



NEBRASKA

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TO: State Board of Education

FROM: Scott Summers, General Counsel, Commissioner's Appointed Staff Person to conduct a Rule Hearing on Title 92, Nebraska Administrative Code, Chapter 41, *Regulations Governing the Authorization to Operate Private Postsecondary Career Schools*

DATE: August 16, 2016

RE: Summary of rule-making hearing on Proposed Revisions to 92 NAC 41

605

On June 30, 2016, the Commissioner approved the hearing draft and set a hearing date and location as well as designate a staff person to conduct a hearing on the adoption of proposed revisions to Title 92, Nebraska Administrative Code, Chapter 41. By a memorandum dated July 11, 2016, the Commissioner appointed me to conduct the hearing on this Rule on August 16, 2016, commencing at 10:00 a.m. After the proper legal notice was published, the hearing was held at the Nebraska State Office Building, Nebraska Department of Education, 301 Centennial Mall South, Conference Room A, Sixth Floor, Lincoln, Nebraska. Pursuant to State Board of Education Policy B9, what follows is a written summary of the hearing testimony.

An audio recording of the hearing is available if any members of the Board wish to hear the tape.

SUMMARY OF TESTIMONY ON THE PROPOSED REVISIONS TO 92 NAC 41, Regulations Governing the Authorization to Operate Private Postsecondary Career Schools

Scott Summers, staff attorney and the hearing official, called the hearing to order, read into the record the name of the newspaper in which a legal notice of the hearing was published and the date the notice appeared, outlined the procedures for the hearing and introduced **Brad Dirksen, Director, Private Postsecondary Career Schools and Veterans Education, Nebraska Department of Education.**

Mr. Dirksen introduced and explained the proposed revisions to Title 92, Nebraska Administrative Code, Chapter 41. Mr. Dirksen testified that the proposed changes are the result of changes in statute; including replacing distance learning with distance education language, adding clock hours in an academic transcript and stating that the school shall display its authorization to operate. Mr. Dirksen testified that there is one non-substantive change to be made in Section 001.01, Statutory Authority. Language was changed to be consistent in all four Chapters (41-44). (see attached Errata Sheet).

No other oral or written testimony was received.

ERRATA SHEET

PROPOSED NON-SUBSTANTIVE CHANGES TO THE FOLLOWING CHAPTERS:

To keep language consistent in each rule, the following proposed non-substantive changes are recommended to the hearing draft of each rule as follows:

CHAPTER 41

001 General Information

001.01 Statutory Authority. This chapter is adopted pursuant to ~~s~~Sections 85-1601 through ~~85-1658~~ et. seq. of the Revised Statutes of Nebraska, (R.R.S.) Such sections may be cited as the Private Postsecondary Career School Act.

CHAPTER 42

01 General Information

001.01 Statutory Authority. This chapter is adopted pursuant to ~~s~~Sections 85-1601 through ~~85-1653~~ et. seq. of the Revised Statutes of Nebraska, (R.R.S.) Such sections may be cited as the Private Postsecondary Career School Act.

CHAPTER 43

001 General Information

001.01 Statutory Authority. This chapter is adopted pursuant to ~~sections 79-2801 thru 79-2858~~ Section 85-1601 et. seq. of the Revised Statutes of Nebraska (R.R.S.). Such sections may be cited as the Private Postsecondary Career School Act.

CHAPTER 44

001 General Information

001.01 Statutory Authority. This chapter is adopted pursuant to Section 85-1601 et. seq. of the Revised Statutes of Nebraska (R.R.S.). Such sections may be cited as the Private Postsecondary Career School Act.