS and GIS, and collects and analyzes data for trouble shooting and decision making.

*Reasonable and Moderate
Extensions*

Reasonable and Moderate Extensions

1. UNL – Quilt Studies (graduate certificate)
2. SCC – Precision Agriculture (certificate)
3. SCC – Client Relations (certificate) and focus under Business Administration

Department Reorganization

Department Reorganizations

1. UNMC – eliminate three departments (Community-Based Health, Families and Health Systems, and Adult Health and Illness); Replace them with a single division:
Omaha College of Nursing Division
2. UNO – merge Journalism major and Broadcasting major
Replace them with a single major:
Journalism and Media

Center Dissolution

Center Dissolution

1. UNMC – Center for Humanities, Ethics and Society

Program Name Changes

Program Name Changes

1. UNL – Agricultural Journalism to
Agricultural and Environmental Sciences Communication
2. UNO – Speech to
Communication Studies

Update on Legislation and SARA

Information Item: Update on Legislation and SARA

Dr. Fimple provides information

Dr. Fimple reminded Commissioners that at the March work session we discussed legislation that needed to be passed before the Commission could proceed with its application to participate in SARA. She reported that the legislation passed and was signed by the Governor in early April. The Commission can now move forward with the rule-making process. The plan is to apply to SARA at the end of June.

*Public Hearing on Budget,
Construction, and Financial Aid
Committee Items*

*2015-2017 Biennial Areas of
Emphasis*

Mr. Timm presents the proposal

*2015-2017 Biennial Areas of
Emphasis approved*

*Procedures to public
postsecondary education
institutions for the submission of
their 2015-2017 biennial
operating budget requests*

*2015 -2017 Prioritization
Process to Sequence
Appropriations for Approved
Capital Construction Projects*

*Mr. Wemhoff presents the
proposal*

PUBLIC HEARING ON BUDGET, CONSTRUCTION, AND FINANCIAL AID COMMITTEE ITEMS

There was no testimony regarding the Budget, Construction, and Financial Aid Committee Items.

Chair Adam closed the Public Hearing on Budget, Construction, and Financial Aid Committee items.

BUDGET, CONSTRUCTION, AND FINANCIAL AID COMMITTEE

2015-2017 Biennial Areas of Emphasis

Commissioner Seacrest, in Commissioner Simmons' absence, spoke on behalf of the Budget, Construction, and Financial Aid Committee. He introduced Gary Timm to present the Areas of Emphasis. Mr. Timm stated the institutions are required to identify Areas of Emphasis, as is the Commission. The Areas of Emphasis are used to identify priorities and new funding during the review of institutional biennial operating budget requests.

Commissioner Seacrest noted the Staff Recommendations for Areas of Emphasis for the 2015-2017 Biennial Budget Process first sentence should state: Commission procedures for the review of institutional operating budgets call for the use of Areas of Emphasis in the development of the **committee to the Commission's** recommendations to the Governor and Legislature.

Commissioner Seacrest, on behalf of the Budget, Construction, and Financial Aid Committee, moved to approve the 2015-2017 Biennial Areas of Emphasis for use by the Commission in the review of institutional biennial operating budget requests. A roll call vote was taken, with all Commissioners voting yes.

Information Item: Procedures to public postsecondary educational institutions for the submission of their 2015-2017 biennial operating budget requests to the Commission

Commissioner Seacrest commented this is the document that is sent to the institutions outlining the procedures. Mr. Timm answered questions from the Commissioners.

2015-2017 Prioritization Process to Sequence Appropriations for Approved Capital Construction Projects

Commissioner Seacrest noted that there are no changes to this document from two years ago. He introduced Mike Wemhoff, Facilities Officer, to present the proposal. Mr. Wemhoff stated that this document applies only to the University of Nebraska and the State Colleges, as they ask the state for direct appropriations. He commented on the previous recommendations by the Commission.

2015 -2017 Prioritization Process to Sequence Appropriations for Approved Capital Construction Projects approved

Key deadlines for public postsecondary educational institutions related to the biennial operating budget and capital construction budget request processes

Mr. Wemhoff discusses the key deadlines processes

Draft of Title 281, Chapter 7, Rules and Regulations for the Postsecondary Institution Act

Dr. Fimple presents the proposal

Draft of Title 281, Chapter 7, Rules and Regulations for the Postsecondary Institution Act approved

*Next Commission Meeting:
June 19, 2014*

Commissioner Lauritzen on article

Meeting adjourned at 12:01 p.m.

Commissioner Seacrest, on behalf of the Budget, Construction, and Financial Aid Committee, moved to approve the 2015-2017 Prioritization Process to Sequence Appropriations for Approved Capital Construction Projects. A roll call vote was taken, with all Commissioners voting yes.

Information Item: Key deadlines for public postsecondary educational institutions related to the biennial operating budget and capital construction budget request processes

Mr. Wemhoff stated that the Key Deadlines will be sent to the institutional budget and facility officers to provide specific deadlines that are required for the biennial budget request and recommendation process. At the September Commission meeting the University, State Colleges, and Community Colleges will present their budget requests to the Commissioners. At the October Commission meeting the Commission will approve the budget recommendations for submittal to the Governor and Legislature.

EXECUTIVE COMMITTEE

Draft of Title 281, Chapter 7, Rules and Regulations for the Postsecondary Institution Act

Dr. Fimple noted the rules have been modified to incorporate the ability to participate in an interstate reciprocity agreement. These changes were sent to the sectors. Responses from the sectors were favorable. The process that the State of Nebraska requires is the draft to be approved by the Commission. If the draft is approved, a public hearing will be set for June 5th, a legal notice will be published in the newspaper and a 30-day notice will be given. The final rules and regulations document will be voted on at the June Commission meeting.

Chair Adam, on behalf of the Executive Committee, moved to approve the Draft of Title 281, Chapter 7, Rules and Regulations for the Postsecondary Institution Act. A roll call vote was taken, with all Commissioners present voting yes.

FUTURE MEETINGS

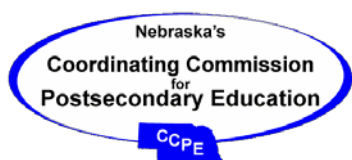
The next Commission meeting will be held Thursday, June 19, 2014 at Wayne State College, Wayne, Nebraska.

COMMISSIONER COMMENTS

Commissioner Lauritzen distributed an article of interest by World-Herald Staff Writer Kate Howard Perry to the Commissioners, noting this is a great overview of what is going on at several schools.

ADJOURNMENT

The meeting was adjourned at 12:01 p.m.



NEW INSTRUCTIONAL PROGRAM PROPOSAL

Institution: Nebraska College of Technical Agriculture

Program: Equine Training Management

Award: Certificate

Institution's Existing Degree(s) in Same or Similar Discipline: AAS, AS in Agriculture Production Systems with an option in equine industry management; certificate in equine care

Proposal Received by Commission: March 25, 2014

Proposed Start Date: Fall 2014

Description

The proposed program would focus on the handling and training of horses. It would consist of 20 semester credit hours including basic equitation (the art or act of riding on horseback), equine safety, colt starting, advanced performance training, and equine marketing. The existing certificate in equine care (30 credit hours) includes some of the same courses (equine care and safety, e.g.) but also health related courses such as equine nutrition and large animal diseases. The program would be offered face-to-face at Curtis.

Consistent with Institutional Role and Mission? ☒ YES ☐ NO

Consistent with Statewide Comprehensive Plan? ☒ YES ☐ NO

REVIEW CRITERIA

A. Need for the Program

High-----Low				
			√	

The proposal cites the U.S. Bureau of Labor Statistics figures indicating a projected growth of 15% in animal care and service workers jobs between 2012 and 2022. NCTA also states that high job turnover should result in very good job opportunities. The median annual wage for non-farm animal caretakers in May 2012 in the U.S., according to the proposal, was \$19,690. For animal trainers it was \$25,270.

Commission staff consulted the Nebraska Department of Labor where similar figures were found for wages for non-farm animal caretakers, but the May 2013 median wage for animal trainers in Nebraska was \$19,301. The Nebraska Department of Labor also provides projected annual openings in a job category. For both of these categories, the number of openings was "confidential", indicating a number too small to report and still protect the identity of employers and employees. This also suggests a limited need for this type of program.

The proposal states that courses for the program were developed in conjunction with an agricultural business. If there is a business needing employees with this training, information on that need could strengthen the argument for this program. In a brief conversation between Commission staff and NCTA, the college reported that people who bring their horses to the campus suggested that students have an award for the courses they've taken to prepare them to work with the horses.

B. Demand for the Program

High-----Low				
		√		

NCTA reports that there are currently nine students enrolled in equine classes and that additional students in other programs have expressed interest in the proposed certificate. The budget projection is based on 15 students the first year taking 20 credit hours. This may be an optimistic projection. However, it appears that the certificate program would substantially ladder into the agriculture production AAS with an equine industry management option. The proposal did not address this topic, but examination of the college catalog shows that of the nine required courses for the certificate, four (and probably five—one is similar but has a different course number) are required for the AAS and two are optional for the AAS. Two are not listed in the catalog, although the proposal states that all courses are existing. If the certificate ladders into the degree, students would be more likely to earn it en route to the AAS.

C. Avoidance of Unnecessary Duplication

High-----Low				
√				

There are no certificate programs in equine training management in Nebraska. Cloud Community College in north central Kansas offers a 34 credit hour certificate in equine management; Lamar Community College in southeastern Colorado offers a 24 credit hour certificate in fundamental horse training that is similar to the one proposed.

The proposal states that as the certificate develops NCTA will “work with 4-year universities and establish articulation agreements into their programs.” The possible institutions and programs are not identified. Within the state, this would be UNL; the specific program area is not clear.

D. Resources: Faculty/Staff

High-----Low				
		√		

NCTA states that no new faculty or staff would be needed since all the courses are currently offered (although two are not listed in the current catalog). The frequency of course offerings and space available in the courses are expected to meet the needs of the certificate program. Since the program utilizes existing resources, there are no faculty reported in the budget. There is also no description or enumeration of the existing faculty. Previous information suggests that an equine instructor was hired in 2012-3. If that person was hired to support this program, the salary should have been reported in the budget. With an existing degree program option, the Commission expects that there is a sufficient number of qualified faculty available to offer a certificate program.

E. Resources: Physical Facilities/Equipment

High-----Low				
	√			

According to the proposal, no new equipment would be required. Needs are evaluated annually and funded through the current budget.

All courses would be offered in the Livestock Teaching Center. The college catalog describes this 2001 building as housing faculty offices, two classrooms, a conference room, concession area, and an indoor arena.

This relatively new facility was designed specifically for education related to large animals and should be a good location for the program.

F. Resources: Library/Information Access

High-----Low				
		√		

According to the proposal, no new information resources would be required. Needs are evaluated annually and funded through the current learning capital budget. Since there is an equine program option in place, these resources should be adequate.

G. Budget

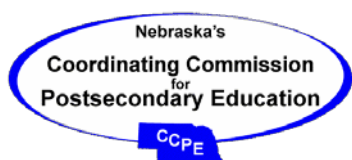
PROJECTED COSTS AND ANTICIPATED REVENUES FOR THE FIRST FIVE YEARS
As reported by NCTA

PROJECTED COSTS		ANTICIPATED REVENUES	
Faculty and Staff		Reallocated Funds	
General Operating		New State Funds	
Library		New Local Funds	
Facilities		Tuition (excludes fees)	\$307,000
Equipment		Other (grants)	
Five-Year TOTAL		Five-Year TOTAL	\$307,000

Committee Comment: The need for the program is not well-documented. The fact that the courses for the certificate would meet many of the requirements for an AAS partially mitigates this situation. However, the committee is not willing to make a recommendation without additional information on both need and demand.

Committee Recommendation: None

[If approved, the first regular program review would be due June 30, 2021.]



NEW INSTRUCTIONAL PROGRAM PROPOSAL

Institution: Nebraska College of Technical Agriculture

Program: Irrigation Technology

Award: Certificate

Institution's Existing Degree(s) in Same or Similar Discipline: AAS, AS in Agriculture Production Systems with an option in agricultural equipment management; certificate in irrigation technician

Proposal Received by Commission: March 25, 2014

Proposed Start Date: Fall 2014

Description

The proposed program would focus on pivot irrigation maintenance. It was developed in conjunction with Reinke Manufacturing Company, Inc. and would consist of 16 semester credit hours including electric code, AC and DC circuits, and mechanized irrigation systems. The proposed certificate would ladder into the existing 34 credit hour certificate in irrigation technician that can lead to an AAS in agriculture production systems with an option in agriculture equipment management. The program would be offered face-to-face at Curtis.

Consistent with Institutional Role and Mission? ☒ YES ☐ NO

Consistent with Statewide Comprehensive Plan? ☒ YES ☐ NO

REVIEW CRITERIA

A. Need for the Program

High	-----	Low
	√	

The proposal cites the U.S. Bureau of Labor Statistics figures indicating a projected a slow growth of 3% in agricultural and food science technician jobs between 2012 and 2022. The median annual wage for agricultural and food science technicians in May 2012 in the U.S., according to the proposal, was \$34,070, while Reinke indicated that NCTA graduates would start at \$17 per hour (\$35,360 annually) and could be at \$20 within three years (\$41,600).

Commission staff consulted the Nebraska Department of Labor where similar figures were found for agricultural and food science technicians. However, that job description focusses on analyzing and measuring the quality of food and agricultural products. A more appropriate job category might be farm equipment mechanics and service technicians who "diagnose, adjust, repair, or overhaul farm machinery and vehicles, such as tractors, harvesters, dairy equipment, and irrigation systems". In Nebraska, the projected annual growth rate was 1% with about 200 new jobs added between 2010 and 2020. This large number represents the wide range of jobs

within the category. The average median salary was \$33,923, with an entry level salary of \$25,167.

NCTA reports that Reinke has a present need for 200 technicians within their company. Reinke is located in Deshler, in southeastern Nebraska. Other major irrigation companies, such as Valmont, are also located in the eastern part of the state. However, there are no other irrigation technician programs in Nebraska that might meet the needs of these employers. It is not clear if employers might send employees to Curtis for training or if they hope to recruit solely from new graduates.

B. Demand for the Program

High-----Low				
		√		

NCTA reports that there are currently six students interested in the proposed certificate. The budget projection is based on 10 students the first year taking 16 credit hours. This may be an optimistic projection.

However, the certificate program would ladder into the existing irrigation technician certificate that ladders into the agriculture production AAS with an option in agriculture equipment management. Since the certificate ladders into the degree, students would be more likely to earn it en route to the AAS.

C. Avoidance of Unnecessary Duplication

High-----Low				
√				

There are no certificate programs in irrigation technology in Nebraska. The proposal states that as the certificate develops NCTA will “work with 4-year universities and establish articulation agreements into their programs.” The possible institutions and programs are not identified. Within the state, this would be UNL; the specific program area is not clear.

D. Resources: Faculty/Staff

High-----Low				
		√		

NCTA states that no new faculty or staff would be needed since all the courses are currently offered. The frequency of course offerings and space available in the courses are expected to meet the needs of the

certificate program. Since the program utilizes existing resources, there are no faculty reported in the budget. There is also no description or enumeration of the existing faculty. With an existing degree program, the Commission expects that there is a sufficient number of qualified faculty available to offer a new certificate program.

E. Resources: Physical Facilities/Equipment

High-----Low				
	√			

According to the proposal, no new equipment would be required. Needs are evaluated annually and funded through the current budget. In addition, Reinke has committed equipment and tools to the program.

All courses would be offered in the Agriculture Mechanics building.

F. Resources: Library/Information Access

High-----Low				
		✓		

According to the proposal, no new information resources would be required. Needs are evaluated annually and funded through the current learning capital budget. Since there is an irrigation technician program in

place, these resources should be adequate.

