



SHEEO

STATE HIGHER EDUCATION EXECUTIVE OFFICERS ASSOCIATION

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Nebraska DOE Private Postsecondary Career Schools

Vertical Tabs

1. Agency and Contact Information

1A1. Agency Name:

Nebraska Department of Education Private Postsecondary Career Schools

1A2. Agency Description - Please review the description below and revise as appropriate (e.g., state executive agency, agency with appointed board, department or division within agency, etc.):

The Nebraska Department of Education is responsible for implementation of the Private Postsecondary Career School Act which was created to provide for the protection, education, and welfare of the citizens of the State of Nebraska, its private postsecondary career schools, and its students.

1A3. Agency Contact - Please review and correct as necessary the contact information below:

Brad Dirksen
Program Director
Nebraska Department of Education
402-471-4825
Brad.dirksen@nebraska.gov [1]

1A4. Who should institutions contact if they have questions about your agency's authority, policies, or application process:

Brad Dirksen
Program Director
Nebraska Department of Education
402-471-4825
Brad.dirksen@nebraska.gov [1]

1B. Links - Please provide web links to your agency home page, the regulations pertaining to authorization, and any other links important for understanding your agency's responsibility for authorization:

[Home Page](#) [2]

1C1. Other Agencies - According to our records, the following agencies also have responsibility for authorization in the state. Please correct, add to, or clarify this list of authorizing authorities as necessary. These agencies will also be requested to complete this survey:

Nebraska Coordinating Commission for Postsecondary Education

1C2. If the division of responsibility among these agencies is not clear, please explain:

The Coordinating Commission for Postsecondary Education has oversight of public institutions and organizations offering baccalaureate, graduate or professional degrees.

The Nebraska Department of Education has oversight over private postsecondary career schools, which are organizations that charge tuition for a course of instruction for the purpose of training, preparing or improving the person for an occupation. Generally these organizations are proprietary (profit and non-profit) organizations that offer associate, diploma or certificate programs. The Department of Education also regulates out-of-state schools who recruit and/or enroll students who are residents of the State of Nebraska.

2. Types of Educational Providers Authorized

2A1. Institution Types Authorized - Indicate the types of institutions that your agency authorizes. Feel free to provide a short explanation of any ambiguity:

Private, in-state, not-for-profit degree granting institutions

Private, out-of-state, not-for-profit degree granting institutions

Private, in-state, for-profit degree granting institutions

Private, out-of-state, for-profit degree granting institutions

Non-degree, not-for-profit institutions

Non-degree, for-profit institutions

2A2. Clarifying comments:

We authorize private institutions if the school's highest degree is an associate degree or less.

2B1. Multiple Agencies - Is an institution required to obtain approval from more than one agency to be authorized in your state (excluding purely programmatic approvals):

Yes

2B2. If so, please explain:

Cosmetology Schools, Nail Schools, Truck Driver Training, Massage Schools, nursing programs, CNA/Med Aid, and Barber Schools must have approval from the Department of Human Services and/or DMV before we can authorize them to operate in Nebraska.

2C1. Accreditation - Is accreditation required for an institution to be authorized in your state:

No

2D1. Does your agency authorize specific academic programs offered by institutions, only institutions themselves, or both:

Both Institutions and Programs

2E1a. Education:

Yes

2E1b. Name and Contact information, Education:

Sheila Extrom, RN, PhD.
Nursing Education Consultant
402-471-4917
sheila.extrom@hss.ne.gov [3]

2E6a. Others (please list):

Yes

2E6b. Name and Contact Information:

Massage Therapy
Rita Watson
Dept. of Health & Human Services
402-471-4918
rita.watson@nebraska.gov [4]

CNA, Med Aid
Connie Wagner
Department of Health & Human Services
402-471-4969
connie.wagner@nebraska.gov [5]

Cosmetology
Carol Ann Gray
DHHS
402-471-4920
carolann.gray@nebraska.gov [6]

Real Estate Appraisal
Tyler Kohtz
Real Property Appraiser Board
402-471-9602
tyler.kohtz@nebraska.gov [7]

Real Estate Sales
Teresa Hoffman
Real Estate Commission
402-471-2004
teresa.hoffman@nebraska.gov [8]

Barbering
Kenneth Allen
Barber Examiners Board
402-471- 2051
barbers.board@nebraska.gov [9]

Truck Driving
Sara O'Rourke

Nebraska DMV
402-471-2670
sara.orourke@nebraska.gov [10]

3. Exemptions

3A1. General Exemptions - Are certain institutions or programs exempt by law or policy from your state authorization requirements:

Yes

3A2. If yes, to which institutions or programs does the exemption apply? How does it work (please describe)? If available, please provide any pertinent web links:

Institutions that are exempted are found in Nebraska State Statute 85-1604. You can find relevant rules and regulations at: <http://www.education.ne.gov/PPCS/> [2]

85-1604. Education and schools; exempt from act. The following education and schools are exempted from the Private Postsecondary Career School Act:

