

TITLE 281, NEBRASKA ADMINISTRATIVE CODE, CHAPTER 2  
COORDINATING COMMISSION FOR POSTSECONDARY EDUCATION  
RULES AND REGULATIONS CONCERNING ESTABLISHMENT  
OF A TWO-YEAR OR FOUR-YEAR PRIVATE COLLEGE

11/7/03 Adoption

TITLE 281 - COORDINATING COMMISSION FOR POSTSECONDARY EDUCATION  
CHAPTER 2 - RULES AND REGULATIONS CONCERNING ESTABLISHMENT OF A  
TWO-YEAR OR FOUR-YEAR PRIVATE COLLEGE

**NUMERICAL TABLE OF CONTENTS**

<b>SUBJECT</b>	<b>STATUTORY AUTHORITY</b>	<b>CODE SECTION</b>
Application	85-1105 to 85-1110	001
Statutory Authority	85-1105 to 85-1110, 85-1411, 85-1412, 85-1603, and 85-1620	002
Application Procedure	85-1105 and 85-1106	003
Definitions	85-1105 to 85-1110	004
Application Requirements	85-1106 and 85-1108	005
Public Hearing	85-1107	006
Commission Action	85-1109	007
Review of Authorization	85-1105 to 85-1106 and 85-1411	008
Annual Report	85-1105 to 85-1110 and 85-1411	009
Application Information	85-1106	010
Review of Additional Baccalaureate Programs at Private Postsecondary Career Schools	85-1620	011

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**ALPHABETICAL TABLE OF CONTENTS**

<b>SUBJECT</b>	<b>STATUTORY AUTHORITY</b>	<b>CODE SECTION</b>
Annual Report	85-1105 to 85-1110 and 85-1411	009
Application	85-1105 to 85-1110	001
Application Information	85-1106	010
Application Procedure	85-1105 and 85-1106	003
Application Requirements	85-1106 and 85-1108	005
Commission Action	85-1109	007
Definitions	85-1105 to 85-1110	004
Public Hearing	85-1107	006
Review of Authorization	85-1105 to 85-1106 and 85-1411	008
Review of Additional Baccalaureate Programs at Private Postsecondary Career Schools	85-1620	011
Statutory Authority	85-1105 to 85-1110, 85-1411, 85-1412, 85-1603, and 85-1620	002

001            APPLICATION

This rule implements statutory authority for the Coordinating Commission for Postsecondary Education to approve or disapprove the establishment of a two or four-year private college in the state of Nebraska including private colleges or private postsecondary career schools which expand degree offerings to the baccalaureate or higher degree level. The rule does not apply to private not-for-profit independent colleges in existence on September 1, 1999, that expand degree offerings to graduate or professional level degree programs after such date.

002            STATUTORY AUTHORITY

This rule is adopted pursuant to authority vested in the Coordinating Commission for Postsecondary Education in Chapter 85, Sections 1105-1110 and sections 1411, 1412, 1603, and 1620.

003            APPLICATION PROCEDURE

Individuals or organizations sponsoring the proposed college shall petition the Coordinating Commission for Postsecondary Education for authority to operate a two or four-year private college.

003.01 Application Format. The application will be in the form as specified by the Commission for this purpose.

The applicant will provide all information requested as a part of the application procedure before the application will be reviewed by the Commission.

003.02 Application Fee. A non-refundable application fee for administrative costs is required. Re-submission of an application following its withdrawal by individuals or organizations sponsoring a new private college requires an additional fee.

004            DEFINITIONS

TITLE 281  
CHAPTER 2

004.01 Commission shall mean the Coordinating Commission for Postsecondary Education.

004.02 Private College shall mean a for-profit or not-for-profit institution of postsecondary education not created by the Nebraska Legislature, which offers degrees, diplomas, or certificates to students upon the successful completion of a prescribed course of study.

004.03 Two or Four-Year College shall mean a postsecondary institution offering courses of study leading to an associate, baccalaureate, graduate or professional level degree. A two-year college offers degree programs leading to associate degrees, one-year diplomas and other certificates based on the award of college credit. A four-year college offers degree programs which lead to baccalaureate, graduate or professional degrees, but may include associate degree programs, diplomas and other certificates based on the award of college credit.