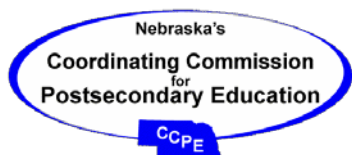
G. Budget

PROJECTED COSTS AND ANTICIPATED REVENUES FOR THE FIRST FIVE YEARS
As reported by NCTA

PROJECTED COSTS		ANTICIPATED REVENUES	
Faculty and Staff		Reallocated Funds	
General Operating		New State Funds	
Library		New Local Funds	
Facilities		Tuition (excludes fees)	\$134,976
Equipment		Other (grants)	
Five-Year TOTAL		Five-Year TOTAL	\$134,976

Staff Recommendation: **Approve.**

First Regular Program Review Date: Due June 30, 2021.



NEW ORGANIZATIONAL UNIT PROPOSAL

Institution: University of Nebraska Medical Center (UNMC)

Name of the new unit: Center for Reducing Health Disparities

Proposal Received by the Commission: March 25, 2014

Programs included in the new unit: Programs from most of the departments and colleges at UNMC

Proposed Start Date: To be determined

Description

The Community Partner Initiative, with a mission of reducing health disparities, has been in operation at UNMC since 1996. Building on the Initiative, the goals of the proposed center are to:

- Enhance the role of UNMC in addressing disparities in health outcomes through consistent community engagement, partnerships, and advocacy,
- Promote translational research that would help reduce disparities,
- Diversify the sources of funding for the Center and dependence on UNMC support, and
- Support education initiatives of UNMC in health disparities.

This proposal would elevate the existing initiative and its activities to the status of center.

Consistent with Institutional Role and Mission? ☒ YES ☐ NO

Consistent with Statewide Comprehensive Plan? ☒ YES ☐ NO

REVIEW CRITERIA

A. Demonstrated Need

High	-----	Low
	√	

UNMC states that despite great reduction in mortality in the past 100 years, health disparities continue to be a significant public health issue and challenge. Understanding the contributing factors and proposing policy-relevant solutions is key to improving the well-being of Nebraskans.

The current efforts include providing health information, resources, and services to diverse communities, especially underrepresented minorities, including Latinos, African Americans, and Native Americans. UNMC reports that in 2012 over 2,100 individuals were served.

B. Demonstrated Appropriateness of the Unit

High	-----	Low
	√	

The proposal outlines the organization of the center, with four units: administration, community engagement, research, and clinical services. The center would maintain its relationships with over 60 community-based organizations and develop new partnerships to provide community-based health promotion services, including “culturally competent and tailored health screening and counseling services to clients in both private and public sectors.”

The research unit would conduct evidence-based, policy-relevant research that would help address health disparities locally and around the world. UNMC provided a list of six current projects. Some of the topics addressed are stress and mental health among migrant Latino farmworkers, promoting cardiovascular disease awareness and coping among Native Americans, impact of the Affordable Care Act on Latinos, and disparities in obesity.

The research and services are appropriate for Nebraska, where the fastest-growing segment of the population is Latino, and where the largest cities host a variety of minority and underrepresented groups.

C. Resources: Faculty/Staff

High-----Low
<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

UNMC reports that the current efforts are supported by two faculty members, eight staff, and two graduate assistants, all with experience and expertise in engaging minority and underserved populations. The director has a PhD in sociology and the deputy director has an MD as well as a Master of Public Health. These positions are all reflected in the budget. There is also a faculty advisory board consisting of 12 faculty and staff members from the College of Public Health.

D. Resources: Physical Facilities/Equipment

High-----Low
<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

UNMC states that the current activities take place in an office on campus in the College of Public Health (COPH) as well as from a satellite office in North Omaha.

The main office consists of eight private offices with phones and computers and two cubicles. Employees have access to the resources of the COPH, including conference rooms, classrooms, work rooms, a resource library, office and distance technology, storage units, and a studio for filming lectures. The North Omaha location has three private offices with phones and computers, a community reference library, a 25-person capacity community conference room, kitchen area, and access to a medical screening clinic.

The facilities appear appropriate for the work conducted, especially the satellite in North Omaha—home to a large African American population.

E. Budget

UNMC reports that the center would be funded through a reallocation of existing sources from the COPH and extramural grants and contracts already in place. The proposal states that the center would continue to pursue grants and other external funding sources to ensure sustainability.

**PROJECTED COSTS AND ANTICIPATED REVENUES FOR THE FIRST FIVE YEARS
as reported by UNMC**

PROJECTED COSTS		ANTICIPATED REVENUES	
Faculty and Staff	\$5,583,873	Reallocated Funds	\$5,279,665
General Operating	\$771,800	New State Funds	
Equipment		New Local Funds	
Facilities		Tuition and Fees	
Library		Other: extramural support	\$1,076,008
Five-Year TOTAL	\$6,355,673	Five-Year TOTAL	\$6,355,673

Staff Recommendation: Approve

**Electro-mechanical Technology-AAS, Diploma, Certificate
Mid-Plains Community College
Follow-up Report**

Background:

- In **2001** the Commission **approved a new Electro-mechanical Technology program** at Mid-Plains Community College, **requiring a report** on enrollments and graduation rates.
- In **2003** MPCC reported 6 students enrolled in 2001-02 and 8 in 2002-03. The first graduates were expected in 2003-04. The Commission **continued the program**.
- In **2009** MPCC reported:
 - One AAS degree had been awarded over the previous five years; no diplomas were awarded.
 - The program had been designed to meet employment needs of the Union Pacific Railroad, combining existing courses from the electrical and diesel technology programs. Shortly after inception, the railroad objected to the program design.
 - The Center for Enterprise at the college identified local electro-mechanical industry needs. The program would be modified to meet those needs
- The Commission **continued the program with a report** on enrollment and graduation rates.

Summary of Institution's Report:

- There has still been only one graduate from the program since its inception and there are no declared majors.
- In 2012 a new emphasis area in Hydro Electrical Mechanical was added utilizing a Department of Energy grant. The college was hoping to attract a different student population and was marketing the new emphasis.
- To date, there has been no interest in the new emphasis and it will be removed when the next catalog is published. The college administration recommends continuing the electro-mechanical program until the next review in 2014-15 at which time it will determine if “the program needs to be discontinued.”
- Both the program and the emphasis are listed in the current (2014-15) catalog. Changes will be determined in the winter of 2014-15 for the 2015-16 catalog. With both the program review and catalog review scheduled for academic year 2014-15, MPCC would like to make final program determination during that period.

Committee Comment:

The committee concurs with the college’s decision to remove the hydro electrical mechanical emphasis. The degree program has had only one graduate and there are currently no declared majors. There is no student interest and no apparent reason to continue the program.

Committee Recommendation:

Initiate the process to discontinue the program.

Statute:**85-1414. Programs; capital construction projects; review; commission, public institutions, and governing boards; duties.**

(5) Existing programs which do not meet criteria established by the commission pursuant to subsection (7) of this section shall be targeted for indepth review by the public institutions and their governing boards. In performing such indepth review, institutions may make use of information and conclusions provided by accreditation and other established and ongoing academic review processes rather than providing for a separate review process. Programs continued by the governing boards shall be further monitored by the governing board which shall report the status and process of the monitoring to the commission. If the commission determines that a program does not merit continuation, it shall hold a public hearing, following thirty days' notice to the public institution, to consider if the program should be continued. Following the hearing, the commission shall take action to approve or disapprove continuance of the program.

Rule 4:

006.10 If the Commission determines, following an in-depth review, that a program is not in substantial compliance with the criteria of the Commission, the Commission shall hold a public hearing, following thirty days' notice to the public institution, to consider if the program should be continued or discontinued. Following a hearing, the Commission shall take action to approve or disapprove continuance of the program. The Commission may monitor an approved program by requiring the institution to submit a periodic status report on compliance with Commission criteria.

006.11 Existing programs disapproved for continuance by the Commission shall be terminated by the public institution on a date mutually agreed upon by which time all students in the program on the date of the decision of the Commission will have had a reasonable opportunity, as determined by the governing board of the public institution, to complete the program or be otherwise accommodated.

Annual Report for Institutions Holding a Recurrent Authorization to Operate in Nebraska

Reports Received in April 2014

Recurrent authorization to operate means approval by the Commission to operate a postsecondary institution in Nebraska until a renewal of the authorization is required. Under legislation passed in 2011, institutions were required to seek a recurrent authorization by December 31, 2011. The documents were reviewed by the Commission during the last part of 2011 and the first few months of 2012. Most authorizations were approved for a five year period with an annual reporting requirement. The following table is a summary of the annual reports submitted in late April 2014. No action is required.

Institution	Program name	Degree/ Award	# Currently Enrolled*	# Graduated/ Completed**	Total Campus Enrollment	Recent Accreditation Activity
Omaha School of Massage and Healthcare of Herzing University (Original approval 1/22/2009)	Therapeutic Massage	Diploma	81	66	105	Received HLC approval to offer AS and Diploma in Chiropractic Technician and Personal Fitness Training.
	Therapeutic Massage	AS	3	8		
	Chiropractic Technician	Diploma	10			
	Insurance Billing and Coding	Diploma	3	3		
	Insurance Billing and Coding	AS	1			
	Bookkeeping and Payroll Accounting	Diploma	1	1		
	Accounting	AS	1			
	Business Management	BS	2			
	Healthcare Management	BS	2			
	Health Information Management	BS	1			
University of Missouri (Original approval 4/12/2012)	Information Science and Learning Technologies, Library Science Emphasis	MA	37	20	37	Plan for Program Presentation was approved by ALA.
University of South Dakota (Original approval 4/25/2013)	Reading Recovery Courses	N/A	8	8	12	
	Speech-Language Pathology	MA	4			
	Missouri River Institute Course	N/A	Cancelled			

*on date of report

**for most recent year

HLC = Higher Learning Commission

ALA = American Library Association

INFORMATION ITEMS

A. Reasonable and Moderate Extensions

1. MPCC – Leadership certificate under AAS in Business
2. MPCC – Medical Office certificate under AAS in Business

B. Discontinued Programs

1. MPCC – Electrical Technology (diploma)
2. WNCC – Wind Energy Technician (certificate)
3. Renewable Fuels Technology (certificate)

2014 Peer Report: Nebraska State College System - Committee Draft -



June 13, 2014

To Be Approved by the Commission June 19, 2014



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Introduction

As outlined in Neb. Rev. Stat. § 85-1413(5)(g), Nebraska's Coordinating Commission for Postsecondary Education is required to establish peer groups for public institutions in Nebraska. Selection of peer groups for Nebraska's State Colleges was last conducted in 1993. Since institutions can change over time, the Commission deemed it necessary to develop updated peer groups for each of the State Colleges.

The following report describes the peer selection process utilized by Nebraska's Coordinating Commission for Postsecondary Education for the State Colleges. The Commission's final peer groups for the State Colleges are outlined in [Table 7](#), [Table 8](#), and [Table 9](#). Additionally, analysis datafiles for the State Colleges have been provided as separate documents.

Purpose of Developing Peer Groups

The Comprehensive Statewide Plan for Postsecondary Education defines the Commission's purpose for establishing peer groups for Nebraska's public colleges and universities as follows:

Peer Groups

A peer institution is one which is representative of the institution to which it is compared.

- In the context of the Comprehensive Plan as an evolving document, the Commission will provide a list of peer institutions for each of Nebraska's 13 public postsecondary educational institutions.*
- Peer groups will be used for budget and program review as well as for other comparisons that will aid in Commission decision-making. **The Commission's purposes for the use of peer groups are not intended to influence the collective bargaining process.***

Peer institutions are defined as institutions sufficiently similar in mission, programs, size, students, wealth, etc., and are used to establish basic central tendencies. Aspirational peer institutions in some ways excel the target institution, which would like to emulate the aspirational institutions' accomplishments and set similar goals. Competitors are rival institutions contesting for students, faculty, research dollars, etc.

The Commission staff identified peer institutions consistent with the definition above. As the peer groups are used for program reviews, budget analysis, tuition and fees comparisons, facilities analysis, and similar types of comparisons, the Commission staff did not specifically include aspirational or competitor institutions.

Summary of Evaluation Process

Evaluation Plan Development

Before Commission staff launched the evaluation process for Nebraska's State Colleges, Interim Executive Director Dr. Carna Pfeil met with the Commission's Planning and Consumer Information Committee and identified a number of variables for potential use in analyses of and comparisons between institutions.

Commission staff also researched methodological approaches utilized by other organizations for peer group selection and held several internal meetings throughout the evaluation process to discuss methods for selecting and evaluating peer institutions. Due to the unique makeup of Nebraska's State Colleges, the selection process was very much an iterative process with selection criteria adjusted as deemed necessary.

Evaluation Process

Data Sources

The Integrated Postsecondary Education Data System (IPEDS) served as the main data source for the listing of potential peers. In addition, college housing data was obtained from the College Board's Annual Survey of Colleges.¹ This data was matched to the IPEDS list to form the original database of peers used in the Commission's evaluation.

Selection Criteria

The Commission's Planning and Consumer Information Committee initially identified more than 30 variables for potential use in the selection of peer institutions. Due to the large amount of data points, it was not feasible to include all of these variables in the selection process. *Outcome variables*, such as graduation and retention rates, were excluded from the Commission's analysis. Rather, the Commission focused on key *input variables*—open admission policy, 12-month unduplicated headcount, percent of students who are full time, etc.—that are likely to impact outcome variables.

Focusing on these key variables, Commission staff selected peers through the use of screening variables as well as evaluation variables.

Screening Variables

The listing of potential peers was narrowed by first applying selection criteria to screen in/out potential peer institutions. The use of screening variables ensures essential characteristics of each college are present in its respective peer group. For example, since it would be illogical to compare Nebraska's State Colleges to two-year institutions, two-year institutions were screened completely out of the potential peer pools even though most two-year institutions are classified

¹ Annual Survey of Colleges 2013. Copyright © 2013 The College Board. Custom data file for CDS F question. This material may not be copied, published, rewritten or redistributed without permission.

as open admission. (See [Rational for Selection Criteria](#) for more information on selection criteria.)

As outlined in [Table 1](#), the following screening variables were utilized for all three State Colleges: location, sector, admission policy, availability of Classification of Instructional Programs (CIP) data, 12-month unduplicated headcount, and the percentage of students who are minorities. Through the implementation of these screening variables, the remaining peer pools for the State Colleges were reduced to 26 institutions.

Table 1

Screening Variables Applicable to All State Colleges

Variable Description	Screen In Responses	Remaining N ^a
1. Data source	Institutions that reported to IPEDS in 2012-13	7,735
2. Location	Located in 50 states or D.C.	7,565
3. Sector	Public 4-year or above	693
4. Admission policy	Open admission policy	115
5. CIP data	≠ blank	113
6. 12-month unduplicated headcount graduate students	> 0	49
7. 12-month unduplicated headcount total	1,300 - 8,300	33
8. % of students who are minorities	≠ blank AND ≤ 45%	27

Note. Data source: Integrated Postsecondary Education Data System.

^aN count includes the target institution.

The percent of students enrolled full time and the top five CIP codes were also used as screening variables (see [Appendix A](#) for CIP code definitions). However, as outlined in [Table 2](#), the screen in responses for these variables varied by the target institution. Following the application of screening variables, a total of 23 potential peers remained for Peru State College, while only 18 potential peers remained for Chadron State College and Wayne State College.

