

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1076

Introduced by Bolz, 29.

Read first time January 21, 2020

Committee: Education

1 A BILL FOR AN ACT relating to the Community College Gap Assistance
2 Program Act; to amend sections 85-2003, 85-2004, 85-2005, 85-2007,
3 85-2008, 85-2009, and 85-2010, Revised Statutes Cumulative
4 Supplement, 2018, and section 85-2002, Revised Statutes Supplement,
5 2019; to change provisions relating to eligible programs; to provide
6 for contracts with two-year colleges as prescribed; to remove a
7 limitation on awards; to harmonize provisions; and to repeal the
8 original sections.
9 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 85-2002, Revised Statutes Supplement, 2019, is
2 amended to read:

3 85-2002 For purposes of the Community College Gap Assistance Program
4 Act:

5 (1) Accredited college means a not-for-profit, two-year
6 postsecondary institution with a physical presence in this state that has
7 been accredited by an accrediting agency recognized by the United States
8 Department of Education to provide institutional accreditation for degree
9 granting institutions;

10 (2) (1) Committee means the Nebraska Community College Student
11 Performance and Occupational Education Grant Committee;

12 (3) (2) Community college gap assistance program means the program
13 created pursuant to section 85-2003;

14 (4) (3) Eligible program means a program offered by a community
15 college or other eligible institution that (a) either (i) is not offered
16 for credit and has a duration of not less than sixteen contact hours in
17 length or (ii) is offered for credit but is of insufficient clock,
18 semester, or quarter hours to be eligible for Federal Pell Grants, (b) is
19 aligned with training programs with stackable credentials that lead to a
20 program awarding college credit, an associate's degree, a diploma, or a
21 certificate in an in-demand occupation, and (c) does any of the
22 following:

23 (i) Offers a state, national, or locally recognized certificate;

24 (ii) Offers preparation for a professional examination or licensure;

25 (iii) Provides endorsement for an existing credential or license;

26 (iv) Represents recognized skill standards defined by an industrial
27 sector; or

28 (v) Offers a similar credential or training;—and

29 (5) (4) In-demand occupation means:

30 (a) Financial services;

31 (b) Transportation, warehousing, and distribution logistics;

- 1 (c) Precision metals manufacturing;
- 2 (d) Biosciences;
- 3 (e) Renewable energy;
- 4 (f) Agriculture and food processing;
- 5 (g) Business management and administrative services;
- 6 (h) Software and computer services;
- 7 (i) Research, development, and engineering services;
- 8 (j) Health services;
- 9 (k) Hospitality and tourism; and
- 10 (l) Any other industry designated as an in-demand occupation by the
- 11 committee; and -

12 (6) Other eligible institution means an accredited college with
13 which the Coordinating Commission for Postsecondary Education has a
14 contract pursuant to subsection (4) of section 85-2010.

15 Sec. 2. Section 85-2003, Revised Statutes Cumulative Supplement,
16 2018, is amended to read:

17 85-2003 (1) The community college gap assistance program is created.
18 The program shall be under the direction of the committee and shall be
19 administered by the Coordinating Commission for Postsecondary Education.
20 The purpose of the community college gap assistance program is to provide
21 ~~funding to community colleges to award~~ community college gap assistance
22 to students in eligible programs.

23 (2) To be eligible for community college gap assistance under the
24 community college gap assistance program, an applicant:

25 (a) Shall have a family income which is at or below two hundred
26 fifty percent of Office of Management and Budget income poverty
27 guidelines; and

28 (b) Shall be a resident of Nebraska as provided in section 85-502.

29 (3) Eligibility for such tuition assistance shall not be construed
30 to guarantee enrollment in any eligible program.

31 Sec. 3. Section 85-2004, Revised Statutes Cumulative Supplement,

1 2018, is amended to read:

2 85-2004 Application for community college gap assistance under the
3 community college gap assistance program shall be made to the community
4 college or other eligible institution in which the applicant is enrolled
5 or intends to enroll. An application shall be valid for six months from
6 the date of signature on the application. The applicant shall provide
7 documentation of all sources of income. An applicant shall not receive
8 community college gap assistance for more than one eligible program.

9 Sec. 4. Section 85-2005, Revised Statutes Cumulative Supplement,
10 2018, is amended to read:

11 85-2005 (1) An applicant for community college gap assistance under
12 the community college gap assistance program shall demonstrate capacity
13 to achieve the following outcomes:

- 14 (a) The ability to be accepted to and complete an eligible program;
- 15 (b) The ability to be accepted into and complete a postsecondary
16 certificate, diploma, or degree program for credit;
- 17 (c) The ability to obtain full-time employment; and
- 18 (d) The ability to maintain full-time employment over time.

19 (2) The committee may grant community college gap assistance under
20 the community college gap assistance program to an applicant in any
21 amount up to the full amount of eligible costs.