Two year colleges do not include private postsecondary career schools, as defined in section 85-1603, offering certificates, diplomas or associate degrees based on courses of instruction designed for attainment of specific occupational objectives.

004.04 Associate Degree Programs. Associate degree programs shall mean degree programs which typically require completion of an organized program of study of at least 60 semester credit hours or an equivalent that can be shown to accomplish the same goals.

004.05 Baccalaureate Degree Programs. Baccalaureate degree programs shall mean degree programs which typically require completion of an organized program of study of at least 120 semester credit hours or an equivalent that can be shown to accomplish the same goals.

004.06 Graduate or Professional Degree Programs. Graduate or professional degree programs shall mean the Master's degree, the Post-Master's certificate (specialist) the First-Professional Degree, and the Doctoral Degree.

TITLE 281  
CHAPTER 2

004.006.01 Master's Degree Programs. Master's degree programs shall mean degree programs which typically require completion of an organized program of study of at least 30 semester credit hours beyond the baccalaureate degree.

004.006.02 Post-Master's or Specialist Degree Programs. Post-Master's or Specialist degree programs shall mean degree programs which typically require completion of an organized program of study of at least 24 semester credit hours beyond the Master's degree and typically include a research and writing project or component as a capstone to the degree.

004.06.03 First-Professional Degree Programs. First-Professional degree programs shall mean degree programs which require completion of the academic requirements to begin practice in the profession, including but not limited to dentistry, medicine, optometry, osteopathic medicine, pharmacy, podiatry, veterinary medicine, chiropractic, law, theology and architecture, and which typically require completion of an organized program of study of at least 60 semester credit hours prior to entering the program and at least a total of 150 semester credit hours to complete the program, including prior college work plus the professional program itself.

004.06.04 Doctoral Degree Programs. Doctoral degree programs shall mean the highest degree a student may earn for graduate study in a particular field. Doctoral degree programs typically require completion of an organized program of study of at least 90 semester credit hours beyond the baccalaureate degree or 60 semester credit hours beyond the masters degree and include a research and writing project or component as a capstone to the degree.

004.07 Private Postsecondary Career School. Private Postsecondary career school, shall mean a for profit organization or business enterprise that offers a course of instruction for which tuition is charged for the

TITLE 281  
CHAPTER 2

purpose of training, preparing, or improving the person for a specific occupation, consistent with definitions in section 85-1603.

004.08 Department shall mean the Nebraska Department of Education.

004.09 Commissioner shall mean the Commissioner of Education.

005 APPLICATION REQUIREMENTS

The Commission will consider the following criteria.

005.01 Need Statement. The applicant shall include appropriate data and objective evidence to establish the need for such an institution. The Commission will determine whether the proposal constitutes unnecessary duplication in the context of the existence of comparable courses or programs already offered which may meet the needs of students targeted by the institution.

005.02 Role and Mission Statement. The role and mission of the proposed institution should be concisely expressed and appropriate to achieve the need established in 005.01.

005.03 Proposed Instructional Program. The proposed instructional program shall be appropriate for the role and mission. Each proposed curriculum, and the courses to meet the requirements of the curriculum, shall be explicitly described. Courses shall be appropriate to achieve the objectives of the curriculum.

The applicant shall demonstrate that the instructional program is of sufficient depth, breadth and rigor. There shall be a reasonable relationship between the hours of instruction and credits awarded.

005.04 Legal Form and Ownership. The legal form of the proposed institution shall be acceptable in the state of Nebraska and suitable to the institution's role and mission.

TITLE 281  
CHAPTER 2

005.05 Personnel Qualifications. The qualifications and number of faculty which will be sought to meet the objectives of the proposed instructional program shall be clearly identified. The qualifications shall be appropriate to the role and mission of the institution and the proposed instructional program.

The qualifications of persons who complete the application and of all those who at the time of application constitute the administrative/ governing board/ownership structures shall be clearly identified. Said qualifications shall be suitable to achieve the purposes of the institution.

005.06 Financial Soundness and Ability to Fulfill Commitments to Students. The institution must have a sound financial condition with resources available to meet the institution's financial obligations to provide adequate service to its students and prospective students, and for the use and support of the institution. The Commission may require a review of financial statements by independent accountants acceptable to the Commission, with a report of findings provided directly to the Commission with payment of fee for said accountants by the institution.