Table 2

Screening Variables Individually Tailored to Each State College

Variable Description	Screen In Responses	Remaining N ^b
9. % of students who are full time	Chadron: ≠ blank AND ≥ 45%	18
	Peru: ≠ blank AND ≥ 30%	24
	Wayne: ≠ blank AND ≥ 45%	18
10. Top 2 out of 5 CIP codes	Chadron: 13, 52, 30, 42, 26	18
	Peru: 13, 52, 42, 43, 11	23
	Wayne: 13, 52, 42, 31, 43	18

Note. Data source: Integrated Postsecondary Education Data System.

^bN count does not include the target institution.

Evaluation Variables

After the peer pools were reduced to 23 (Chadron), 18 (Peru), and 23 (Wayne) through screening variables, Commission staff evaluated each remaining peer on an individual basis. Variables examined during this step included the CIP code distribution, student-faculty ratio, percentage of degrees granted at various levels, the number of programs offered (total and distance education), whether or not the institution offers housing and/or athletics, the percentage of freshmen living in college housing, and the location of the institution.

Rational for Selection Criteria

The selection criteria used focused on the size of the institution (via total 12-month unduplicated headcount and the percent of students who are full time) rather than the location of the institution. Therefore, the initial listing of peers had the potential to include institutions from any of the 50 states as well as Washington, D.C. Attention was paid to the location of the institution to ensure the final peer group included institutions from an assortment of different areas.

All of Nebraska's State Colleges have an open admission policy, which means that any individual with a high school diploma or GED is admitted, regardless of test scores, academic records, etc. Therefore, the selection criteria ensured the admission policy of the institution was classified as "open admission" in IPEDS.

The sector of the institution was used to restrict the control and level of the peer pool to those classified as public four-year and higher. Unfortunately, as shown in [Table 3](#), only 115 U.S. public four-year or above institutions have open admission policies (IPEDS, 2012–2013).² While these variables greatly reduced the peer pools for the State Colleges, it was essential to include these variables due to their potential impact on not only program offerings and budget-related items, but also because of their potential impact on outcome variables such as graduation and retention rates.

Selection criteria also ensured potential peers were comparable to each State College in terms of the program mix in degrees granted. The top five CIPs were identified for each institution. Initially, the Commission's goal was to have each potential peer match on at least three out of five of the target institution's top CIP codes. However, due to the limited number of remaining potential peers, the Commission included institutions matching on at least two out of five of the target institution's top CIP codes. Additionally, the CIP distributions were evaluated individually for each potential peer during the evaluation.

Since Nebraska's State Colleges offer graduate-level programs, only institutions that enroll graduate students were screened into the peer pools. Furthermore, the distribution of degrees across award levels was taken into consideration when selecting potential peers. The Commission also attempted to identify institutions similar in terms of the total number of programs offered and the number of programs offered via distance education.

² For selection criteria, the Commission utilized the most up-to-date, final data release from IPEDS and the College Board. In an attempt to increase the pool of potential peers, the Commission also analyzed provisional open admission policy data from IPEDS for 2013–2014. While three public four-year or above institutions changed to open admission, none of these institutions were viable peers.

Table 3*Sector of Institution by Open Admission Policy*

Sector	Open Admission	Not Open Admission	Not Applicable	Not Reported or Missing	Total
Administrative Unit	0	0	80	1	81
Private for-profit, 2-year	895	147	20	19	1081
Private for-profit, 4-year or above	405	318	73	2	798
Private for-profit, less-than 2-year	1649	66	40	30	1785
Private not-for-profit, 2-year	69	79	35	6	189
Private not-for-profit, 4-year or above	192	1118	342	10	1662
Private not-for-profit, less-than 2-year	72	14	8	4	98
Public, 2-year	1012	34	3	12	1061
Public, 4-year or above	118 ^a	547	45	1	711
Public, less-than 2-year	187	70	6	5	268
Sector unknown (not active)	0	0	0	1	1
Total	4599	2393	652	91	7735

Note. Data source: Integrated Postsecondary Education Data System.

^aThree out of 118 public 4-year or above institutions with open admission policies are located outside of the United States.

Given that racial groups often show disparities on outcomes such as graduation rates, the percentage of students who are minorities was also considered during the selection process. Finally, due to the impact on finances, Commission staff considered the student-faculty ratio, whether or not the institution offers housing and athletics, and the percentage of freshmen living in college housing.

Proposed Peers, Alternates, and Potential Replacements

Initially, the Commission's objective was to reduce each State College's peer pool to 18 institutions that are the most similar to the target institution. This list was to include ten Commission-selected peers, two alternate peers (available for substitution in the event an institution from the peer group is not a viable peer), and six potential replacements (for use only during the initial selection - potential replacements for a peer and/or an alternate if the particular target institution requested and provided adequate justification).

However, due to the unique makeup of the State Colleges (in particular, the combination of 'open admission' and 'public four-year or above'), the Commission was not able to identify 18 suitable peer institutions. Rather, a total of 15 institutions were identified for Chadron State College and Wayne State College (10 peers, two alternates, three potential replacements), while 16 institutions were identified for Peru State College (10 peers, two alternates, four potential replacements). The Commission then sent the proposed peer groups to the State Colleges for their review and suggestions.

Goal of Peer Selection Process

The ultimate goal of the Commission was to develop three distinct peer groups—one for each State College—by matching on specific variables. Since the three State Colleges are rather

homogenous, some overlap between these three peer groups was expected. However, after analyzing all IPEDS-reporting institutions, the Commission recommended utilizing essentially the same peer group (including alternates) for each State College (see [Tables 4, 5, and 6](#)). Each proposed peer group was slightly different, simply because the target institution was not included in its own group. (For example: Chadron's proposed peer group included Peru and Wayne, while Peru's peer group included Chadron and Wayne.)

Table 4

Proposed Peer Group for Chadron State College and Select Screening/Evaluation Variables

			12-mo Undup HC				
Description & Unit ID	Institution Name	State	Under Grad	Grad	Total	% Minority	% FT
Target Institution:							
180948	Chadron State College	NE	2,879	1,010	3,889	14%	63%
Proposed Peers:							
206914	Cameron University	OK	7,535	727	8,262	45%	64%
183257	Granite State College	NH	2,540	465	3,005	6%	49%
177940	Lincoln University	MO	3,950	260	4,210	43%	62%
178387	Missouri Western State University	MO	7,027	236	7,263	15%	68%
180179	Montana State University Billings	MT	5,736	869	6,605	13%	69%
204671	Ohio State University-Lima Campus	OH	1,482	81	1,563	10%	83%
181534	Peru State College	NE	2,786	443	3,229	10%	52%
205443	Shawnee State University	OH	5,393	97	5,490	9%	86%
106485	University of Arkansas at Monticello	AR	4,675	213	4,888	39%	67%
181783	Wayne State College	NE	3,243	1,036	4,279	10%	83%
Proposed Alternates:							
200226	Mayville State University	NH	1,289	21	1,310	14%	58%
206613	Wright State University-Lake Campus	OH	1,980	191	2,171	7%	60%
Potential Replacements:							
204680	Ohio State University-Mansfield Campus	OH	1,556	88	1,644	12%	83%
204699	Ohio State University-Marion Campus	OH	1,700	108	1,808	19%	78%
204705	Ohio State University-Newark Campus	OH	3,034	125	3,159	21%	83%

Note. Undup = unduplicated. HC = headcount. FT = full time. Data source: Integrated Postsecondary Education Data System.

Table 5*Proposed Peer Group for Peru State College and Select Screening/Evaluation Variables*

Description & Unit ID	Institution Name	State	12-mo Undup HC			% Minority	% FT
			Under Grad	Grad	Total		
Target Institution:							
181534	Peru State College	NE	2,786	443	3,229	10%	52%
Proposed Peers:							
206914	Cameron University	OK	7,535	727	8,262	45%	64%
180948	Chadron State College	NE	2,879	1,010	3,889	14%	63%
183257	Granite State College	NH	2,540	465	3,005	6%	49%
177940	Lincoln University	MO	3,950	260	4,210	43%	62%
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204671	Ohio State University-Lima Campus	OH	1,482	81	1,563	10%	83%
205443	Shawnee State University	OH	5,393	97	5,490	9%	86%
106485	University of Arkansas at Monticello	AR	4,675	213	4,888	39%	67%
181783	Wayne State College	NE	3,243	1,036	4,279	10%	83%
Proposed Alternates:							
200226	Mayville State University	NH	1,289	21	1,310	14%	58%
206613	Wright State University-Lake Campus	OH	1,980	191	2,171	7%	60%
Potential Replacements:							
204680	Ohio State University-Mansfield Campus	OH	1,556	88	1,644	12%	83%
204699	Ohio State University-Marion Campus	OH	1,700	108	1,808	19%	78%
204705	Ohio State University-Newark Campus	OH	3,034	125	3,159	21%	83%
102632	University of Alaska Southeast	AK	5,787	614	6,401	28%	30%

Note. Undup = unduplicated. HC = headcount. FT = full time. Data source: Integrated Postsecondary Education Data System.

Table 6*Proposed Peer Group for Wayne State College and Select Screening/Evaluation Variables*

			12-mo Undup HC				
Description & Unit ID	Institution Name	State	Under Grad	Grad	Total	% Minority	% FT
Target Institution:							
181783	Wayne State College	NE	3,243	1,036	4,279	10%	83%
Proposed Peers:							
206914	Cameron University	OK	7,535	727	8,262	45%	64%
180948	Chadron State College	NE	2,879	1,010	3,889	14%	63%
183257	Granite State College	NH	2,540	465	3,005	6%	49%
177940	Lincoln University	MO	3,950	260	4,210	43%	62%
178387	Missouri Western State University	MO	7,027	236	7,263	15%	68%
180179	Montana State University Billings	MT	5,736	869	6,605	13%	69%
204671	Ohio State University-Lima Campus	OH	1,482	81	1,563	10%	83%
181534	Peru State College	NE	2,786	443	3,229	10%	52%
205443	Shawnee State University	OH	5,393	97	5,490	9%	86%
106485	University of Arkansas at Monticello	AR	4,675	213	4,888	39%	67%
Proposed Alternates:							
200226	Mayville State University	NH	1,289	21	1,310	14%	58%
206613	Wright State University-Lake Campus	OH	1,980	191	2,171	7%	60%
Potential Replacements:							
204680	Ohio State University-Mansfield Campus	OH	1,556	88	1,644	12%	83%
204699	Ohio State University-Marion Campus	OH	1,700	108	1,808	19%	78%
204705	Ohio State University-Newark Campus	OH	3,034	125	3,159	21%	83%

Note. Undup = unduplicated. HC = headcount. FT = full time. Data source: Integrated Postsecondary Education Data System.

Final Peers and Alternates

Initially, the Nebraska State College System (NSCS) agreed with nine peer institutions and both alternates. The Commission reviewed NSCS's recommended changes and corresponding rationale and was agreeable with the proposed modifications. The final peer groups for the State Colleges are itemized in [Table 7](#), [Table 8](#), and [Table 9](#). Additionally, a map detailing the location of each peer is included in [Figure 1](#), and CIP distribution comparisons are provided in [Appendix B](#).

Table 7*Final Peer Group for Chadron State College and Select Screening/Evaluation Variables*

Final Peer Group for Chadron State College and Select Screening Evaluation Variables							
Description & Unit ID	Institution Name	State	12-mo Undup HC			% Minority	% FT
			Under Grad	Grad	Total		
Target Institution:							
180948	Chadron State College	NE	2,879	1,010	3,889	14%	63%
Peer Institutions:							
183257	Granite State College	NH	2,540	465	3,005	6%	49%
177940	Lincoln University	MO	3,950	260	4,210	43%	62%
178387	Missouri Western State University	MO	7,027	236	7,263	15%	68%
180179	Montana State University Billings	MT	5,736	869	6,605	13%	69%
204671	Ohio State University-Lima Campus	OH	1,482	81	1,563	10%	83%
204705	Ohio State University-Newark Campus	OH	3,034	125	3,159	21%	83%
181534	Peru State College	NE	2,786	443	3,229	10%	52%
205443	Shawnee State University	OH	5,393	97	5,490	9%	86%
106485	University of Arkansas at Monticello	AR	4,675	213	4,888	39%	67%
181783	Wayne State College	NE	3,243	1,036	4,279	10%	83%
Alternates:							
200226	Mayville State University	NH	1,289	21	1,310	14%	58%
206613	Wright State University-Lake Campus	OH	1,980	191	2,171	7%	60%

Note. Undup = unduplicated. HC = headcount. FT = full time. Data source: Integrated Postsecondary Education Data System.

Table 8*Final Peer Group for Peru State College and Select Screening/Evaluation Variables*

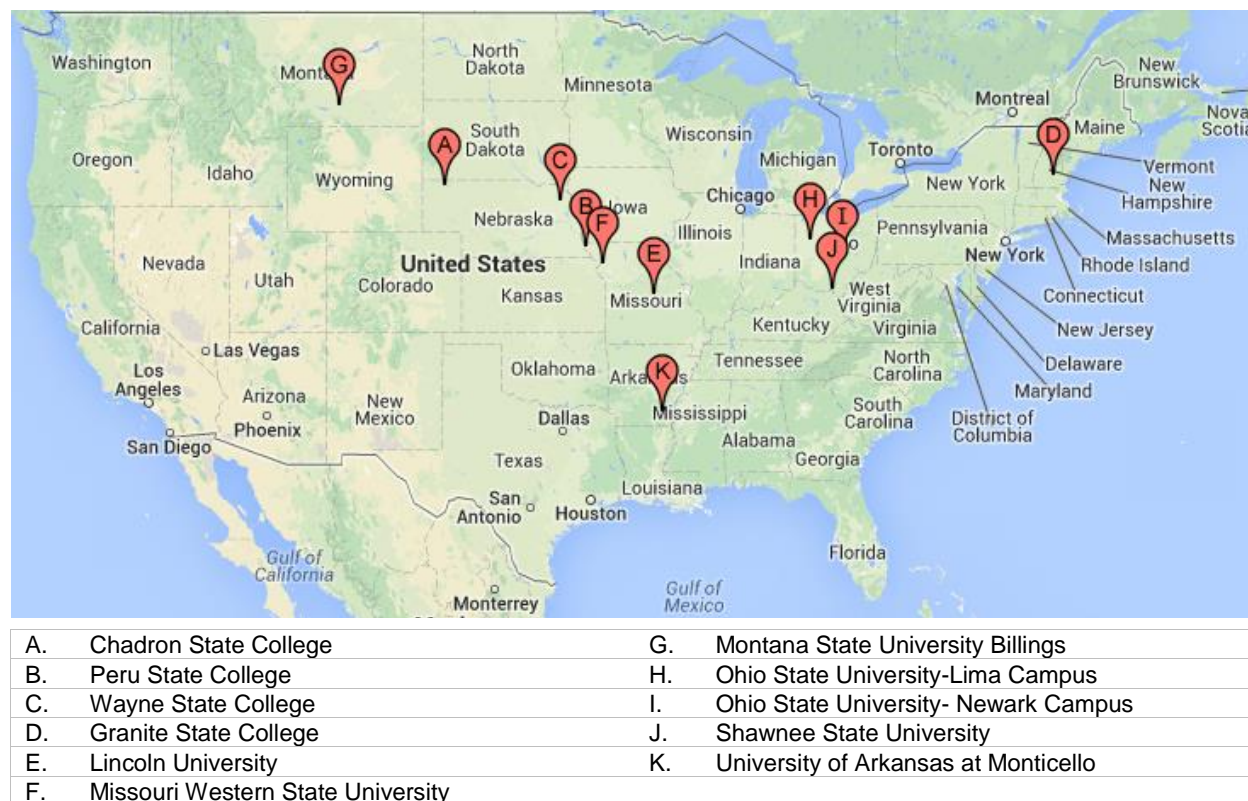
			12-mo Undup HC				
Description & Unit ID	Institution Name	State	Under Grad	Grad	Total	% Minority	% FT
Target Institution:							
181534	Peru State College	NE	2,786	443	3,229	10%	52%
Peer Institutions:							
180948	Chadron State College	NE	2,879	1,010	3,889	14%	63%
183257	Granite State College	NH	2,540	465	3,005	6%	49%
177940	Lincoln University	MO	3,950	260	4,210	43%	62%
178387	Missouri Western State University	MO	7,027	236	7,263	15%	68%
180179	Montana State University Billings	MT	5,736	869	6,605	13%	69%
204671	Ohio State University-Lima Campus	OH	1,482	81	1,563	10%	83%
204705	Ohio State University-Newark Campus	OH	3,034	125	3,159	21%	83%
205443	Shawnee State University	OH	5,393	97	5,490	9%	86%
106485	University of Arkansas at Monticello	AR	4,675	213	4,888	39%	67%
181783	Wayne State College	NE	3,243	1,036	4,279	10%	83%
Alternates:							
200226	Mayville State University	NH	1,289	21	1,310	14%	58%
206613	Wright State University-Lake Campus	OH	1,980	191	2,171	7%	60%

Note. Undup = unduplicated. HC = headcount. FT = full time. Data source: Integrated Postsecondary Education Data System.

