

TITLE 281, NEBRASKA ADMINISTRATIVE CODE, CHAPTER  
6

COORDINATING COMMISSION FOR POSTSECONDARY  
EDUCATION

RULES AND REGULATIONS CONCERNING THE COMMUNITY  
SCHOLARSHIP FOUNDATION PROGRAM ACT

July 27, 2004 Adoption

TITLE 281 - COORDINATING COMMISSION FOR POSTSECONDARY EDUCATION  
CHAPTER 6 - RULES AND REGULATIONS CONCERNING THE COMMUNITY  
SCHOLARSHIP FOUNDATION PROGRAM ACT

**NUMERICAL TABLE OF CONTENTS**

<b>SUBJECT</b>	<b>STATUTORY AUTHORITY</b>	<b>CODE SECTION</b>
Purpose and Objective	85-2003	001
Statutory Authority	85-2001 to 85-2010	002
Definitions	85-2002	003
Commission Responsibilities	85-2005 to 85-2008	004
Community Scholarship Foundation Responsibilities	85-2004 to 85-2006 and 85-2008	005
Student Eligibility	85-2002	006
Appeal Process	85-2009	007

TITLE 281 - COORDINATING COMMISSION FOR POSTSECONDARY  
EDUCATION  
CHAPTER 6 - RULES AND REGULATIONS CONCERNING THE COMMUNITY  
SCHOLARSHIP FOUNDATION PROGRAM ACT

**ALPHABETICAL TABLE OF CONTENTS**

<b>SUBJECT</b>	<b>STATUTORY AUTHORITY</b>	<b>CODE SECTION</b>
Appeal Process	85-2009	007
Commission Responsibilities	85-2005 to 85-2008	004
Community Scholarship Foundation Responsibilities	85-2004 to 85-2006, 85-2008	005
Definitions	85-2002	003
Purpose and Objective	85-2003	001
Statutory Authority	85-2001 to 85-2010	002
Student Eligibility	85-2002	006

NEBRASKA ADMINISTRATIVE CODE

TITLE 281 - COORDINATING COMMISSION FOR POSTSECONDARY  
EDUCATION  
CHAPTER 6 - RULES AND REGULATIONS CONCERNING THE COMMUNITY  
SCHOLARSHIP FOUNDATION PROGRAM ACT

001 PURPOSE AND OBJECTIVES

001.01 The purpose of the program, based on state law, is to provide matching awards as an incentive to Nebraska community scholarship foundations to raise money and award scholarships to residents who wish to pursue postsecondary education. The program objective is to encourage community scholarship foundations to generate local dollars to complement efforts funded by the state.

002 STATUTORY AUTHORITY

This rule is adopted pursuant to authority granted to the Coordinating Commission for Postsecondary Education according to state law in Chapter 85, Sections 2001 through 2010.

002.01 Chapter 85, Section 2002 relating to definitions.

002.02 Chapter 85, Section 2003 relating to purpose and objectives.

002.03 Chapter 85, Sections 2004 through 2008 and Chapter 85, Section 2010 relating to procedures for administration.

002.04 Chapter 85, Section 2009 relating to appeal procedures.

003 DEFINITIONS

- 003.01      Commission shall mean the Coordinating Commission for Postsecondary Education.
- 003.02      Community Scholarship Foundation shall mean a nonprofit community-based organization holding a certificate of exemption under section 501(c)(3) of the Internal Revenue Code, which organization has been formed in part or in whole for the purpose of providing postsecondary education scholarships for residents of the community in which the organization is formed.
- 003.03      Low-income Student shall mean a student who qualifies for a grant under the Federal Pell Grant program.
- 003.04      Matching Award shall mean a grant of two thousand dollars (\$2,000) to a community scholarship foundation that raises at least two thousand dollars (\$2,000) for awarding scholarships to low-income students through the postsecondary education scholarship program of the community scholarship foundation.
- 003.05      Postsecondary Education Scholarship Program shall mean a program of a community scholarship foundation.
- 003.06      Postsecondary Educational Institution shall mean a two-year or four-year college or university in Nebraska which is a member institution of an accrediting association.

