

AMENDMENTS TO LB 637

(Amendments to Standing Committee amendments, AM838)

Introduced by Adams

1 1. Strike section 12 and insert the following new
2 sections:

3 Sec. 12. (1) Except as otherwise provided in this
4 section, after review of an initial application for authorization
5 to operate, including any further information submitted by the
6 applicant as required by the commission and any investigation of
7 the applicant as the commission may deem necessary or appropriate,
8 the commission shall grant or deny the application for initial
9 authorization to operate. A grant of an initial authorization to
10 operate may be on such terms and conditions as the commission
11 may specify. Such authorization shall be for a five-year period
12 unless the commission determines that a shorter period of time is
13 appropriate based on the standards established pursuant to section
14 6 of this act.

15 (2) After review of an application to renew an
16 authorization to operate, including any further information
17 submitted by the applicant as required by the commission and
18 any investigation of the applicant as the commission may deem
19 necessary or appropriate, the commission shall grant or deny the
20 application for renewal of an authorization to operate. Renewal of
21 an authorization to operate may be on such terms and conditions
22 as the commission may specify. Such authorization shall be for

1 a five-year period, unless the commission determines that a
2 shorter renewal period is appropriate based on the standards
3 established pursuant to section 6 of this act. If the applicant
4 has, for at least twenty academic years under the same ownership,
5 continuously offered one or more four-year undergraduate programs
6 with a physical presence in Nebraska in compliance with state and
7 federal law, the commission shall grant authorization to operate
8 on a continuing basis, unless the commission determines that an
9 additional review period is appropriate based on the standards
10 established pursuant to section 6 of this act.

11 (3) Except as otherwise provided in this section,
12 modifications, as defined by the commission in rules and
13 regulations, to an existing authorization to operate shall require
14 an application to the commission. After review of the application,
15 including any further information submitted by the applicant as
16 required by the commission and any investigation of the applicant
17 as the commission may deem necessary or appropriate, the commission
18 shall grant or deny the application. Approval of the application
19 may be on such terms and conditions as the commission may specify.
20 Such authorization shall be for a five-year period unless the
21 commission determines that a shorter period of time is appropriate
22 based on the standards established pursuant to section 6 of this
23 act.

24 (4) If an application for an initial authorization to
25 operate or a modification to an existing authorization to operate
26 includes a request to establish a new campus in this state, as
27 defined by the commission in rules and regulations, the commission

1 shall hold a public hearing. The hearing shall be scheduled
2 following a completed review of the application for authorization
3 to operate or the modification of an authorization to operate,
4 including any further information submitted by the applicant as
5 required by the commission and any investigation of the applicant
6 as the commission may deem necessary or appropriate, and shall be
7 conducted according to the Administrative Procedure Act. After the
8 public hearing, the commission shall grant or deny the application.
9 A grant of authorization to operate or the modification of an
10 authorization to operate may be on such terms and conditions as the
11 commission may specify. Such authorization or modification shall
12 be for a five-year period unless the commission determines that
13 a shorter period of time is appropriate based on the standards
14 established pursuant to section 6 of this act.

15 Sec. 30. Section 85-2105, Revised Statutes Cumulative
16 Supplement, 2010, is amended to read:

17 85-2105 (1) An applicant for the Access College Early
18 Scholarship Program shall complete an application form developed
19 and provided by the commission and shall forward the form to his
20 or her guidance counselor. Such application shall include, but
21 not be limited to, the applicant's high school, social security
22 number, date of birth, grade point average, grade level, qualified
23 postsecondary educational institution, and information necessary
24 to determine the student's eligibility. The guidance counselor
25 shall verify the student's eligibility under the Access College
26 Early Scholarship Program Act and shall forward the ~~information~~
27 application to the commission for review within fifteen days

1 following receipt of the form from the student. Notification of
2 tuition and mandatory fees to be accrued by the student shall
3 be provided to the commission by the student, high school, or
4 qualified postsecondary educational institution as determined by
5 the commission.

6 (2) The commission shall review the application and
7 verify the student's eligibility under the act. The commission
8 shall notify the student and the student's guidance counselor of
9 the verification of eligibility and the estimated award amount in
10 writing within thirty days following receipt of the form from the
11 student's guidance counselor. The scholarship award shall equal
12 the lesser of tuition and mandatory fees accrued by the student
13 after any discounts applicable to such student from the qualified
14 postsecondary educational institution or the tuition and mandatory
15 fees that would have been accrued by the student for the same
16 number of credit hours if the student were taking the course as a
17 full-time, resident, undergraduate student from the University of
18 Nebraska-Lincoln. The commission shall forward such amount directly
19 to the qualified postsecondary educational institution as payment
20 of such student's tuition and mandatory fees.

21 (3) The commission shall make such payments in the order
22 the applications are received, except that the commission may limit
23 the number of scholarships awarded in each term.

24 (4) The commission may limit the number of scholarships a
25 student may receive.

26 (5) For any student receiving a scholarship pursuant to
27 the act for tuition and mandatory fees, the qualified postsecondary

1 educational institution receiving the payment shall report either
2 the student's grade for the course or the student's failure to
3 complete the course to the commission within thirty days after
4 the end of the course or within one hundred eighty days after
5 receipt of a payment pursuant to the act if the course for which
6 the scholarship was awarded does not have a specified ending
7 date. The commission shall keep the identity of students receiving
8 scholarships confidential, except as necessary to comply with the
9 requirements of the act.

10 2. On page 1, strike line 19; and in line 20 strike
11 "(5)(a)" and insert "(4)(a)".

12 3. On page 2, line 26, strike "(6)" and insert "(5)".

13 4. On page 3, line 1, strike "(7)" and insert "(6)"; in
14 line 5 strike "(8)" and insert "(7)"; in line 9 strike "(9)" and
15 insert "(8)"; and in line 13 strike "(10)" and insert "(9)".

16 5. On page 6, line 1, strike "and the" and insert ";
17 (8) The"; in line 2 strike "Title IV" and after
18 "programs" insert "described in Title IV of the federal Higher
19 Education Act of 1965, 20 U.S.C. 1001 et seq., as such act existed
20 on January 1, 2011"; in line 4 strike "(8)" and insert "(9)"; and
21 in line 20 strike "term" and insert "year".

22 6. On page 7, line 7, strike "the Postsecondary
23 Institution Act" and insert "this section".

24 7. Renumber the remaining sections and correct the
25 repealer accordingly.