Table 9*Final Peer Group for Wayne State College and Select Screening/Evaluation Variables*

Final Peer Group for Wayne State College and Select Screening Evaluation Variables							
			12-mo Undup HC				
Description & Unit ID	Institution Name	State	Under Grad	Grad	Total	% Minority	% FT
Target Institution:							
181783	Wayne State College	NE	3,243	1,036	4,279	10%	83%
Peer Institutions:							
180948	Chadron State College	NE	2,879	1,010	3,889	14%	63%
183257	Granite State College	NH	2,540	465	3,005	6%	49%
177940	Lincoln University	MO	3,950	260	4,210	43%	62%
178387	Missouri Western State University	MO	7,027	236	7,263	15%	68%
180179	Montana State University Billings	MT	5,736	869	6,605	13%	69%
204671	Ohio State University-Lima Campus	OH	1,482	81	1,563	10%	83%
204705	Ohio State University-Newark Campus	OH	3,034	125	3,159	21%	83%
181534	Peru State College	NE	2,786	443	3,229	10%	52%
205443	Shawnee State University	OH	5,393	97	5,490	9%	86%
106485	University of Arkansas at Monticello	AR	4,675	213	4,888	39%	67%
Alternates:							
200226	Mayville State University	NH	1,289	21	1,310	14%	58%
206613	Wright State University-Lake Campus	OH	1,980	191	2,171	7%	60%

Note. Undup = unduplicated. HC = headcount. FT = full time. Data source: Integrated Postsecondary Education Data System.

**Figure 1.** Final peers for Nebraska's State Colleges.

Suitability of Peers over Time

Since institutions are subject to change over time, the Commission has built in a five-year evaluation process to ensure the peer groups for the State Colleges remain suitable. In 2019, the Commission will verify the suitability of the peer groups and make modifications if warranted. Before any changes are finalized, the Commission will distribute the modified list to each State College and the State College System Office for their review and suggestions. Additionally, if any State College determines at any point in time that a peer is no longer viable, it may contact the Commission to ask for a review of the peer group.

If no changes to the peer groups are identified by the State Colleges or by Commission staff, the peer groups will remain valid until 2024, when the Commission generates new peer groups for the State Colleges.

Appendix A

CIP Code Definitions

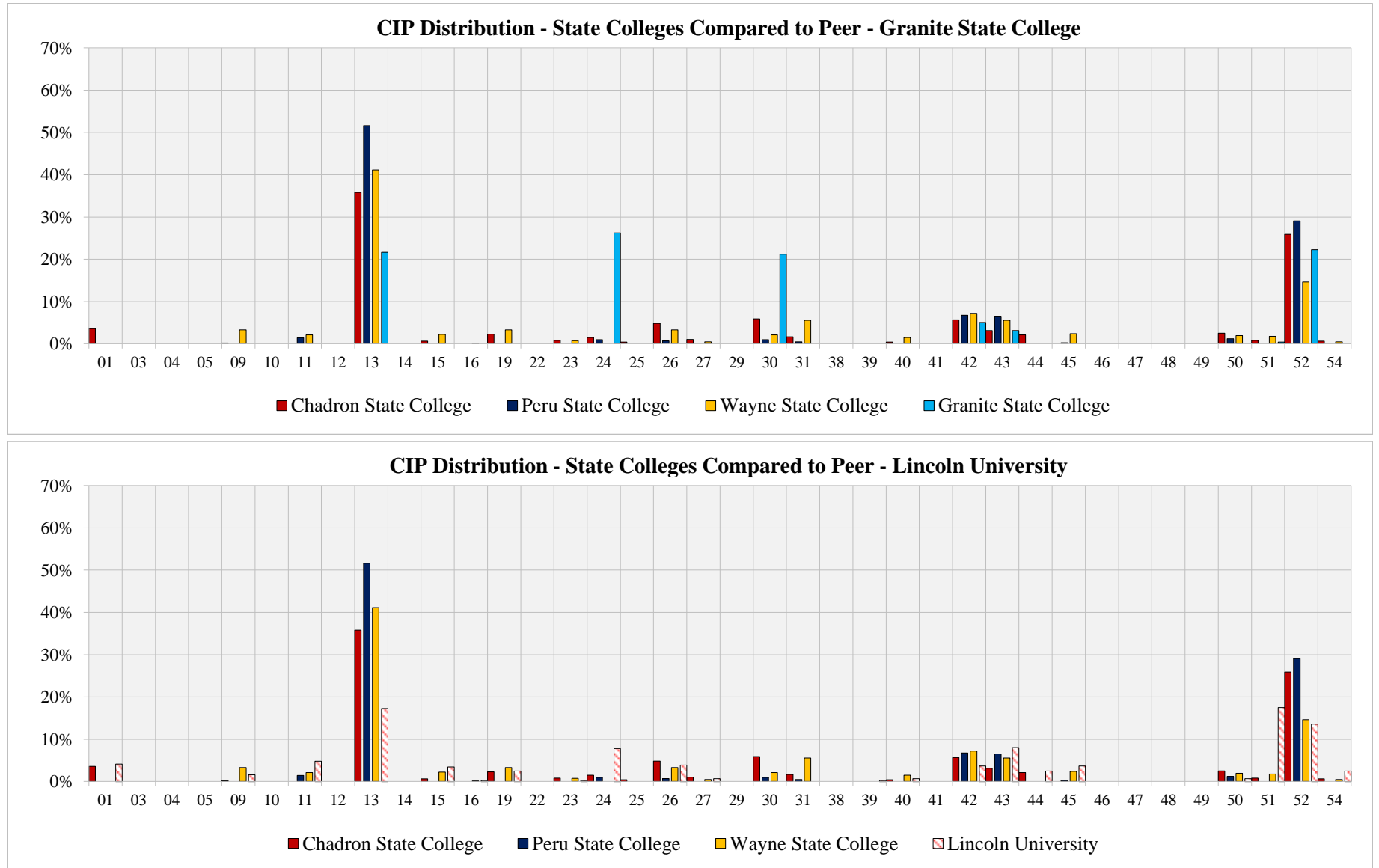
Table A1

CIP Code Definitions

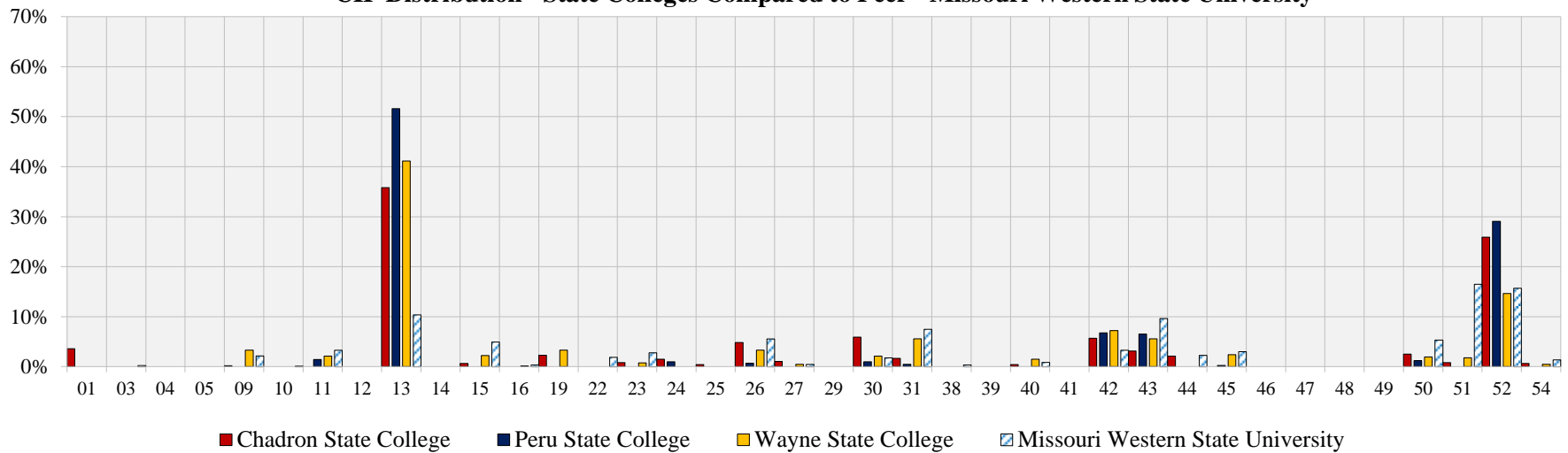
Code	Definition
01	Agriculture, Agriculture Operations and Related Sciences
03	Natural Resources and Conservation
04	Architecture and Related Services
05	Area, Ethnic, Cultural, Gender, and Group Studies
09	Communication, Journalism, and Related Programs
10	Communications Technologies/Technicians and Support Services
11	Computer and Information Sciences and Support Services
12	Personal and Culinary Services
13	Education
14	Engineering
15	Engineering Technologies and Engineering-related Fields
16	Foreign Languages, Literatures, and Linguistics
19	Family and Consumer Sciences/Human Sciences
22	Legal Professions and Studies
23	English Language and Literature/Letters
24	Liberal Arts and Sciences, General Studies and Humanities
25	Library Science
26	Biological and Biomedical Sciences
27	Mathematics and Statistics
29	Military Technologies and Applied Sciences
30	Multi/Interdisciplinary Studies
31	Parks, Recreation, Leisure and Fitness Studies
38	Philosophy and Religious Studies
39	Theology and Religious Vocations
40	Physical Sciences
41	Science Technologies/Technicians
42	Psychology
43	Homeland Security, Law Enforcement, Firefighting, and Related Protective Service
44	Public Administration and Social Service Professions
45	Social Sciences
46	Construction Trades
47	Mechanic and Repair Technologies/Technicians
48	Precision Production
49	Transportation and Materials Moving
50	Visual and Performing Arts
51	Health Professions and Related Programs
52	Business, Management, Marketing, and Related Support Services
54	History

Appendix B

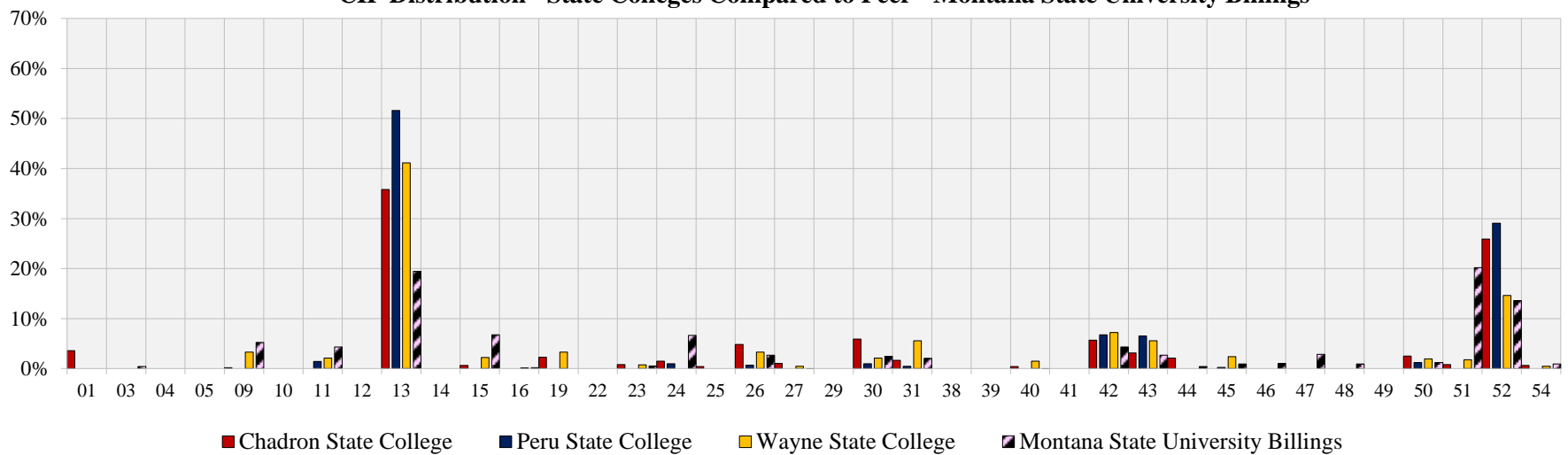
CIP Code Distribution Comparisons



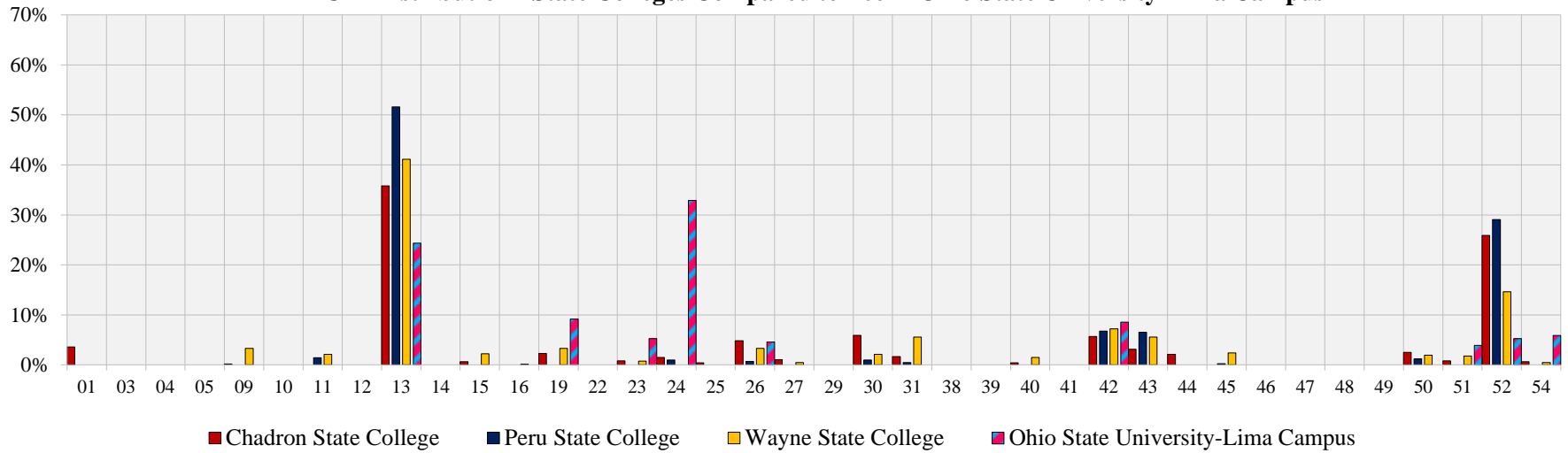
CIP Distribution - State Colleges Compared to Peer - Missouri Western State University