22 (3) The committee shall deny an application when the community
23 college or other eligible institution receiving the application
24 determines that funding for an applicant's participation in an eligible
25 program is available from any other public or private funding source.

26 Sec. 5. Section 85-2007, Revised Statutes Cumulative Supplement,
27 2018, is amended to read:

28 85-2007 An applicant for community college gap assistance under the
29 community college gap assistance program shall complete an initial
30 assessment administered by the community college or other eligible
31 institution receiving the application to determine the applicant's

1 readiness to complete an eligible program. The initial assessment shall
2 include any assessments required by the eligible program.

3 Sec. 6. Section 85-2008, Revised Statutes Cumulative Supplement,
4 2018, is amended to read:

5 85-2008 (1) A recipient of community college gap assistance under
6 the community college gap assistance program shall:

7 (a) Maintain regular contact with faculty of the eligible program to
8 document the applicant's progress in the program;

9 (b) Sign any necessary releases to provide relevant information to
10 ~~community college faculty or case managers or faculty of the community~~
11 college or other eligible institution, if applicable;

12 (c) Discuss with faculty of the eligible program any issues that may
13 affect the recipient's ability to complete the eligible program and
14 obtain and maintain employment;

15 (d) Attend all required courses regularly; and

16 (e) Meet with faculty of the eligible program to develop a job-
17 search plan.

18 (2) A community college or other eligible institution may terminate
19 community college gap assistance under the community college gap
20 assistance program for a recipient who fails to meet the requirements of
21 this section.

22 Sec. 7. Section 85-2009, Revised Statutes Cumulative Supplement,
23 2018, is amended to read:

24 85-2009 (1) The Community College Gap Assistance Program Fund is
25 created. The fund shall be under the direction of the committee and shall
26 be administered by the Coordinating Commission for Postsecondary
27 Education. The fund shall consist of money received pursuant to section
28 9-812, any other money received by the state in the form of grants or
29 gifts from nonfederal sources, such other amounts as may be transferred
30 or otherwise accrue to the fund, and any investment income earned on the
31 fund. The fund shall be used to carry out the community college gap

1 ~~assistance program provide aid or grants to the community colleges~~
2 pursuant to the Community College Gap Assistance Program Act. Any money
3 in the fund available for investment shall be invested by the state
4 investment officer pursuant to the Nebraska Capital Expansion Act and the
5 Nebraska State Funds Investment Act.

6 ~~(2) The total of community college gap assistance awarded from the~~
7 ~~Community College Gap Assistance Program Fund during any fiscal year~~
8 ~~shall not exceed one million five hundred thousand dollars.~~

9 (2) In addition to community college gap assistance awarded to
10 students, money ~~(3) Money~~ in the fund may also be used by the committee:

11 (a) To establish application and funding procedures; ~~and~~

12 (b) To assist community colleges in defraying the costs of direct
13 staff support services, including, but not limited to, marketing,
14 outreach, applications, interviews, and assessments as follows: (i) Up to
15 twenty percent of any amount allocated for such purposes to the two
16 smallest community colleges; (ii) up to ten percent of any such amount to
17 the two largest community colleges; and (iii) up to fifteen percent of
18 any such amount to the remaining two community colleges. For purposes of
19 this subsection, community college size shall be determined based on the
20 most recent three-year rolling average full-time equivalent enrollment;
21 and -

22 (c) To assist other eligible institutions as specified in contracts
23 entered into pursuant to subsection (4) of section 85-2010 in defraying
24 the costs of direct staff support services, including, but not limited
25 to, marketing, outreach, applications, interviews, and assessments
26 related to the community college gap assistance program.

27 Sec. 8. Section 85-2010, Revised Statutes Cumulative Supplement,
28 2018, is amended to read:

29 85-2010 (1) The committee shall develop a common applicant tracking
30 system for the community college gap assistance program that shall be
31 implemented consistently by each participating community college and

1 other eligible institution.

2 (2) The committee shall coordinate statewide oversight, evaluation,
3 and reporting efforts for the community college gap assistance program.

4 (3) The committee shall meet at least quarterly to evaluate and
5 monitor the performance of the community college gap assistance program
6 to determine if performance measures are being met and shall take
7 necessary steps to correct any deficiencies. Performance measures
8 include, but are not limited to, eligible program completion rates, job
9 attainment rates, and continuing education rates.

10 (4) With committee approval, the Coordinating Commission for
11 Postsecondary Education may contract with an accredited college to be an
12 other eligible institution and administer the community college gap
13 assistance program for applicants enrolled in or intending to enroll in
14 an eligible program offered by such college.

15 Sec. 9. Original sections 85-2003, 85-2004, 85-2005, 85-2007,
16 85-2008, 85-2009, and 85-2010, Revised Statutes Cumulative Supplement,
17 2018, and section 85-2002, Revised Statutes Supplement, 2019, are
18 repealed.