003.07      Resident shall mean a person meeting the residency requirements of section 85-502.

004      COMMISSION RESPONSIBILITIES

004.01      The Commission shall, each year, distribute applications to Community Scholarship Foundations to apply for the matching grant funds. (See Appendix A)

004.02      The Commission shall disburse matching awards to the Community Scholarship Foundations pursuant to the criteria and priorities established in the Act, which are:

- (a) Community scholarship foundations which, after May 30, 2003, begin a postsecondary education scholarship program and raise two thousand dollars (\$2,000) to be used for postsecondary education scholarships to low-income students;
- (b) Community scholarship foundations which had a postsecondary education scholarship program prior to May 30, 2003 but reorganize after such date to meet the eligibility criteria under such section and raise two thousand dollars (\$2,000) for postsecondary education scholarships for low-income students;
- (c) Community scholarship foundations which had a postsecondary education scholarship program prior to May 30, 2003 which would

have met the eligibility criteria under such section and which raise an additional two thousand dollars (\$2,000) for postsecondary education scholarships for low-income students after such date.

004.03 When the number of eligible applicants applying exceeds the funds available to make matching awards to all eligible applicants, the Commission shall give preference to Community Scholarship Foundations which:

- a) Solicit broad-based community support in their fundraising activities and are representative of the community in their structure;
- b) Conduct fundraising activities with volunteers and not with paid employees or paid independent contractors; and
- c) Have as their primary focus the awarding of scholarships to residents attending Nebraska postsecondary educational institutions.

004.04 The Commission shall receive and review each year from the Community Scholarship Foundations a report on scholarships awarded using the foundation's resources and the matching award.

004.04A The Report shall consist of, but not be limited to, information including:

- a) Names and addresses of scholarship recipients;
- b) Scholarship amounts;

- c) Number of scholarships awarded to low-income students;
- d) Number of scholarships awarded to students who are not low-income students; and
- e) The postsecondary educational institutions the scholarship recipients plan to attend.

004.04B A Community Scholarship Foundation will be ineligible for future grants until such time as the required report is submitted and reviewed by the Commission.

004.05 The Commission shall maintain fiscal control and fund accounting procedures as are necessary to assure proper disbursement of funds and to assure that eligible Community Scholarship Foundations have complied with the Act.

005 COMMUNITY SCHOLARSHIP FOUNDATION RESPONSIBILITIES

005.01 To be eligible to apply for a matching award, a Community Scholarship Foundation shall:

005.01A Establish a postsecondary education scholarship program and, after May 30, 2003, raise at least two thousand dollars (\$2,000) for awarding scholarships to low-income students through such program;

005.01B Obtain and maintain a certificate of exemption under section 501(c)(3) of the Internal Revenue Code;

- 005.01C Award postsecondary education scholarships without regard to age, sex, marital status, race, creed, color, religion, national origin, or the presence of any mental, sensory, or physical handicap.
- 005.02 Submit to the Commission an application for the matching award on a form developed and provided by the Commission each year by the date specified on the application. (See Appendix A)
- 005.03 The eligible Community Scholarship Foundation shall:

  - 005.03A Receive and process applications for awards from enrolled students.
  - 005.03B Determine eligibility of students based on criteria established in Commission rules as set forth in the Act.
  - 005.03C Determine awards without regard to age, sex, marital status, race, creed, color, religion, national origin, or the presence of any mental, sensory, or physical handicap.
- 005.04 A Community Scholarship Foundation shall submit a report on scholarships awarded using the foundation's resources and the matching award.

  - 005.04A On a form provided by the Commission, the report information shall include, but need not be limited to:

- a) Names and addresses of scholarship recipients;
- b) Scholarship amounts;
- c) Number of scholarships awarded to low-income students;
- d) Number of scholarships awarded to students who are not low-income students; and
- e) The postsecondary educational institutions the scholarship recipients plan to attend.

005.04B Failure to submit the report by the required date, as determined yearly by the Commission, shall result in the Community Scholarship Foundation being ineligible to receive matching funds under the Act until such time as the required report is submitted.

005.05 Maintenance of all records of awards shall be the responsibility of the eligible Community Scholarship Foundation and the postsecondary educational institution.

