

PRIVATE POSTSECONDARY CAREER SCHOOLS  
ADVISORY COUNCIL MEETING  
Tuesday, September 4, 2012  
1:00 p.m.  
Nebraska State Office Building  
State Board Room 6<sup>th</sup> Flr  
301 Centennial Mall South  
Lincoln, NE 68509

**MEMBERS PRESENT:** Sue Kozisek, Diane Moore, Larry Marsh, Jackie Hornig

**ABSENT:** Roberta Worm

**NDE STAFF ABSENT:** Sharon Katt

**NDE STAFF PRESENT:** Brad Dirksen, Yvette Martin

Brad Dirksen called the meeting to order at 1:05.

Brad Dirksen opened the meeting with the announcement of the Open Meetings Act.

Sue Kozisek motioned to approve agenda dated September 4, 2012 and motion was seconded by Larry Marsh, and carried with all members announcing "aye".

Minutes from the December 6, 2010 meeting were reviewed and motion made by Larry Marsh to approve and seconded by Jackie Hornig, and carried with all members answering "aye".

**New Business:**

1. Fee Increase - Brad Dirksen discussed the flat fee increase of 30% that was approved at the December 6, 2010 meeting and subsequently not signed when it reached the Governor's office. Brad then reviewed the fee analysis and explained what is needed for our agency to meet its financial expectations, and that we would like to maintain reserve funds due to the somewhat unpredictable nature of the section's revenue.
  - a. Restructuring fee versus 30% flat increase was explained by Brad and he explained that the restructuring of the fees is fair to all schools. Brad gave an overview of our funds and how they are used and that they are protected by wording in the Statutes. Advisory Council is concerned that funds will be swept away by other sources and would like wording in statute to prevent this from happening. **Motion to approve the restructuring fee as outlined was made by Sue Kozisek and seconded by Jackie Hornig and carried with all members answering with "aye"**

**Changes to Rule 41:**

1. Distance Learning definition change to Rule 41, 002.12 was explained by Brad and **Larry Marsh motioned to approve and seconded by Sue Kozisek and carried with all members answering "aye"**.
2. Brad reviewed grammatical changes to 003.01D, G, I, J, K, L, and the deletion of Rule 41, 011, Authority to Award Baccalaureate Degree and explained that all of these changes are needed in order for Rule 41 to be current with previous Statute changes. **Motion was made to approve by Diane Moore and seconded by Jackie Hornig and carried with all answering with "aye"**.

#### Changes to Rule 42:

1. Distance Learning definition change to Rule 42, 002.14; Exempt School changes due to Statute changes to Rule 42, 003.01H, I, J, K, 003.02; and change in wording to 005.02B5 for clarification of surety bond requirements were explained by Brad. **The motion to approve was made by Sue Kozisek and seconded by Larry Marsh and carried with all members answering with "aye".**

#### Changes to Rule 44:

1. Brad gave explanation of changes to Rule 44, 002.01 definition of "Act", 002.18, "Short-term training", numerical updates to go with changes. Update to sections 003.05, 003.07, 003.08, and 004.01 to be consistent with Statute changes; and changes to 005.06 that will clarify which schools are subject to the Tuition Recovery Cash Fund payment. **Motion to approve made by Larry March and seconded by Jackie Hornig and carried with all members answering with "aye".**