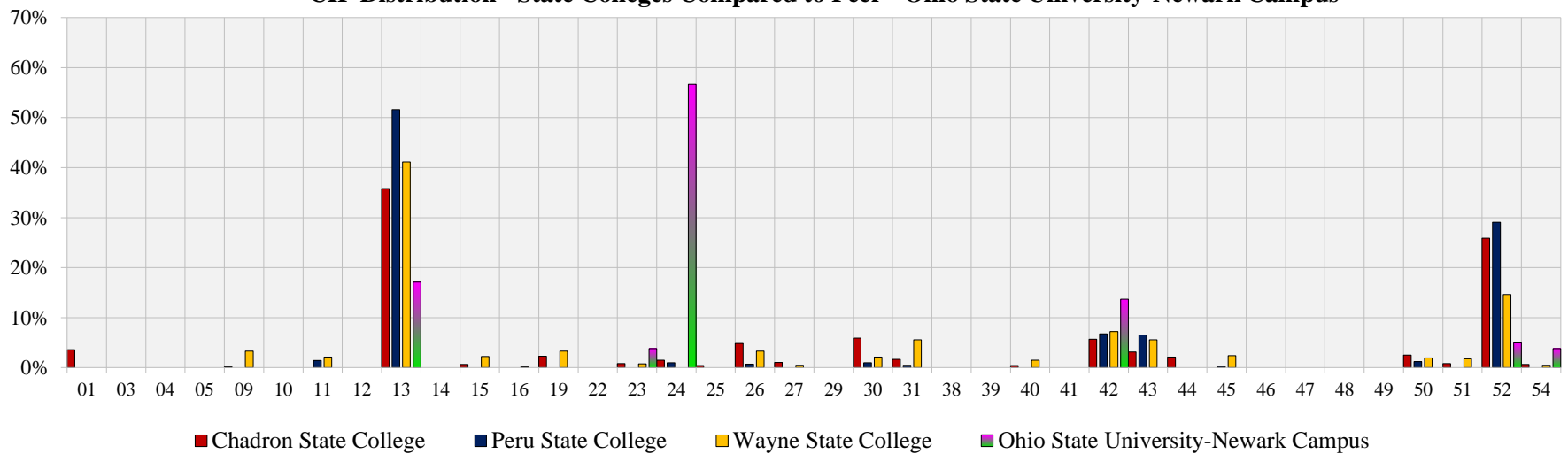
CIP Distribution - State Colleges Compared to Peer - Montana State University Billings



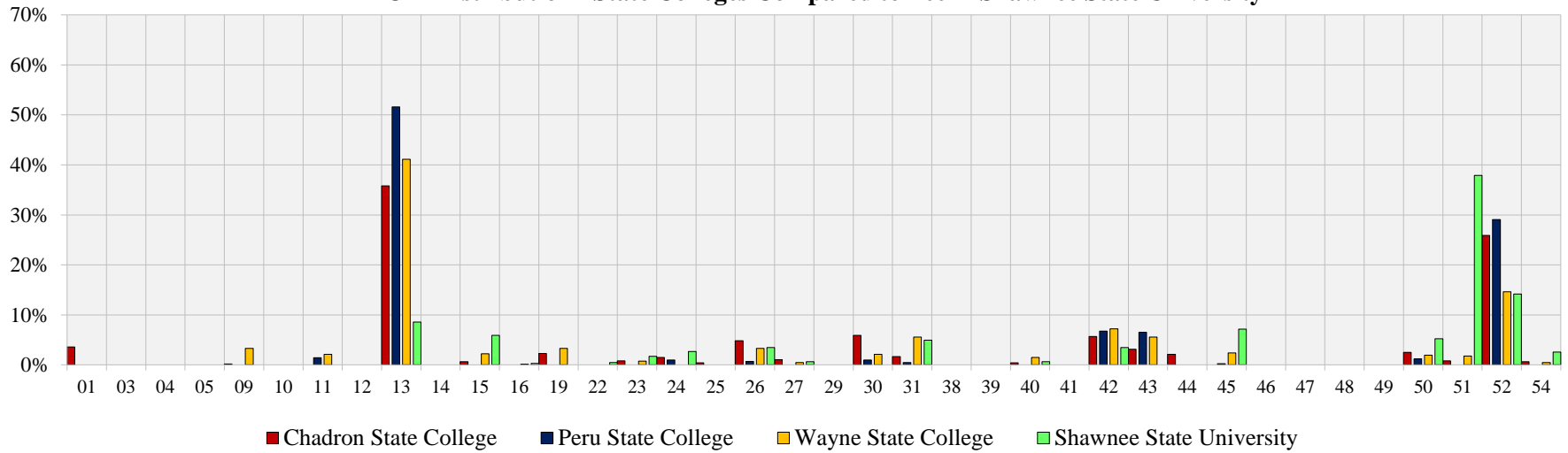
CIP Distribution - State Colleges Compared to Peer - Ohio State University-Lima Campus



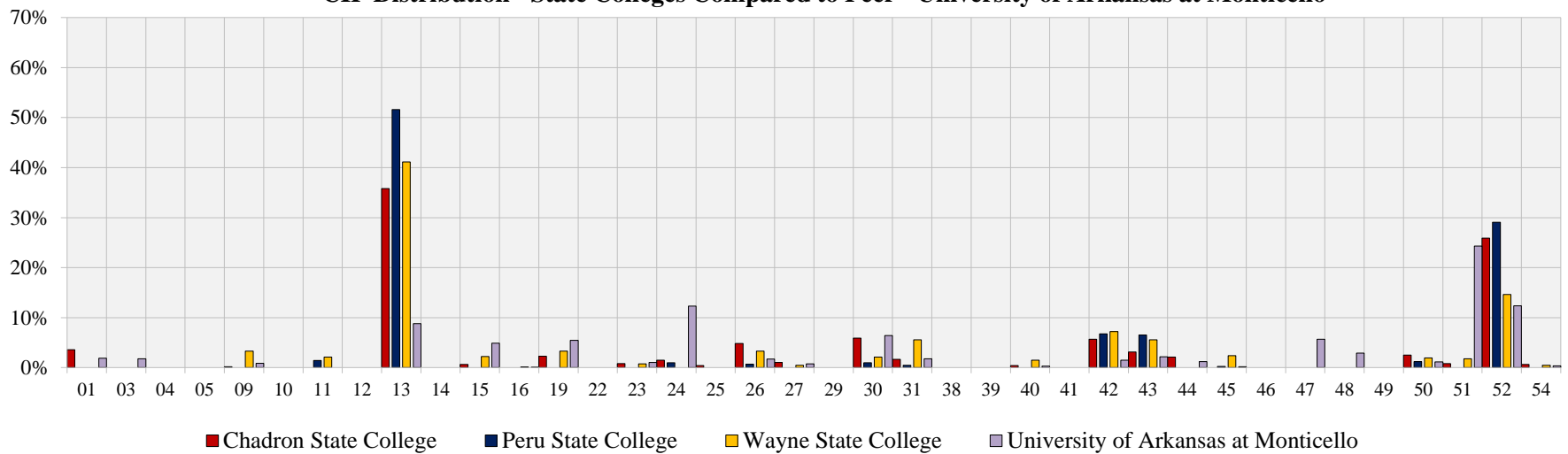
CIP Distribution - State Colleges Compared to Peer - Ohio State University-Newark Campus



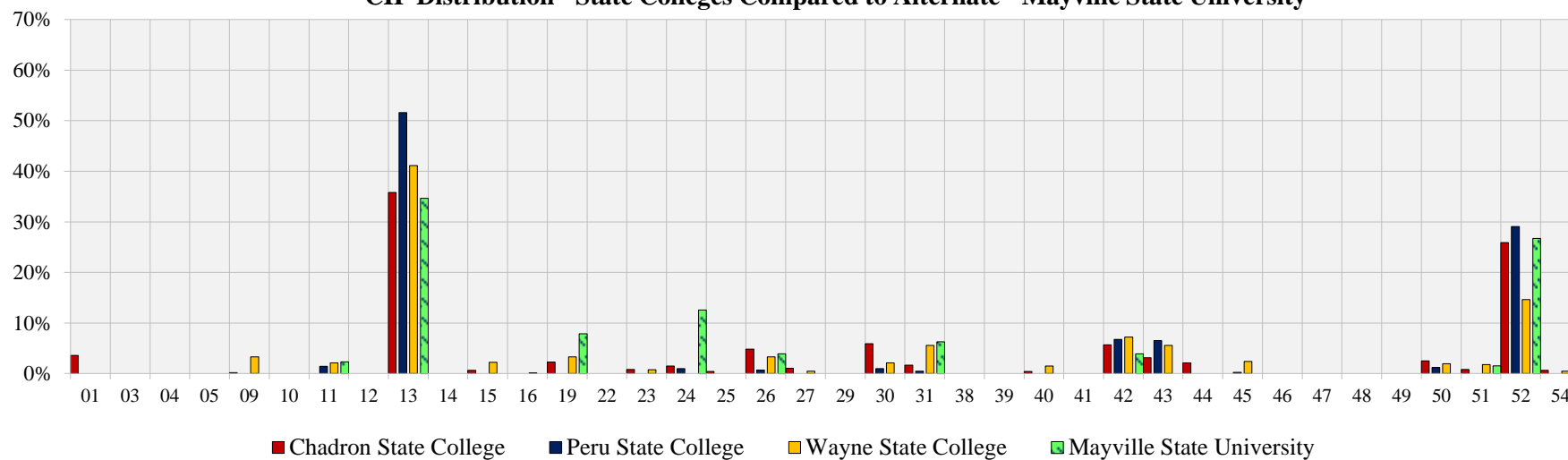
CIP Distribution - State Colleges Compared to Peer - Shawnee State University



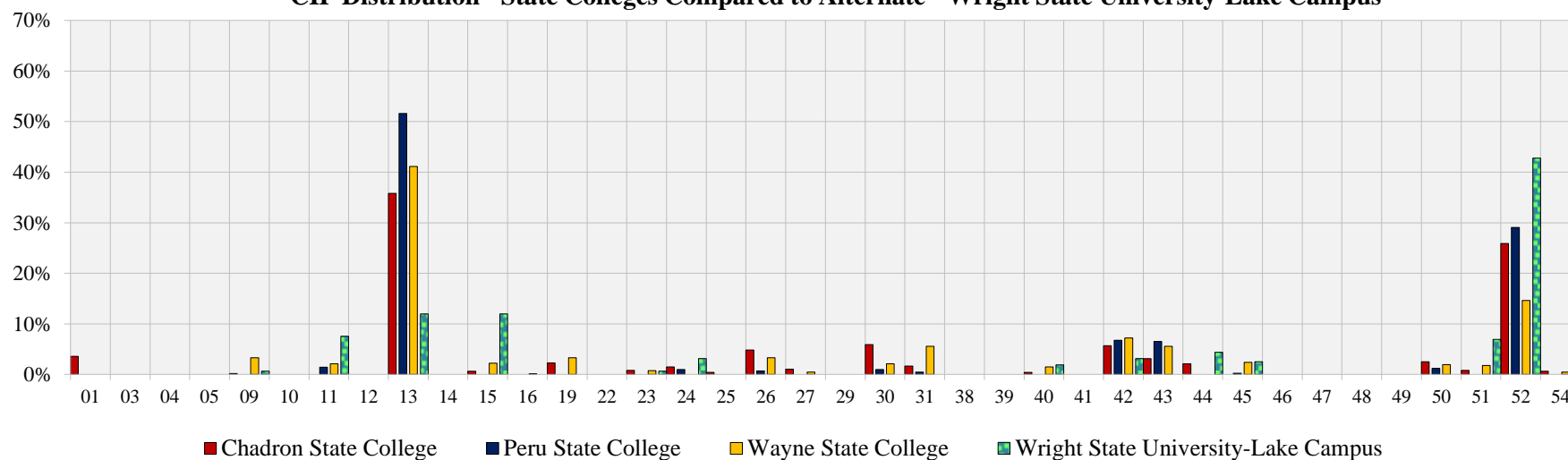
CIP Distribution - State Colleges Compared to Peer - University of Arkansas at Monticello



CIP Distribution - State Colleges Compared to Alternate - Mayville State University



CIP Distribution - State Colleges Compared to Alternate - Wright State University-Lake Campus



TITLE 281, NEBRASKA ADMINISTRATIVE CODE, CHAPTER 7
COORDINATING COMMISSION FOR POSTSECONDARY EDUCATION
RULES AND REGULATIONS FOR THE POSTSECONDARY INSTITUTION ACT

TITLE 281 – COORDINATING COMMISSION FOR POSTSECONDARY EDUCATION
CHAPTER 7 – RULES AND REGULATIONS FOR THE POSTSECONDARY
INSTITUTION ACT

NUMERICAL TABLE OF CONTENTS

<u>SUBJECT</u>	<u>STATUTORY AUTHORITY</u>	<u>CODE SECTION</u>
<u>Authorization to Operate</u>	<u>Neb. Rev. Stat. §§ 85-2403, 85-2405, 85-2407, 85-2408, 85-2412</u>	<u>001</u>
<u>Statutory Authority</u>	<u>Neb. Rev. Stat. §§ 85-1411, 85-2405, 85-2406</u>	<u>002</u>
<u>Definitions</u>	<u>Neb. Rev. Stat. § 85-2403, 85-2405, 85-2412, 85-2415</u>	<u>003</u>
<u>Application</u>	<u>Neb. Rev. Stat. §§ 85-2405, 85-2408, 85-2416</u>	<u>004</u>
<u>Application Procedure</u>	<u>Neb. Rev. Stat. §§ 85-2405, 85-2416</u>	<u>005</u>
<u>Minimum Standards for Authorization to Operate</u>	<u>Neb. Rev. Stat. § 85-2402, 85-2406</u>	<u>006</u>
<u>Minimum Standards for Participation in an Interstate Reciprocity Agreement</u>	<u>Neb. Rev. Stat. § 85-2405</u>	<u>007</u>
<u>Public Hearing – New Campus</u>	<u>Neb. Rev. Stat. § 85-2412</u>	<u>008</u>
<u>Commission Action</u>	<u>Neb. Rev. Stat. §§ 85-2405, 85-2412, 85-2413, 85-2415</u>	<u>009</u>
<u>Reporting</u>	<u>Neb. Rev. Stat. § 85-2405</u>	<u>010</u>
<u>Activities Requiring Commission Notification</u>	<u>Neb. Rev. Stat. § 85-2405</u>	<u>011</u>
<u>Violation of the</u>	<u>Neb. Rev. Stat. §§ 85-2405, 85-2406,</u>	<u>012</u>

Postsecondary Institution Act 85-2414, 85-2418, 85-2420, 85-2421

Right to Appeal Neb. Rev. Stat. §§ 85-2417, 85-2419 013

TITLE 281 – COORDINATING COMMISSION FOR POSTSECONDARY EDUCATION
CHAPTER 7 – RULES AND REGULATIONS FOR THE POSTSECONDARY
INSTITUTION ACT

ALPHABETICAL TABLE OF CONTENTS

<u>SUBJECT</u>	<u>STATUTORY AUTHORITY</u>	<u>CODE SECTION</u>
<u>Activities Requiring Commission Notification</u>	<u>Neb. Rev. Stat. § 85-2405</u>	<u>011</u>
<u>Application</u>	<u>Neb. Rev. Stat. §§ 85-2405, 85-2408, 85-2416</u>	<u>004</u>
<u>Application Procedure</u>	<u>Neb. Rev. Stat. §§ 85-2405, 85-2416</u>	<u>005</u>
<u>Authorization to Operate</u>	<u>Neb. Rev. Stat. §§ 85-2403, 85-2405, 85-2407, 85-2408, 85-2412</u>	<u>001</u>
<u>Commission Action</u>	<u>Neb. Rev. Stat. §§ 85-2405, 85-2412, 85-2413, 85-2415</u>	<u>009</u>
<u>Definitions</u>	<u>Neb. Rev. Stat. § 85-2403, 85-2405, 85-2412, 85-2415</u>	<u>003</u>
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<u>Public Hearing – New Campus</u>	<u>Neb. Rev. Stat. § 85-2412</u>	<u>008</u>
<u>Reporting</u>	<u>Neb. Rev. Stat. § 85-2405</u>	<u>010</u>
<u>Right to Appeal</u>	<u>Neb. Rev. Stat. §§ 85-2417, 85-2419</u>	<u>013</u>
<u>Statutory Authority</u>	<u>Neb. Rev. Stat. §§ 85-1411, 85-2405, 85-2406</u>	<u>002</u>

Violation of the
Postsecondary Institution
Act

Neb. Rev. Stat. §§ 85-2405, 85-2406,
85-2414, 85-2418, 85-2420, 85-2421

012

TITLE 281 – COORDINATING COMMISSION FOR POSTSECONDARY EDUCATION
CHAPTER 7 – RULES AND REGULATIONS FOR THE POSTSECONDARY
INSTITUTION ACT

001 AUTHORIZATION TO OPERATE

001.01 Any postsecondary institution intending to operate in the State of Nebraska by establishing a physical presence in this state must receive an authorization to operate from the Commission.

