

LEGISLATURE OF NEBRASKA
NINETY-EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1006

Introduced by Byars, 30

Read first time January 12, 2004

Committee: Education

A BILL

1 FOR AN ACT relating to postsecondary education; to amend section
2 85-1412, Revised Statutes Supplement, 2003; to define
3 terms; to provide for a tuition waiver for dependents of
4 certain deceased public safety officers as prescribed; to
5 harmonize provisions; and to repeal the original section.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. For purposes of sections 1 and 2 of this act:

2 (1) Commission means the Coordinating Commission for
3 Postsecondary Education;

4 (2) Eligible child means the biological or adopted child
5 or stepchild of a public safety officer killed in the line of duty,
6 which child or stepchild is younger than twenty-four years of age
7 and was a dependent of the public safety officer at the time of the
8 public safety officer's death;

9 (3) Line of duty means the performance of any action by a
10 public safety officer which the public safety officer is authorized
11 or obligated by law, rule, regulation, or condition of employment
12 or service to perform;

13 (4) Public safety officer means any firefighter, police
14 officer, sheriff, deputy sheriff, or member of the Nebraska State
15 Patrol employed by the state or a political subdivision; and

16 (5) Tuition means any tuition charged by the University
17 of Nebraska, a state college, or a community college for attendance
18 at such institution by a student as a resident of this state.

19 Sec. 2. (1) The University of Nebraska, the state
20 colleges, and the community colleges shall waive all tuition on
21 behalf of an eligible child.

22 (2) An application for a waiver shall be submitted to the
23 commission. If the executive director of the commission determines
24 that the applicant is an eligible child, the director shall so
25 certify to the postsecondary educational institution in which the
26 applicant desires to enroll. The decision of the executive
27 director shall, in the absence of fraud or misrepresentation on the
28 part of the applicant, be final and shall be binding upon the

1 applicant and upon the postsecondary educational institutions
2 specified in this section. The commission shall adopt and
3 promulgate reasonable rules and regulations for the administration
4 of this section.

5 (4) The waiver shall be valid for one degree, diploma, or
6 certificate from a community college and one baccalaureate degree.
7 Receipt of such degree, diploma, or certificate from a community
8 college shall precede receipt of such baccalaureate degree.

9 Sec. 3. Section 85-1412, Revised Statutes Supplement,
10 2003, is amended to read:

11 85-1412. The commission shall have the following
12 additional powers and duties:

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

22 (2) Recommend to the Legislature and the Governor
23 legislation it deems necessary or appropriate to improve
24 postsecondary education in Nebraska and any other legislation it
25 deems appropriate to change the role and mission provisions in
26 sections 85-917 to 85-966.01;

27 (3) Establish any advisory committees as may be necessary
28 to undertake the coordination function of the commission pursuant

1 to section 85-1403 or to solicit input from affected parties such
2 as students, faculty, governing boards, administrators of the
3 public institutions, administrators of the private nonprofit
4 institutions of postsecondary education and proprietary
5 institutions in the state, and community and business leaders
6 regarding the coordination function of the commission;

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

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

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

25 (7) Administer the Community Scholarship Foundation
26 Program Act and the Nebraska Scholarship Act and the tuition waiver
27 provided under sections 1 and 2 of this act;

28 (8) Accept and administer loans, grants, and programs

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

9 (9) Consistent with section 85-1620, approve, in a timely
10 manner, new baccalaureate degree programs to be offered at private
11 postsecondary career schools as defined in section 85-1603. The
12 commission may charge a reasonable fee based on its administrative
13 costs for authorizations pursuant to this subdivision and section
14 85-1620. The commission shall report such action to the
15 Commissioner of Education;

16 (10) Pursuant to sections 85-1101 to 85-1104, authorize
17 out-of-state institutions of higher or postsecondary education to
18 offer courses or degree programs in this state;

19 (11) Pursuant to sections 85-1105 to 85-1111, approve or
20 disapprove petitions to establish new private colleges in this
21 state;

22 (12) On or before December 1, 2000, and on or before
23 December 1 every two years thereafter, submit to the Legislature
24 and the Governor a report of its objectives and activities and any
25 new private colleges in Nebraska and the implementation of any
26 recommendations of the commission for the preceding two calendar
27 years;

28 (13) Provide staff support for interstate compacts on

1 postsecondary education; and

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

4 Sec. 4. Original section 85-1412, Revised Statutes
5 Supplement, 2003, is repealed.