005.07 Student Qualifications. The admissions standards of the proposed institution shall be provided with the proposed procedures for implementing the standards. Said standards shall be appropriate to the role and mission of the institution.

005.08 Institutional Location(s). The institution shall identify the specific location or locations (by street address) where the administrative offices and instructional programs will be offered.

005.09 Facilities. The plan for providing adequate classroom, laboratory, library, student services, office and other space shall be appropriately detailed. The building(s) shall comply with local fire, building, health, ADA and safety requirements, and be adequate to accommodate the educational program(s) of the institution.

005.10 The Quality of Instructional Equipment, Library and Support Services. The institution shall demonstrate that instructional equipment,

TITLE 281  
CHAPTER 2

library and learning resources are of an appropriate breadth, depth and quality to support the instructional program and meet the needs of students and faculty.

The institution shall demonstrate that support services for faculty and student services are adequate and appropriate to support the students and faculty.

005.11 Accreditation. The institution shall certify it intends to seek appropriate accreditation from an accrediting body recognized by the United States Department of Education with the scope to accredit institutions offering degree programs at the highest degree level to be offered by the institution. If accreditation of the program to be offered in the state is commonly recognized as an essential indicator of program quality and a valid predictor of student employment placement, then the institution shall also demonstrate that it shall seek such program accreditation.

005.12 Additional Information. The Commission may examine any aspects of the proposal deemed necessary to establish sufficient understanding to draw an appropriate conclusion with respect to any part of the proposal. The institution shall comply with any reasonable request of the Commission for information which the Commission deems necessary to draw an appropriate conclusion.

006

PUBLIC HEARING

Upon receipt and review of a complete application with supporting documentation, the Commission shall set a time and a place for a public hearing thereon and shall cause notice thereof to be published in one or more newspapers of general circulation, not less than thirty and not more than sixty days prior to the date set for the hearing. Such hearing shall be held as provided in Chapter 84, Article 9 of the Reissued Revised Statutes of Nebraska. The applicant or a representative of the applicant shall be present during the public hearing and provide information as requested.

007

COMMISSION ACTION

TITLE 281  
CHAPTER 2

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 of the action by the Commission.

008            REVIEW OF AUTHORIZATION

If authorized by the Commission, the authorization will be reviewed at the end of the second academic year. If the review is favorable, authorization will be extended for five years upon which time the courses and degree programs will be reviewed again.

009            ANNUAL REPORT

Each approved institution shall provide an annual report in a form prescribed by the Commission until regional accreditation has been achieved, or a period of seven years, as per section 008, whichever is longer.

010            APPLICATION INFORMATION

The Commission will adopt an application procedure describing the information which institutions shall submit to demonstrate compliance with the criteria prescribed in this rule.

011            COMMISSION REVIEW OF ADDITIONAL BACCALAUREATE  
PROGRAMS AT PRIVATE POSTSECONDARY CAREER SCHOOLS.

A private postsecondary career school that (1) has received Commission approval to offer specific programs at the baccalaureate level pursuant to this rule, (2) has maintained accreditation by its accrediting agency, as described in 005.11 of this rule and (3) has maintained authorization to operate and accreditation by the Nebraska Department of Education as required in Chapter 85, Article 16, Nebraska Revised Statutes, may apply

TITLE 281  
CHAPTER 2

to the Nebraska Department of Education for authority to award additional baccalaureate degrees. The Department shall refer such degree applications to the Commission for its review and approval. The Commission shall make a determination, approving or disapproving such proposed program, based on the criteria in section 005 of this rule as such are applicable at the degree program level, within 90 days after the receipt of such referral. The determination shall set forth the specific program area and name of the baccalaureate program. The Commission shall report its determination to the Commissioner of Education for issuance of a certificate, setting forth the programs for which the baccalaureate degree may be awarded.

The Commission, in consultation with the Department, shall adopt an application procedure for additional baccalaureate programs to be offered by private postsecondary career schools, describing the information that institutions shall submit pursuant to this section. The Commission shall adopt a fee agreement with the Department for the administrative costs of conducting reviews pursuant to this section.