001.02 Unless otherwise specified in an interstate reciprocity agreement, the provisions of this chapter shall not apply to:

001.02A Any institution or organization which offers education or instruction and which is licensed and regulated solely by an agency of the federal government with respect to curriculum and qualifications of instructional staff;

001.02B Any private postsecondary career school as defined in the Private Postsecondary Career School Act, except for purposes of interstate reciprocity agreements for the provision of postsecondary distance education across state boundaries entered into and administered pursuant to subsections (5) and (6) of section 85-2405;

001.02C Institutions solely offering a short course or seminar if instruction for the short course or seminar takes no more than twenty classroom hours and the institution offers no more than two courses as defined by the commission in a calendar year;

001.02D Institutions offering courses or programs on a military installation solely for military personnel or civilians employed on such installation;

001.02E An educational experience arranged for an individual student, such as a clinical, practicum, residency, or internship;

001.02F Institutions offering courses exclusively online or through the United States mail or similar delivery service which do not require the

physical meeting of a student with instructional staff; or

001.02G Institutions offering a course or program that requires students to physically meet in one location for instructional purposes not more than once during the course term.

001.03 The following institutions shall be deemed to have an authorization to operate on a continuing basis:

001.03A All out-of-state public postsecondary institutions with a physical presence that for at least twenty academic years have continuously offered one or more four-year undergraduate programs in Nebraska in compliance with state and federal law;

001.03B All private postsecondary institutions with a physical presence that for at least twenty academic years, under the same ownership, have continuously offered one or more four-year undergraduate programs in Nebraska in compliance with state and federal law; and

001.03C All Nebraska public postsecondary institutions.

001.04 An institution with a recurrent authorization to operate may request authorization to operate on a continuing basis if it has, for at least twenty academic years under the same ownership, continuously offered one or more graduate or four-year undergraduate programs with a physical presence in Nebraska in compliance with state and federal law. The request shall take the form of a letter to the commission. The commission will review the request, which shall include any further information as required by the commission.

002

STATUTORY AUTHORITY

This rule is adopted pursuant to authority vested in the Coordinating Commission for Postsecondary Education in Neb. Rev. Stat. §§ 85-1411, 85-2405, and 85-2406.

003

DEFINITIONS

003.01 Authorization to operate means either an authorization to operate on a continuing basis or a recurrent authorization to operate.

003.02 Authorization to operate on a continuing basis means approval by the Commission to operate a postsecondary institution in this state without a renewal requirement.

003.03 Change of ownership means a change in the person, entity or governing body that has an ownership interest in an institution.

003.03A Change in ownership includes, but is not limited to, the following transactions:

- 1) The sale or transfer to, or acquisition by, a new owner of all, or a substantial portion, of the institution's assets;
- 2) Stock transactions including Initial Public Offerings of stock as well as transactions wherein an individual, entity, or group acquires and controls 50 percent or more of the total outstanding shares of stock of the institution, or an individual, entity or group increases or decreases ownership or control of shares to greater or less than 50 percent of the total outstanding shares of the stock of the institution;
- 3) Change in corporate form, including, but not limited to, change from Sole Proprietorship to Partnership or Corporation, Limited Partnership to Corporation, Limited Liability Corporation to a Corporation, Not-for-Profit Corporation controlled by members to one controlled by a Board of Directors;
- 4) Any of the transactions in items 1 through 3 above involving a parent corporation that owns 90 percent or more of the institution and controls the institution, or in any intermediate subsidiary of a parent corporation where that subsidiary has a controlling relationship to the institution and where the transaction may reasonably affect the control of the institution as determined by the commission or by the U.S. Department of Education.

003.03B Change in ownership does not include:

- 1) A transfer of ownership or stock that occurs as a result of the retirement or death of an owner or stockholder if transfer is to a member of the owner's family who has been directly and constantly involved in the management of the institution for a minimum of two years preceding the transfer. For purposes of this section, a member of the owner's family is a parent, sibling, spouse, child or grandchild; spouse's parent or sibling; or sibling's or child's spouse.
- 2) The merger or consolidation of an institution with another institution holding a current authorization to operate from the commission.

003.04 Commission means the Coordinating Commission for Postsecondary Education.

003.05 Establishing a physical presence means:

003.05A Offering a course for college credit or a degree program in this state that leads to an associate, baccalaureate, graduate, or professional degree, including:

- 1) Establishing a physical location in this state where a student may receive synchronous or asynchronous instruction; or
- 2) Offering a course or program that requires students to physically meet in one location for instructional purposes more than once during the course term; or

003.05B Establishing an administrative office in this state, including:

- 1) Maintaining an administrative office in this state for purposes of enrolling students, providing information to students about the institution, or providing student support services;
- 2) Providing office space to staff, whether instructional or non-instructional staff; or

3) Establishing a mailing address in this state.

003.06 Executive director means the executive director of the commission or his or her designee.

003.07 Interstate reciprocity agreement means an arrangement among member states, districts, and/or territories that establishes comparable national or regional standards for offering postsecondary distance education courses and programs in member states.

The commission shall enter into such an agreement after consultation with the state department of education if such an agreement would include private postsecondary career schools and with postsecondary institutions upon which the agreement may have an impact.

003.08 Level of authorization to operate means the type of institutional offerings. The three levels shall be:

003.08A establish an administrative office,

003.08B offer less than a complete program, or

003.08C offer one or more complete programs.

- 1) The commission shall specify the academic degree level at which the institution is authorized by the commission to award credentials. These levels shall be less than associate, associate, baccalaureate, master's, and doctorate, and may be limited by the commission to certain programs or academic disciplines as defined by program title and/or CIP code (Classification of Instructional Programs from the U.S. Department of Education).

003.09 Nebraska public postsecondary institution means any public institution established, operated, and governed by this state or any of its political subdivisions that provides postsecondary education.

003.10 New campus means a facility

003.10A that meets the following criteria:

- 1) Students can complete at least one full program (certificate, diploma, degree) at the location,
- 2) The facility is either owned by an institution or under lease for a period of at least 5 years, and
- 3) The location has its own faculty, administrative head, academic resources, and student services; or

003.10B that is deemed to be a new or branch campus by the institution's accrediting body.

003.11 Out-of-state public postsecondary institution means any public institution with a physical presence in Nebraska that is established, operated, and governed by another state or any of its political subdivisions and that provides postsecondary education.

003.12 Postsecondary institution means any private postsecondary institution, out-of-state public postsecondary institution, or Nebraska public postsecondary institution exempt from the Private Postsecondary Career School Act.

003.13 Private postsecondary institution means any Nebraska or out-of-state nonpublic postsecondary institution with a physical presence in Nebraska, including any for-profit or nonprofit institution, that provides postsecondary education.

003.14 Recurrent authorization to operate means approval by the commission to operate a postsecondary institution in this state, including establishing a new campus or an administrative office, until a renewal of such authorization is required.

003.14A Modification of a recurrent authorization to operate means approval by the commission of an institution holding a recurrent authorization to operate that seeks to conduct activities outside the scope of its existing authorization, including, but not limited to, establishing a new campus and offering programs at a different level of authorization.

003.14B Renewal of a recurrent authorization to operate means approval by the commission of an institution previously authorized to operate at the time such authorization expires.

004 APPLICATION

004.01 Prior to establishing a physical presence in the state, any out-of-state public postsecondary institution or private postsecondary institution shall apply to the commission for a recurrent authorization to operate in the state.

004.02 After receiving a recurrent authorization to operate in the state, any institution seeking to conduct activities outside the scope of its existing authorization must apply for a modification of the recurrent authorization to operate.

004.03 After receiving a recurrent authorization to operate in the state, all institutions shall apply to the commission to renew their recurrent authorization to operate on a schedule specified by the commission, but at least 90 days prior to the expiration of the authorization. If an institution has satisfied the conditions identified in 001.04, it may request authorization to operate on a continuing basis rather than renewal.

004.04 Any Nebraska public postsecondary institution, any private postsecondary institution that has its principal place of business in Nebraska, and any private postsecondary career school that has its principal place of business in Nebraska that wishes to participate in an interstate reciprocity agreement for providing postsecondary distance education shall apply to the commission for approval to participate in the agreement.

005 APPLICATION PROCEDURE

005.01 Any institution seeking a recurrent authorization to operate, a modification of a recurrent authorization to operate, a renewal of a recurrent authorization to operate, or participation in an interstate reciprocity agreement shall complete the application form and pay the

application fee. Copies of the application forms for a recurrent authorization to operate and modification or renewal of a recurrent authorization to operate are included in appendices A, B, and C. Application to participate in an interstate reciprocity agreement shall be developed by the commission in accordance with the specifications of the interstate reciprocity agreement. The applicant will provide all information requested as a part of the application procedure before the application will be reviewed by the commission.

005.02 A non-refundable fee for costs to review and evaluate applications shall be submitted with each application. Fees shall be set every two years at a regularly scheduled meeting of the commission and posted on the commission website. Re-submission of an application following its withdrawal by institutions seeking authorization or participation in an interstate reciprocity agreement requires an additional fee.

006

MINIMUM STANDARDS FOR AUTHORIZATION TO OPERATE

An institution seeking a recurrent authorization to operate, a modification of a recurrent authorization to operate, or a renewal of a recurrent authorization to operate must demonstrate:

006.01 The financial soundness of the institution and its capability to fulfill its proposed commitments and sustain its operations.

006.02 The quality and adequacy of teaching faculty, library services, and support services.

006.03 The quality of the programs offered, including courses, programs of instruction, degrees, any necessary clinical placements, and the institution's ability to generate and sustain enrollment.

006.04 The specific locations where programs will be offered or planned locations and a demonstration that facilities are adequate at the locations for the programs to be offered.

006.05 Assurances regarding transfer of credits earned in the program to the main campus of such institution and clear and accurate

representations about the transferability of credits to other institutions located in Nebraska and elsewhere.

006.06 Whether such institution and, when appropriate, the program, are fully accredited, or seeking accreditation, by an accrediting body recognized by the U.S. Department of Education.

006.07 The institution's policies and procedures related to students, including, but not limited to, recruiting and admissions practices, loan procedures, and tuition and fee policies.

006.08 The tuition refund policy for an institution that does not participate in federal financial aid programs described in Title IV of the federal Higher Education Act of 1965, 20 U.S.C. 1001 et seq., as such act existed on January 1, 2011.

006.09 Any other standards deemed necessary by the commission.

007

MINIMUM STANDARDS FOR PARTICIPATION IN AN INTERSTATE RECIPROCITY AGREEMENT

An institution seeking to participate in an interstate reciprocity agreement must demonstrate compliance with all specifications of the agreement as identified by the member states, districts, and/or territories, including:

007.01 The financial soundness of the institution.

007.02 Whether such institution is accredited by an accrediting body recognized by the U.S. Department of Education.

007.03 Other requirements specified in the interstate reciprocity agreement.

008

PUBLIC HEARING – NEW CAMPUS

Upon receipt of a complete application for a recurrent authorization to operate or modification of a recurrent authorization to operate that includes a request to establish a new campus, the commission shall set a

time and a place for a public hearing. The hearing shall be scheduled following a completed review of the application, including any further information submitted by the applicant as required by the commission and any investigation of the applicant as the commission may deem necessary or appropriate, and shall be conducted according to the Administrative Procedure Act. A representative of the institution shall be present during the public hearing and provide information as requested.

009

COMMISSION ACTION

009.01 The commission shall either approve or deny all applications and requests. Such action shall take place during a regularly scheduled commission meeting, except for approval of participation in an interstate reciprocity agreement which shall be made by the executive director on behalf of the commission. If the application for participation in an interstate reciprocity agreement is made by a private postsecondary career school, the executive director shall consult with the state department of education prior to acting on the application.

009.02 The recurrent authorization to operate shall be for a period of no more than five years. The commission may set terms or conditions on the authorization. Approval of participation in an interstate reciprocity agreement shall be for the period of time determined by the member states, districts, and/or territories and specified in the agreement.

009.03 A recurrent authorization to operate or an authorization to operate on a continuing basis shall be granted to the owner or governing body of an institution and shall be non-transferrable. Should ownership of an institution change, the new owner shall have 30 days from the date of the transfer of ownership to apply to the commission for a recurrent authorization to operate. A sample of the authorization form is included in Appendix D.

009.04 All contacts with the commission will be made through the Executive Director or his/her designee. The Executive Director or his/her designee shall notify the applicant in writing of the action by the commission.

010

REPORTING

010.01 Each institution holding a recurrent authorization to operate shall provide a report in a form prescribed by the commission annually from the date of the recurrent authorization. The reports shall include the number of students enrolled and the number of students graduated for each program offered by the institution in Nebraska. The report shall also include other information specified by the commission in the recurrent authorization to operate.

010.02 Each institution participating in an interstate reciprocity agreement shall report to the commission any information or data specified in the agreement in the time frame designated in the agreement.

011

ACTIVITIES REQUIRING COMMISSION NOTIFICATION

011.001 An institution authorized to operate shall provide notification in writing to the commission at least 30 days prior to initiating the following activities:

- 1) Changing address or location
- 2) Opening a new instructional site

011.002 An institution holding a recurrent authorization to operate shall provide notification in writing to the commission at least 30 days prior to initiating these additional activities:

- 1) Offering new programs within the scope of the institution's existing authorization
- 2) Changing the administrative head of the Nebraska campus or location.

012

VIOLATION OF THE POSTSECONDARY INSTITUTION ACT

012.01 Any postsecondary institution with a recurrent authorization to operate which ceases to meet any of the requirements of the Postsecondary Institution Act, any rules or regulations adopted and promulgated under the act, or any terms or conditions specified by the commission for authorization to operate under the act, shall be subject to the hearing process and commission review pursuant to section 85-2414.

012.02 Any person claiming damage or loss as a result of any act or practice by a postsecondary institution which is a violation of the Postsecondary Institution Act, of the rules and regulations adopted and promulgated under the act, or of standards established pursuant to section 85-2406, may, upon exhausting institutional complaint processes, file a complaint with the commission against such institution pursuant to section 85-2418.