#### Revision of Statute:

1. Discussion on Statute 85-1604(7) was started with Brad explaining what PPCS reviews and monitors schools licensed by another state agency on a yearly basis, and explained that they are similar to CMA/CNA and Dental Assisting, of which we license. Jackie Hornig expressed concern needing three layers of approval. Sue Kozisek explained educator standards and that PPCS is more qualified in this area. After the discussion, it was decided to strike Statute 85-1604(07). **Motion to strike 85-1604(07) was made by Diane Moore and seconded by Sue Kozisek and carried with all members answering with "aye".**
2. Discussed changes to 85-1603(15) addition to definition of an "Out of State School"; 85-1603(17) edit definition of "Private Postsecondary Career School" for clarity and update due to changing instructional methodology; addition to 85-1604(6) to include out of state public postsecondary schools. **Motion to accept changes was made by Jackie Hornig and seconded by Larry Marsh and carried with all members answering with "aye".**
3. Brad explained the removal of "which are on file" in Statute 85-1644 in regards to fees charged for transcript. This would allow us to not issue a refund for transcripts that we research and are never located. It was discussed that the fee was for the work involved in researching the transcript, not the actual transcript. **Motion to approve made by Sue Kozisek and seconded by Diane Moore and carried with all members answering with "aye".**
4. Brad passed out the minutes from the TRCF meeting held on August 29, 2012. Minutes were reviewed with the council explaining the changes that will be recommended to Statute 85-1656 that were approved at the TRCF Advisory Council meeting held on August 29, 2012. **Jackie Hornig motioned to approve the recommendation by the TRCF Advisory Council and Sue Kozisek seconded the motion and carried with all members answering with "aye".**

**Announcements:** Brad will work with our legal department, board, etc. to start the process of changing the Rules and Statutes.

Brad adjourned the meeting at 3:00 p.m.

**Handouts:** Minutes from the TRCF Meeting held on August 29, 2012.

PRIVATE POSTSECONDARY CAREER SCHOOLS  
TUITION RECOVERY CASH FUND MEETING

Wednesday, August 29, 2012

9:00 a.m.

Nebraska State Office Building

Conference "B"

301 Centennial Mall South

Lincoln, NE 68509

**MEMBERS PRESENT:** Christine King, Sharon Katt, September Stone, Robert Hughes, Jason Walters

**ABESENT:** None

**NDE STAFF PRESENT:** Brad Dirksen, Yvette Martin

Brad Dirksen called the meeting to order at 9:00 a.m.

Brad Dirksen opened meeting with announcement of open meetings act, and roll call was taken with each member introducing themselves.

Approval of agenda dated August 29, 2012 with motion made by September Stone and seconded by Robert Hughes with a unanimous vote by all members announcing "aye".

**New Business:**

1. Brad opened the discussion of new business by reviewing the proposed changes to Rule 44.
  - a. A review of the definition of "Act" and the reason for adding it to Rule 44.
  - b. Reviewed the definition of "short-term training", and why it is being added to Rule 44.
  - c. Numerical updates to Rule 44 due to the addition of wording regarding "Act" and short-term training".
  - d. Changes to sections 003.05, 003.07, 003.08 and 004.01 in Rule 44 to be consistent with Statutes.
  - e. Discussed adding wording in Rule 44, 005.06 to clarify that all new schools will be required to maintain school bonding requirements as noted in 005.05B even when TRCF is at or above the minimum level.
  - f. After a discussion of the above Brad asked for motion to be made to approve. Motion to approve made by September Stone and seconded by Robert Hughes. Motion approved 100% with all members stating "aye".
  
2. Brad opened discussion of item 3b on the agenda to update Statute 85-1656, and passed out handouts on Tuition Recovery Cash Fund Activity and Private Postsecondary Career Schools Fund Analysis for all committee members to review. A lengthy discussion was held on changing the wording in Statute 85-1656 to allow funds in excess of minimum level to be used for the purpose of administering the PPCS Act. The committee came to a decision to change the wording to (1) increase the minimum level to two hundred and fifty thousand dollars, (2) increase the maximum level to five hundred thousand dollars, and (3) any funds in excess of three hundred thousand dollars may be used for the purpose of administering the Private Postsecondary Career School Act. "Brad will review wording with legal counsel and notify the TRCF committee of the new wording. All committee members agreed with motion to accept made by Robert Hughes and seconded by September Stone, with remaining members voting with "aye" to carry the motion.

**Announcements:**

Anyone requesting travel reimbursement, please see Yvette for forms.