- (1) Schools exclusively offering instruction at any or all levels from preschool through the twelfth grade;
- (2) Education sponsored by a bona fide trade, business, professional, or fraternal organization which is offered solely for that organization's membership or offered without charge;
- (3) Education provided by or funded by an employer and offered solely to its employees for the purpose of improving such persons in such employment;
- (4) Education solely avocational or recreational in nature as determined by the department;
- (5) Educational programs offered by a charitable institution, organization, or agency as long as such education or training is not advertised or promoted as leading toward occupational objectives;
- (6) Public postsecondary schools established, operated, and governed by this state or its political subdivisions;
- (7) Schools or organizations offering education or instruction that is not part of a degree program leading to an associate, a baccalaureate, a graduate, or a professional degree which are licensed and regulated by agencies of this state other than the department, except that such schools or organizations shall not be exempt from the act with respect to agents' permits and the Tuition Recovery Cash Fund;
- (8) Schools or organizations which offer education or instruction and which are licensed and regulated solely by an agency of the federal government with respect to curriculum and qualifications of instructional staff;
- (9) Any postsecondary institution offering or proposing to offer courses or programs leading to a baccalaureate, graduate, or professional degree, but whose offerings may include associate degree programs, diplomas, and other certificates based on the award of college credit, including any such institutions that were regulated prior to May 5, 2011, as private postsecondary career schools pursuant to the Private Postsecondary Career School Act; and
- (10) Entities exclusively offering short-term training.

3A3. If yes, how does the institution or program claim an exemption? For example, is the exemption automatic as long as it meets specified criteria, does the institution or program notify the agency and the exemption is granted, is there an application process, etc.:

To claim an exemption, the organization needs to send a letter requesting an exemption to the Nebraska Department of Education. The letter and/or supplement documentation should specifically

state why the organization should be exempt and provide sufficient documentation to substantiate the claim. A response letter from the State will then be sent back to the organization with a final determination.

3B. Other Requirements - If an institution or program is exempt from state authorization, are there any other state requirements that an institution would need to fulfill in order to operate in your state (e.g., providing contact information, list of programs, etc.):

No.

3C1. Religious Institutions - Does your state constitution or do your state laws provide any exemptions for religious institutions:

Yes

3C2. If yes, are all religious institutions exempt (please describe):

No. If the organization advertises or promotes the training as leading to occupational objectives, then the training will most likely need to be regulated.

3C3. If yes, are religious institutions that award only religious degrees or certificates exempt (please describe):

No if the education or training is advertised or promoted as leading toward occupational objectives.

3C4. If yes, are certain religious institutions exempt that meet other criteria (please describe):

Nebraska State Statute 85-1604(5) exempts "Educational programs offered by a charitable institution, organization, or agency as long as such education or training is not advertised or promoted as leading toward occupational objectives".

4. Authorization of Distance Education

4A1. Does your agency require purely (100%) distance education programs, including online or correspondence study programs that enroll residents of your state, to be authorized without regard to physical presence:

Yes

4A2. Clarifying Comments:

These organizations must hold a certificate of approval to recruit in the State of Nebraska.

5. Physical Presence Policy – Common “Triggers”

INSTRUCTIONAL ACTIVITIES

PROPERTY IN THE STATE

RECRUITING ACTIVITIES

THIRD PARTY AGREEMENTS/CONTRACTS

ADVERTISING

EMPLOYMENT IN THE STATE

OTHER

6. Application Process

6A. Description - Please provide a short description of the application process to obtain state authorization. If available, please provide web links to the specific references to all applicable state laws, regulations, manuals, forms, or other pertinent documents:

Information regarding applications forms and regulations for Nebraska can be found at:

<http://www.education.ne.gov> [11]

6B. Processing Time - Generally, how long does it take to approve applications (assuming that the agency has received all required information from the institution)? Please provide a typical range if appropriate:

A typical time frame would be 8 weeks.

6C. Duration - What is the authorization duration:

All institutions must renew annually.

6D. Maintenance - What does an institution need to do to maintain authorization:

The institution must return all information, materials and fees required for the annual renewal.

6E. Reporting - What kinds of information or data must an institution report to your agency as a condition for continued authorization? How frequently is this reported or updated? Is this information published or shared publicly:

The institution must submit a renewal application, information (tuition rates, # of clock hours or credit hours), a current/revised catalog, annual financial reports, confirmation of active school and agent bonds, applications for agent renewal (renew every 3rd year), renewal fees, school safety statement, background statement that school official has not been convicted of a felony, copy of enrollment agreement, copy of refund policy, copy of advertising, and applications of new instructors. Reports are due annually and the information is not shared publicly.

6F. Loss of Status - Can an institution lose its authorized status? If so, how?:

Yes, if it fails to comply with the Private Postsecondary Career School Act and subsequent rules and regulations.

6Ga. Multi-Institutional Systems - Can a multi-institutional system or college corporation apply to your agency for authorization on behalf of all of its component institutions? If so, please describe the process:

This may depend upon the organizational structure of the institution applying for approval, but typically schools have to apply separately for approval.