012.03 Any person claiming damage or loss as a result of any act or practice by a Nebraska public postsecondary institution or a private postsecondary institution that has its principal place of business in Nebraska and is participating in an interstate reciprocity agreement that is a violation of any rules, regulations, or conditions specified for participation in the interstate reciprocity agreement may, upon exhausting institutional complaint processes, file a complaint with the commission against such institution pursuant to section 85-2418 and procedures identified in the interstate reciprocity agreement. The commission shall document all complaints and actions taken and follow any additional procedures required under the interstate reciprocity agreement.

012.04 Any person claiming damage or loss as a result of any act or practice by a private postsecondary career school that has its principal place of business in Nebraska and is participating in an interstate reciprocity agreement that is a violation of any rules, regulations, or conditions specified for participation in the interstate reciprocity agreement may file a complaint with the state board of education pursuant to section 85-1635 and procedures identified in the interstate reciprocity agreement.

013

RIGHT TO APPEAL

Any person aggrieved or adversely affected by any final action of the commission or action taken by the executive director on behalf of the commission may appeal such action. The appeal shall be in accordance with the Administrative Procedure Act.



P.O. Box 95005, Lincoln, NE 68509-5005 • 140 N. 8th St., Suite 300, Lincoln, NE 68508
Telephone: 402/471-2847 • Fax: 402/471-2886 • www.ccpe.state.ne.us
Carna Pfeil, Ph.D., Interim Executive Director

*Promoting high quality, ready access, and efficient use of resources
in Nebraska higher education.*

June 20, 2014

Ms. Jennifer Parks
Director, M-SARA
Midwestern Higher Education Compact
105 Fifth Avenue South, Suite 450
Minneapolis, MN 55401

Dear Ms. Parks:

On behalf of Nebraska's Coordinating Commission for Postsecondary Education, the portal agency for Nebraska, I'm pleased to submit Nebraska's application to become a member of the State Authorization Reciprocity Agreement (SARA). Attached is the application itself and documentation that I will reference in this letter.

Following the publication of the U.S. Department of Education's regulations in October 2010, the Coordinating Commission for Postsecondary Education (CCPE) recognized the need and potential for interstate reciprocity agreements regarding the offering of postsecondary distance education. In October 2011 the Nebraska legislature took the first step in paving the way for Nebraska to participate in such a future agreement and for the CCPE to take the lead in administering any agreement. When SARA emerged as the likely national agreement, additional legislation was needed to accommodate the specifics in SARA. The final legislation was passed in March of this year (current statute can be found in the attachment on page1).

The oversight of higher education institutions in Nebraska is split between the CCPE and the Nebraska Department of Education (NDE). NDE has authority over private postsecondary career schools. While most of those schools are not degree-granting, a few do grant degrees and needed to be included as potential SARA-participating institutions. Some of the recent legislation addressed this issue. As you will see, the information attached references both CCPE and NDE statutes and policies.

As a coordinating body, CCPE has had, since created by constitutional amendment in 1991, authority over several aspects of education at public institutions, but almost no oversight of private institutions. There has, however, always been a good working relationship with the

Commissioners

Colleen A. Adam, Chair
Hastings

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South Sioux City

W. Scott Wilson
Papillion

private institutions and the Association of Independent Colleges and Universities of Nebraska. One of the unofficial services of the CCPE has been to field complaints from all institutions. Following publication of the October 2010 regulations, CCPE included in its proposed legislation its role as the entity to which complaints would be submitted, essentially codifying existing practice and thus allowing private institutions to continue to qualify for Title IV funding (see attachments, page 2).

The rules for implementing the legislation that includes both SARA and the complaint process were approved by the CCPE on June 19, 2014 and submitted to the appropriate state agencies for final action (see attachment, page 2: Title 281, Nebraska Administrative Code, Chapter 7). Instructions for filing a complaint and the associated form are accessed directly from CCPE's home page, under the tab "Information for Students, Parent and Schools". The instructions and form can be found in the attachments on pages 3 through 8. In addition, statutes identifying NDE's process for complaints can be found on page 8.

By statute, all institutions authorized by the CCPE must hold accreditation from a body recognized by the U.S. Secretary of Education. Therefore, CCPE relies primarily on the accreditor's policies for catastrophic events, especially institutional closure (required teach-out plans, for example). However, state statute does specify the disposition of student records (see attachment, page 9). NDE statutes also specify the disposition of student records for private career schools that close (see attachment, page 9). In addition, the state legislature created the Tuition Recovery Cash Fund, administered by NDE, for students injured by the closure of a private career school (see attachment, page 10).

The Coordinating Commission for Postsecondary Education and the Nebraska Department of Education have been enthusiastic proponents of SARA since the concept first took shape. We believe that Nebraska meets the requirements for membership in SARA. Please direct any questions about our application to CCPE's SARA contact, Dr. Kathleen Fimple.

Sincerely,

Colleen Adam, Chair



National Council
for State Authorization
Reciprocity Agreements

*A voluntary, regional approach
to state oversight of distance education*

Indicate Regional Compact:

Midwestern Higher Education Compact

New England Board of Higher Education

Southern Regional Education Board

Western Interstate Commission for Higher Education

Application and Evaluation Form for State Membership in SARA

A state that wants to apply for membership in the State Authorization Reciprocity Agreement (SARA) must submit this form and required documentation to its **Regional** education compact's SARA office.

A state may wish to include a cover letter and/or additional documentation to supplement the application and to strengthen the case for a state becoming a member of SARA.

To be accepted into a regional **State Authorization Reciprocity Agreement**, a state must agree that it can and will operate under the criteria for state membership established in the Regional agreements. The requirements for state membership are set forth below. For purposes of SARA, the term "state" includes the District of Columbia and the organized U.S. Territories.

<u>Applicant</u>	<u>Requirements for State Membership in SARA</u>	<u>Evaluator</u>
State affirms meeting the requirement		State meets the requirement
Initial here		yes no
	1. The state is a member of one of the four interstate higher education regional compacts that administer SARA, or has concluded an agreement with such a compact covering SARA activity.	
	2. The state entity responsible for joining SARA has the legal authority under state law to enter an interstate agreement on behalf of the state and has provided a copy of the statutory or other legal authority documenting this.	
	3. The state accepts institutional accreditation by an accrediting body recognized by the U.S. Secretary of Education as sufficient, initial evidence of academic quality for approving institutions for participation in SARA.	
	4. The state considers applications from degree-granting institutions of all sectors (public, private non-profit and private for-profit) on the same basis and approves institutions that meet SARA standards and agree to SARA processes and commitments without differentiating by sector.	
	5. For private institutions, the state accepts the U.S. Department of Education's institutional federal financial responsibility rating of 1.5 or above (or 1.0 -1.49 with additional justification) as indicating sufficient financial stability to qualify for participation in SARA.	

Requirements for State Membership in SARA (continued)

<u>Applicant</u>	<u>Evaluator</u>
State affirms meeting the requirement	State meets the requirement
Initial here	yes no
<p>6. The state has a clearly articulated and comprehensive state process for consumer protection in regard to SARA activities, both with respect to initial institutional approval and on-going oversight, including the resolution of consumer complaints in all sectors, and has provided a copy of the complaint investigation and resolution process to be used to handle all complaints resulting from institutional operations (public and nonpublic) under SARA.</p> <p>7. The state designates a "portal agency" as defined in SARA policies and standards to coordinate SARA matters for the state and provide a principal point of contact for resolution of student complaints.</p> <p>NOTE: The designated agency need not itself be responsible for all oversight activities of SARA providers inside the state, but will be the SARA portal for that state.</p> <p>8. The state agrees that it will work cooperatively with other SARA states, regional compacts and NC-SARA to enable success of the initiative. It will follow up on requests for information or investigations from the SARA member states or any SARA regional or national office, providing such data or reports as are required.</p> <p>9. The state agrees that it will not impose on an institution operating under SARA from another state any requirements, standards, fees or procedures other than those set forth in SARA policies and rules. This does not preclude the state from enforcing its laws against nondomestic institutions in subject areas outside those covered by SARA.</p> <p>10. The state agrees to require each SARA applicant institution to apply for state approval using the standard SARA institutional application and agree to operate under the <i>Interregional Guidelines for the Evaluation of Distance Education</i> developed by the Council of Regional Accrediting Commissions (C-RAC), as summarized in SARA policy 5(2)1-9.</p> <p>11. The state agrees to serve as the default forum for any SARA-related complaint filed against an institution approved by the state to participate in SARA. The state's SARA portal agency is responsible for coordinating any such efforts and is empowered to investigate and resolve complaints that originate outside of the state. All other state agencies and governing boards of SARA participant institutions shall assist as necessary in such investigations and report as needed to the portal agency. State remedies, if any, including refunds or other corrective action, must be available to resolve complaints involving residents of other states.</p> <p>12. The state agrees to document:</p> <ol style="list-style-type: none"> a) all formal complaints received; b) complaint notifications provided to institutions and accrediting agencies; c) actions taken that are commensurate with the severity of violations; and d) complaint resolutions. 	

Requirements for **State Membership** in SARA (continued)

<u>Applicant</u>	<u>Evaluator</u>
State affirms meeting the requirement	State meets the requirement
Initial here	yes no
13. The state agrees that it will promptly report complaints and concerns to the institutions about which the complaint is lodged, the home state SARA portal agency responsible for any such institution and, if appropriate, the relevant accrediting bodies.	
14. The state has clear and well-documented policies and practices for addressing catastrophic events, as follows:	
a. The state may request assistance from the institution's accreditor as the accreditor applies its standards under §602.24(c) of federal requirements for catastrophic events.	
b. In the event of the unanticipated closure of an institution, the state has processes to assure that students receive the services for which they have paid or reasonable financial compensation for those not received. Such assurances may include tuition assurance funds, surety bonds, teach-out provisions or other practices deemed sufficient to protect consumers.	
c. The state requires institutions to have adequate disaster recovery plans, particularly with respect to the protection of student records, or the state provides such a plan.	
d. A SARA member state agrees to apply its policies and practices for catastrophic events consistently and equally within each sector (public, private non-profit, and private for-profit) to residents of any state.	

Portal Agency Designation and Voluntary State Affirmation

State:

Portal Agency (principal SARA contact agency):

Mailing address of Portal Agency:

Web site of Portal Agency (location of state's SARA information):

Name of staff member in Portal Agency who is principal SARA contact¹:

Phone number of principal SARA contact:

E-mail for principal SARA contact:

I, the undersigned representative of the State of _____, having the authority to commit the state to the SARA interstate agreement, agree that the state will abide by SARA requirements as stated above, have provided proof of those requirements needing documentation, and hereby apply for the state's admission to the SARA interstate agreement.

Signature:

Typed name of signatory officer:

Date signed:

Title of signatory state officer:

¹ The principal contact is the person with whom state agencies and regional compacts should communicate about the state's membership in SARA. It is not necessarily the state signatory officer or the person(s) whom institutions and students should contact regarding institutional membership in SARA, student complaints, and other matters regarding the normal discharge of a state's responsibilities under SARA.

Evaluator Recommendation

For a state to join SARA, the evaluator must find that the state agrees to or meets all of the requirements set forth in sections 1-14. If the evaluator finds that the state meets all required standards, the regional SARA director shall recommend approval of the state's membership to the regional Steering Committee of the compact by signing below.

The evaluator recommends approval of the application to the regional Steering Committee:

Yes

No

Evaluator comments:

Signature of regional compact officer:

Name of regional compact officer:

Date signed:

Title of signatory regional compact officer:

Signature of regional compact president:

Name of regional compact president:

Date signed:

If SARA membership is denied by the regional compact, the regional SARA director will provide to the applicant state a written reason for the denial. The state may reapply at any time, having corrected any deficiencies, or may appeal the denial to the National Council for SARA under procedures to be developed by the Council.

Regional Steering Committee Recommendation

For a state to join SARA, the regional Steering Committee must find that the state agrees to or meets all of the requirements set forth in sections 1-14. If the Committee finds that the state meets all required standards, the Committee Chair shall recommend approval of the state's membership to the regional Executive Committee of the compact by signing below.

The regional Steering Committee recommends approval of the application to the Executive Committee:

Yes

No

Committee comments:

Signature of committee chair:

Name of committee chair:

Date signed:

If SARA membership is denied by the regional compact, the regional SARA director will provide to the applicant state a written reason for the denial. The state may reapply at any time, having corrected any deficiencies, or may appeal the denial to the National Council for SARA under procedures to be developed by the Council.

ATTACHMENTS TO SARA APPLICATION FROM NEBRASKA

Legal Authority for Portal Agency

Nebraska Revised Statutes

<http://nebraskalegislature.gov/laws/statutes.php?statute=85-2405>

85-2405. Commission; powers and duties.

The commission has the following powers and duties:

- (1) To establish levels for recurrent authorizations to operate based on institutional offerings;
- (2) To receive, investigate as it may deem necessary, and act upon applications for a recurrent authorization to operate and applications to renew a recurrent authorization to operate;
- (3) To establish reporting requirements by campus location either through the federal Integrated Postsecondary Education Data System, 20 U.S.C. 1094(a)(17), as such section existed on January 1, 2011, and 34 C.F.R. 668.14(b)(19), as such regulation existed on January 1, 2011, or directly to the commission for any postsecondary institution which has an authorization to operate;
- (4) To maintain a list of postsecondary institutions which have authorization to operate, which list shall be made available to the public;
- (5) After consultation with the State Department of Education regarding the potential impact of such agreement and any modifications thereto on Nebraska students who may participate in distance education offered by out-of-state private postsecondary career schools, to enter into interstate reciprocity agreements for the provision of postsecondary distance education across state boundaries;
- (6) To administer interstate reciprocity agreements entered into pursuant to subdivision (5) of this section and to approve or disapprove, consistent with such agreements, participation in such agreements by postsecondary institutions that have their principal place of business in Nebraska and that choose to participate in such agreements;
- (7) To establish a notification process when a postsecondary institution which has an authorization to operate changes its address or adds instructional sites within this state;
- (8) To conduct site visits of postsecondary institutions to carry out the Postsecondary Institution Act;
- (9) To establish fees for applications for a recurrent authorization to operate, applications to renew or modify a recurrent authorization to operate, and applications to participate or continue participation in an interstate postsecondary distance education reciprocity agreement, which fees shall be not more than the cost of reviewing and evaluating the applications;
- (10) To investigate any violations of the act by a postsecondary institution; and
- (11) To adopt and promulgate rules, regulations, and procedures to administer the act.

Complaint Process under the Portal Agency

Nebraska Revised Statutes

<http://nebraskalegislature.gov/laws/statutes.php?statute=85-2418>

Note: "Commission" means the Coordinating Commission for Postsecondary Education

85-2418. Complaint authorized; commission; hearing; notice; cease and desist order; additional actions authorized.

(1) Any person claiming damage or loss as a result of any act or practice by a postsecondary institution which is a violation of the Postsecondary Institution Act, of the rules and regulations adopted and promulgated under the act, or of standards established pursuant to section [85-2406](#) may file with the commission a complaint against such institution. The complaint shall set forth the alleged violation and shall contain such other information as may be required by the commission. A complaint may also be filed with the commission by the executive director or the Attorney General.

(2) If efforts by the commission to resolve the complaint are not successful and if the commission deems it appropriate, the commission may hold a hearing on such complaint after ten days' written notice by certified mail, return receipt requested, to such institution, giving notice of a time and place for the hearing on such complaint. Such hearing shall be conducted in accordance with the Administrative Procedure Act. If, upon all evidence at the hearing, the commission finds that a postsecondary institution has engaged in or is engaging in any act or practice which violates the Postsecondary Institution Act, the rules and regulations adopted and promulgated under the act, or the standards established pursuant to section [85-2406](#), the commission shall issue and cause to be served upon such institution an order requiring such institution to cease and desist from such act or practice. The commission may also, as appropriate, based on its own investigation or the evidence adduced at such hearing or both, commence an action:

- (a) To revoke an institution's recurrent authorization to operate; or
- (b) To refer the complaint and all related evidence to the Attorney General.