**Adjournment:**

Brad announced adjournment of meeting at 10:10 a.m. August 29, 2012

**Handouts:**

Tuition Recovery Cash fund Activity

Private Postsecondary Career Schools Fund Analysis

| Private Post Secondary Career Schools Fund Analysis |            |            |           |           |           |           |            |            |           |                      |                      |                      |
|---|------------|------------|-----------|-----------|-----------|-----------|------------|------------|-----------|----------------------|----------------------|----------------------|
|   | 2003-04    | 2004-05    | 2005-06   | 2006-07   | 2007-08   | 2008-09   | 2009-10    | 2010-11    | 2011-12   | ESTIMATED<br>2012-13 | ESTIMATED<br>2013-14 | ESTIMATED<br>2014-15 |
| Balance 7/1   | 126,381.32 | 109,742.78 | 95,972.68 | 86,348.07 | 76,619.88 | 73,272.29 | 63,553.38  | 52,289.41  | 40,812.02 | 39,471.83            | 33,438.83            | 25,793.83            |
| Receipts  |            |            |           |           |           |           |            |            |           |                      |                      |                      |
| Reprod & Publications                               | 2,410.00   | 2,100.00   | 2,350.00  | 2,230.00  | 2,100.00  | 1,896.00  | 2,310.00   | 1,960.00   | 2,431.57  | 2,000.00             | 2,000.00             | 2,000.00             |
| Solicitors Permits                                  | 9,304.00   | 7,171.60   | 8,678.72  | 9,527.82  | 13,458.80 | 11,708.28 | 13,439.26  | 12,741.92  | 22,400.49 | 12,000.00            | 12,000.00            | 12,000.00            |
| Licensures  | 23,571.30  | 30,498.80  | 34,376.16 | 37,022.59 | 39,931.32 | 36,953.23 | 38,524.36  | 41,178.47  | 40,204.31 | 40,000.00            | 40,000.00            | 40,000.00            |
| Accreditations                                      | 100.00     | 120.00     | 0.00      |           |           |           |            |            |           |                      |                      |                      |
| Interest  | 4,893.00   | 3,675.42   | 3,828.61  | 3,824.35  | 3,638.60  | 3,223.81  | 1,991.10   | 1,759.08   | 1,092.20  | 750.00               | 500.00               | 250.00               |
| Reimbursements                                      |            |            | 94.40     |           | 40.00     |           | 0.21       | 20.14      | 20.00     |                      |                      |                      |
| Total   | 40,278.30  | 43,565.82  | 49,327.89 | 52,604.76 | 59,168.72 | 53,781.32 | 56,264.93  | 57,659.61  | 66,148.57 | 54,750.00            | 54,500.00            | 54,250.00            |
| Expenditures  |            |            |           |           |           |           |            |            |           |                      |                      |                      |
| Personal Services                                   | 48,124.74  | 45,945.72  | 50,285.14 | 54,794.40 | 55,744.54 | 54,331.59 | 57,206.44  | 59,942.83  | 58,350.34 | 54,288.00            | 55,650.00            | 57,050.00            |
| Operating Expenses                                  | 7,020.88   | 10,128.67  | 8,433.40  | 6,151.95  | 6,734.47  | 6,580.16  | 8,436.28   | 8,207.96   | 8,806.65  | 5,395.00             | 5,395.00             | 5,395.00             |
| Travel Expenses                                     | 1,771.22   | 351.53     | 233.96    | 1,386.60  | 37.30     | 2,588.48  | 1,888.18   | 986.21     | 331.77    | 1,100.00             | 1,100.00             | 2,500.00             |
| Capital Outlay                                      |            | 910.00     |           |           |           |           |            |            |           |                      |                      |                      |
| Total   | 56,916.84  | 57,335.92  | 58,952.50 | 62,332.95 | 62,516.31 | 63,500.23 | 67,528.90  | 69,137.00  | 67,488.76 | 60,783.00            | 62,145.00            | 64,945.00            |
| Balance 6/30  | 109,742.78 | 95,972.68  | 86,348.07 | 76,619.88 | 73,272.29 | 63,553.38 | 52,289.41  | 40,812.02  | 39,471.83 | 33,438.83            | 25,793.83            | 15,098.83            |
| Decrease over Beginning Year Balance                | -16,638.54 | -13,770.10 | -9,624.61 | -9,728.19 | -3,347.59 | -9,718.91 | -11,263.97 | -11,477.39 | -1,340.19 | -6,033.00            | -7,645.00            | -10,695.00           |