6Gb. Would multi-institution public systems be treated the same as multi-location for-profit institutions:

No. We do not authorize/regulate any public institutions.

6I1. Amendments - Is your agency currently planning to amend its application process by the end of 2013:

No

7. Fees Associated with Authorization

7A. Application Fee - Is there an application fee to initiate the authorization process? If so, what is the fee or fee schedule? Please provide a web link if available:

Yes. <http://www.education.ne.gov/PPCS/> [2]

Please see full detail at: <http://www.education.ne.gov/PPCS/PPCS-Fees.html> [12]

7B. Other Costs - Are there any other costs associated with the state authorization process (e.g. site visits, hiring a reviewer, surety bond, tuition recovery fund, agent licensing, etc.):

PPCS requires a surety bond for the school and for agents, schools pay into the Tuition Recovery Cast Fund (TRCF) for the first 5 years in operation, and agents must have an agent permit (renews every 3 years) in Nebraska to recruit students. Please see full detail at:

<http://www.education.ne.gov/PPCS/PPCS-Fees.html> [12]

7C. Renewal Costs - What are the costs, if any, to renew authorization:

Cost to renew include: a renewal fee, program fee/program, and agent renewal fee of all agent permits that expires in that year.

Please see full detail at: <http://www.education.ne.gov/PPCS/PPCS-Fees.html> [12]

7D. Exemption Costs - What costs are associated with receiving a waiver or exemption to authorization:

None.

8. Interstate Reciprocity

8A. Do your state regulations explicitly allow or prohibit interstate reciprocal agreements about authorization? If so, please describe:

No.

8B. What is the process, if any, to obtain a reciprocal agreement with your state:

Contact the Program Director of the Private Postsecondary Career School section of the Nebraska Department of Education.

8C. Are there any reciprocal agreements currently in place or under consideration? If so, please list those agreements:

No.

8D. If interstate reciprocal agreements are not addressed in your regulations, would your agency consider establishing such agreements? Please elaborate:

Consideration would be taken.

9. Consumer Protection and Student Complaints

9A1. Does your agency have a process for handling complaints about postsecondary institutions or programs?:

Yes

9A2. If yes, please describe the process or provide a web link to the material that describes the complaint process:

<http://www.education.ne.gov/PPCS/PDF%20Folders/PDF%20Documents/PPCS%20Fo...> [13]

A complaint policy, form, and directions are available on the website list above. A complainant needs to read the directions, fill out the form and send it to the Nebraska Department of Education, Investigations Office.

9A3a. If yes, does this complaint process extend to institutions not authorized by the agency that may enroll residents of the state (such as explicitly distance education programs with no physical presence or exempt institutions):

No

9A4. If available, please provide a web link to the complaint form:

[Complaint Form](#) [2]

9B. Who is the contact person for receiving complaints? Please include name, title, address, phone, and email if available:

Investigations Officer: Jeff Schneider
Nebraska Department of Education
301 Centennial Mall South
Lincoln, NE 68509-4987
402-471-0731
jeff.schneider@nebraska.gov [14]

10. Enforcement

10A. If your agency finds that an institution or program is operating in your state without authorization, what is the resulting warning or enforcement action:

We contact them and request they apply for authorization to operate. If they continue to operate without authorization, they may be willfully violating Nebraska State Statute 85-1610 which is a Class II misdemeanor. Each day's failure to comply is a separate violation.

10B. Can an institution or program appeal a warning or enforcement action? If yes, please describe the process or provide web links to the regulations/policies:

Yes. They can appeal to the Nebraska Board of Education

11. Legislative or Regulatory Changes

11A1. Amendments - Is your agency or state legislature currently planning to amend its regulations or alter its physical presence policy:

No

11B1. Federal Regulations - Is your agency or state legislature making changes in your state regulations or statutes so that institutions with locations in your state would be considered legally authorized in accordance with the federal institutional eligibility regulations:

No

11C1. Other Changes - Is your agency or state legislature making any other changes in your state regulations or statutes with regard to state authorization:

No

Source URL: http://sheeo.org/sheeo_surveys/user/53

Links

[1] <mailto:Brad.dirksen@nebraska.gov>

[2] <http://www.education.ne.gov/PPCS/>

[3] <mailto:sheila.extrom@hhss.ne.gov>

[4] <mailto:rita.watson@nebraska.gov>

[5] <mailto:connie.wagner@nebraska.gov>

[6] <mailto:carolann.gray@nebraska.gov>

[7] <mailto:tyler.kohtz@nebraska.gov>

[8] <mailto:teresa.hoffman@nebraska.gov>

[9] <mailto:barbers.board@nebraska.gov>

[10] <mailto:sara.orourke@nebraska.gov>

[11] <http://www.education.ne.gov>

[12] <http://www.education.ne.gov/PPCS/PPCS-Fees.html>

[13] <http://www.education.ne.gov/PPCS/PDF%20Folders/PDF%20Documents/PPCS%20Forms/Complaint-form.pdf>

[14] <mailto:jeff.schneider@nebraska.gov>