Title 281, Nebraska Administrative Code, Chapter 7 (Draft; pending final state approval)

http://www.ccpe.state.ne.us/PublicDoc/Ccpe/PblcHrng/Rule7_Proposed.pdf

012.03 Any person claiming damage or loss as a result of any act or practice by a Nebraska public postsecondary institution or a private postsecondary institution that has its principal place of business in Nebraska and is participating in an interstate reciprocity agreement that is a violation of any rules, regulations, or conditions specified for participation in the interstate reciprocity agreement may, upon exhausting institutional complaint processes, file a complaint with the commission against such institution pursuant to section 85-2418 and procedures identified in the interstate reciprocity agreement. The commission shall document all complaints and actions taken and follow any additional procedures required under the interstate reciprocity agreement.

012.04 Any person claiming damage or loss as a result of any act or practice by a private postsecondary career school that has its principal place of business in Nebraska and is participating in an interstate reciprocity agreement that is a violation of any rules, regulations, or conditions specified

for participation in the interstate reciprocity agreement may file a complaint with the state board of education pursuant to section 85-1635 and procedures identified in the interstate reciprocity agreement

Information for Students, Parents and Schools

<http://www.ccpe.state.ne.us/PublicDoc/Ccpe/studentsparents.asp>

Student Complaints Against Postsecondary Institutions

The Coordinating Commission for Postsecondary Education is responsible for responding to formal complaints against public, independent non-profit, and most proprietary institutions of higher education that offer degrees in Nebraska. While the Commission has limited authority over colleges and universities, and cannot offer legal advice or initiate civil court cases, Commission staff will review submitted complaints and work with student complainants and institutions. **Please note that the Commission cannot, by law, review complaints related to course grades, academic sanctions, or discipline/conduct matters.**

- If a student has a complaint regarding a private postsecondary career school that is overseen by the Nebraska Department of Education (NDE)-Private Postsecondary Career Schools, he/she should contact NDE at (402) 471-4825 or <http://www.education.ne.gov/PPCS/PDF%20Folders/PDF%20Documents/PPCS%20Forms/Complaint-form.pdf>
- If a student believes that a college or university has violated state or federal law, he/she may wish to contact the Office of the Nebraska Attorney General (www.ago.ne.gov/consumer_protection)

Office of the Attorney General
2115 State Capitol
Lincoln, NE 68509
Phone: (402) 471-2682
Fax: (402) 471-3297
Email: ago.consumer@nebraska.gov
Consumer Protection Division (toll-free): (800) 727-6432
Consumer Protection Division - En Espanol: (888) 850-7555

- If the student believes that an institution has acted in a discriminatory manner, he/she may wish to contact the Nebraska Equal Opportunity Commission (NEOC) (www.neoc.ne.gov) at (800) 642-6112 in Lincoln, (800) 382-7820 in Omaha, or (800) 830-8633 in Scottsbluff. The NEOC provides the following advice:
 - Race discrimination in schools falls under Title VI of the Civil Rights Act of 1964. Sex discrimination and harassment falls under Title IX of the Education Amendments of 1972. Disability discrimination falls under Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990. None of these laws are within the jurisdiction of the Nebraska Equal Opportunity Commission. They are federal laws and are enforced by the U.S. Department of Education (www.ed.gov) :

Office for Civil Rights
Kansas City Office
U.S. Department of Education
8930 Ward Parkway, Suite 2037
Kansas City, Missouri, 64114

Phone: (816) 268-0550

Furthermore, after filing a complaint with the Attorney General's Office, NEOC, or the Coordinating Commission for Postsecondary Education, the student may still hire a private attorney and adjudicate the complaint through the court system.

Within two years of the incident about which the student is complaining, he/she should contact the Coordinating Commission for Postsecondary Education using our complaint form. **Please note that the Commission cannot, by law, review complaints related to course grades, academic sanctions, or discipline/conduct matters.** Please follow the steps outlined below to submit a complaint:

STEP 1

If a student has concerns related to classroom situations or administrative actions, he/she should contact the faculty or staff member(s) with whom he/she has a conflict. It may be possible to resolve the concerns without the need for formal institutional action. If the student's complaint is not resolved through this action, he/she should contact the department or program chair or division head or dean. If the student's complaint is not resolved satisfactorily, or if the complaint cannot be resolved by contacting the faculty/ staff member(s) or chair/dean, the student should proceed to STEP 2.

STEP 2

The student should file a complaint through his/her institution of higher education's established complaint process. Information on the process can usually be found in the institution's academic catalog, student handbook, or website. This might also be called a grievance process. If the student is unable to resolve the complaint in this manner, he/she should proceed to STEP 3.

STEP 3

The student must complete the Commission's Student Complaint Form. After receiving a complaint through our complaint form, Commission staff will review the submitted materials and contact the submitter for any required additional information or clarifications. The Commission will then send a copy of the complaint to the institution against which the complaint has been filed and ask for a response within three weeks. After receiving the college or university's response, Commission staff will determine whether the institution's student complaint process has been followed and exhausted and what additional steps or follow-up may be taken. The Commission will inform both parties involved in the complaint.

If the student has additional questions about the complaint process, or wants to clarify that the individual complaint is reviewable by the Commission, please feel free to contact the office at (402) 471-2847

[CCPE Complaint Form](#)

STUDENT COMPLAINT FORM

Complainant Information

All fields are required

Please note that the Coordinating Commission for Postsecondary Education cannot act on anonymous complaints.

Name of the complainant:

Affiliation with the college or university named below:

- ☐ Current student
- ☐ Former student
- ☐ Parent or guardian of current/former student (for students under 19)
- ☐ Other

Address (number, street and apartment number):

City: State: ZIP code:

Preferred phone: E-mail address:

(000)000-0000 SomeId@SubAndCompany.Domain

How do you prefer to be contacted:

- ☐ Phone
- ☐ E-mail
- ☐ No preference

If Commission staff members need to contact you via phone, may they leave a phone message or voicemail?

- ☐ Yes
- ☐ No

College/University Information

Name of institution:

City located: State located:

Degree level and major/concentration (e.g. B.S. in Accounting; Certificate in Welding) of the affected student:

Dates of attendance at institution:

Start date: End date:

Complaint Information

Have you gone through the institution's formal complaint process?

☐

Yes

☐

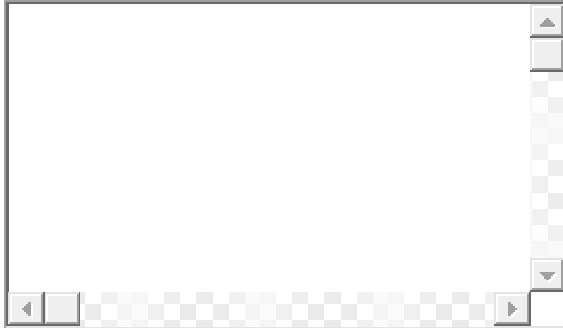
No

If you answered "Yes", please submit documentation showing that you have exhausted your appeals at the institutional level. Please see below on how to send in such documents.

If you answered "No", please explain in your detailed complaint description below why you were unable to complete the complaint process. Note that the Commission will normally only address complaints after a student has exhausted his/her appeals at the college or university level.

Please describe your complaint in detail, including the names of any college or university faculty or staff you spoke to about the complaint.

Please give titles and contact information for the individuals (if any) you mentioned above.

A large, empty rectangular text box with a thin black border. On the right side, there is a vertical scroll bar. At the bottom left, there are small icons for undo and redo. At the bottom right, there is a small icon for text color.

How would you like your complaint to be addressed? (Please not that the Commission cannot, by law, review complaints related to course grades, academic sanctions or discipline/conduct matters.)

A large, empty rectangular text box with a thin black border. On the right side, there is a vertical scroll bar. At the bottom left, there are small icons for undo and redo. At the bottom right, there is a small icon for text color.

Will you be submitting additional documentation (such as e-mails from school officials, transcripts, course syllabi, contracts, brochures, catalogs and/or tuition bills) that substantiates your complaint?

- ☒ Yes
- ☒ No

Please send copies of any documents that support your above complaint and/or show that you have gone through your institution's complaint procedure to: Kathleen.Fimple@Nebraska.gov, fax them to (402) 471-2886, upload files below, or mail them to:

Nebraska's Coordinating Commission for Postsecondary Education
ATTN: Complaints
P.O. Box 95005
Lincoln, NE 68509-5005

By submitting this form, I affirm that I am a current or former student of the institution named above or the parent or guardian of a current or former student of that institution who is currently under age 19 and/or under my legal guardianship. I agree to allow the Coordinating Commission for Postsecondary Education to submit a copy of my complaint and supporting materials to the above-named institution for a response. I further authorize the institution to transmit student records related to me or to the individual(s) under my guardianship affected by the institution's actions to the Commission for review. I understand that I may have to submit an information release

form to the institution. Additionally, I recognize that my complaint may be subject to Nebraska's public records law as defined in Nebraska Revised Statutes §§ 84-712 through 84-712.09. I certify that the information I have provided to the Commission is complete, true, and correct to the best of my knowledge and belief.

Here you can upload your files (One at a time):

Upload

Complaint Process under the Agency Overseeing Private Career Schools

Nebraska Revised Statutes

<http://nebraskalegislature.gov/laws/statutes.php?statute=85-1635>

Note: "Board" means the State Board of Education

85-1635. Complaints of violations; filed; procedure.

Any person claiming damage or loss as a result of any act or practice by a private postsecondary career school or its agent, or both, which is a violation of the Private Postsecondary Career School Act or of the rules and regulations adopted and promulgated under the act may file with the board a verified complaint against such school or against its agent or both. The complaint shall set forth the alleged violation and shall contain such other information as may be required by the board. A complaint may also be filed with the board by the commissioner or the Attorney General.

Nebraska Revised Statutes

<http://nebraskalegislature.gov/laws/statutes.php?statute=85-1636>

85-1636. Complaint; when considered; notice; hearing.

The board may consider a complaint after ten days' written notice by certified mail, return receipt requested, to such school or to such agent, or both, as appropriate, giving notice of a time and place for hearing thereon. Such hearing shall be conducted in accordance with the Administrative Procedure Act.

Nebraska Revised Statutes

<http://nebraskalegislature.gov/laws/statutes.php?statute=85-1637>

85-1637. Complaint; hearing; violation; actions of board.

If, upon all the evidence at the hearing, the board finds that a private postsecondary career school or its agent, or both, has engaged in or is engaging in any act or practice which violates the Private Postsecondary Career School Act or the rules and regulations adopted and promulgated under the act, the board shall issue and cause to be served upon such school or agent, or both, an order requiring such school or agent, or both, to cease and desist from such act or practice. The board may also, as appropriate, based on its own investigation or the evidence adduced at such hearing, or both, commence an action to revoke a school's authorization to operate or an agent's permit.

Provisions for Catastrophic Events, all public and all 4-year institutions
Nebraska Revised Statutes

<http://nebraskalegislature.gov/laws/statutes.php?statute=85-173>

85-173. Defunct colleges; records; University of Nebraska; depository.

The trustees or officers of any college or other institution of learning, whether incorporated or not, upon going out of existence or ceasing to function as an educational institution, may turn over its records of all grades, attained by its students, to the registrar of the University of Nebraska, to be preserved by his office as a central depository for this valuable historical material.

Nebraska Revised Statutes

<http://nebraskalegislature.gov/laws/statutes.php?statute=85-174>

85-174. Defunct colleges; records; duties of registrar.

The office of registrar of the University of Nebraska is hereby designated the central depository for the records of such educational institutions in this state as have ceased to exist, or may cease to exist in the future. The registrar of the University of Nebraska shall, where possible, collect the records of such extinct educational institution, and have the supervision, care, custody and control of said records. The registrar of the University of Nebraska, having the records of such educational institutions, if any, shall, when requested, prepare transcripts of such grade records which may at any time become necessary to the former student for further scholastic work at other institutions, for certification for teaching and other professional positions. Whenever such transcript is made, and after it has been compared with the original, it shall be certified by the registrar of the University of Nebraska, and shall thereafter be considered and accepted as evidence and, for all other purposes, the same as the original could be. For the preparation of such transcript the registrar of the University of Nebraska may charge a nominal fee for services rendered.

Provisions for Catastrophic Events, all private career schools
Nebraska Revised Statutes

<http://nebraskalegislature.gov/laws/statutes.php?statute=85-175>

Note: "Department" means the State Department of Education

85-175. Defunct colleges; records; duty to deposit.

The provisions of sections [85-173](#) and [85-174](#) shall be mandatory in the case of all educational institutions becoming extinct after February 23, 1937.

Nebraska Revised Statutes

<http://nebraskalegislature.gov/laws/statutes.php?statute=85-1644>

85-1644. Private postsecondary career school; discontinue operation; transcripts and records; preserved; permanent file maintained by department; fee.

If any private postsecondary career school now or hereafter operating in this state proposes to discontinue its operation, the chief administrative officer of such school shall cause to be filed with the department the original or legible true copies of all academic and financial aid transcripts and such other records of the school as may be specified by the department. If there is a change of ownership,

the records shall be transferred intact and in good condition to the new owner and the transfer shall be verified by the department. The department shall maintain or cause to be maintained a permanent file of such records coming into its possession. A student requesting a copy of his or her transcripts may be charged a fee of ten dollars for each copy requested.

Nebraska Revised Statutes

<http://nebraskalegislature.gov/laws/statutes.php?statute=85-1656>

85-1656. Tuition Recovery Cash Fund; assessment; board; powers and duties.

(1) The board shall annually assess each private postsecondary career school one-tenth of one percent of the prior school year's gross tuition revenue until the Tuition Recovery Cash Fund reaches the minimum fund level. The fund shall be maintained at a minimum of two hundred fifty thousand dollars and a maximum of five hundred thousand dollars. At any time when the fund drops below the minimum level, the board may resume the assessment. Funds in excess of the maximum level shall be used as directed by the board to provide grants or scholarships for students attending private postsecondary career schools.

(2) The board shall require documentation from each private postsecondary career school to verify the tuition revenue collected by the school and to determine the amount of the assessment under this section.

(3) Any private postsecondary career school applying for authorization to operate from the commissioner or any other agency after September 9, 1993, shall not be assessed under this section for the first year of operation but shall be assessed each year thereafter for four years or until the fund reaches the minimum level required by this section, whichever occurs last, and shall maintain the surety bond or other security required by section [85-1639](#) until such time.

(4) The authorization to operate of any private postsecondary career school which fails to comply with this section shall be subject to revocation.

Nebraska Revised Statutes

<http://nebraskalegislature.gov/laws/statutes.php?statute=85-1657>

85-1657. Tuition Recovery Cash Fund; claim; statute of limitations.

(1) Any student injured by the termination of operations by a private postsecondary career school on or after September 9, 1993, may submit a claim against the Tuition Recovery Cash Fund. The board shall adopt rules and regulations for the evaluation and approval of claims made against the fund and shall provide for payments made from the fund. No claim shall be allowed unless it is submitted within one year after the school terminates operations and there are sufficient funds available in the fund to pay the claim.

(2) For purposes of this section, a student injured by the termination of operations by a private postsecondary career school means (a) a student who has paid tuition and fees to the school for which classes were not offered and no refunds were made or (b) a student who ceased to be enrolled in classes at a school while the school was in operation and to whom a refund of unearned tuition and fees became due from the school after the school terminated operations and no refunds were made within the required time period following the student's withdrawal from the school under the rules and regulations established by the department.