005.06 Disbursement of awards made by a Community Scholarship Foundation shall cover at least one award period but no more than one award year.

005.07 The Community Scholarship Foundation shall confirm by the receipt of a copy of page 1 of the student's Student Aid Report that the student is an eligible Federal Pell Grant recipient and shall confirm that the student remains a Federal Pell Grant recipient throughout the award year.

006 STUDENT ELIGIBILITY

In order to be eligible to receive an award from this program:

006.01 A student shall be eligible to receive a Federal Pell Grant from the United States Department of Education.

006.02 A student shall be an undergraduate attending a two-year or four-year college or university in Nebraska which is a member institution of an accrediting association.

006.03 A student shall be a resident who is domiciled in Nebraska as provided by section 85-502.

006.04 A student shall have submitted an application to their respective Community Scholarship Foundation based on that Foundation's policies including, but not limited to, providing a copy of Page 1 of the Student Aid Report.

007 APPEAL PROCESS

007.01 Eligible Community Scholarship Foundation Appeals

007.01A A Community Scholarship Foundation has the right to appeal any adverse decision by requesting such review in writing within twenty days of the adverse decision, addressed to the executive director of the Commission.

007.01B Appeals concerning adverse decisions are considered contested cases. The process for contested cases is identified in the Commission's Rules and Regulations, Chapter 12.

# Appendix A

**Coordinating Commission for Postsecondary Education  
Community Scholarship Foundation Program  
Application for Matching Grant**  
(Please type or print all information)

Foundation Name:

---

Address:

---

---

---

Phone:

---

---

Fax:

---

Contact Person:

---

E-mail:

---

---

Is the Foundation a stand alone 501(c)(3) organization?

Yes \_\_\_\_\_ No \_\_\_\_\_

(If yes, attach a copy of the 501(c)(3) certificate)

Is the Foundation a member of an umbrella group that qualifies  
as a 501(c)(3) organization? Yes \_\_\_\_\_

No \_\_\_\_\_

(If yes, attach a copy of the umbrella group's (501)(c)(3) certificate and a letter from the umbrella organization which certifies your membership)

Name of Umbrella Organization:

---

Please check which best describes your community foundation:

\_\_\_\_\_ A community scholarship foundation which began a postsecondary education scholarship program after May 30, 2003, and raised \$2,000 to be used for postsecondary education scholarships to low-income students.

\_\_\_\_\_ A community scholarship foundation which had a postsecondary education scholarship program prior to May 30, 2003, but reorganized after such date to meet the eligibility criteria for this program and raised \$2,000 for postsecondary education scholarships for low-income students.

\_\_\_\_\_ A community scholarship foundation which had a postsecondary education scholarship program prior to May 30 2003, which would have met the eligibility criteria identified in this program and which raised an additional \$2,000 for postsecondary education scholarships for low-income students after such date.

Please identify the person or persons who raised the funds indicated above for low-income student scholarships and if the person is a paid staff member or volunteer:

Name	Paid	Volunteer
------	------	-----------

---

---

---

---

---

---

---

Please check all that apply to your community scholarship foundation:

- Solicits broad-based community support in fund-raising activities
- Representative of the community in structure
- Conducts fundraising with volunteers and not with paid employees or paid independent contractors (having paid staff that coordinate the Foundations daily activities does not eliminate the organization from consideration)
- Primarily focuses the awarding of scholarships to residents of Nebraska attending Nebraska postsecondary educational institutions

Please attach to this application the following:

Documentation which shows that the Community Scholarship Foundation has raised the minimum \$2000 (i.e. list of donors, deposit slip, copies of checks, etc.).

A letter signed by the chair of the Board of Directors of the Community Scholarship Foundation, and, where applicable, the Executive Director of the Community Scholarship Foundation, which states that the matching funds raised by the Community Scholarship Foundation will be used for scholarships for students who meet the eligibility requirements as established by the Community Scholarship Foundation Program Act.

This application and all required material must be postmarked or received in the Commission office no later than [Month Day, Year]. Submit application material to:

J. Ritchie Morrow  
Financial Aid Coordinator  
Coordinating Commission for Postsecondary Education  
PO Box 95005  
Lincoln, NE 68509-5005