

LEGISLATURE OF NEBRASKA  
ONE HUNDRED EIGHTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 159**

Introduced by McDonnell, 5.

Read first time January 09, 2023

Committee: Education

- 1 A BILL FOR AN ACT relating to postsecondary education; to adopt the
- 2 Fostering Independence Higher Education Grant Act.
- 3 Be it enacted by the people of the State of Nebraska,

1           Section 1. Sections 1 to 6 of this act shall be known and may be  
2 cited as the Fostering Independence Higher Education Grant Act.

3           Sec. 2. For purposes of the Fostering Independence Higher Education  
4 Grant Act:

5           (1) Commission means the Coordinating Commission for Postsecondary  
6 Education;

7           (2) Eligible educational institution means a public college,  
8 university, community college, or institution of postsecondary education  
9 in this state;

10          (3) Foster care means the service of exercising twenty-four-hour  
11 daily care, supervision, custody, or control over one or more children,  
12 for compensation or hire, in lieu of the care or supervision normally  
13 exercised by a parent in the parent's own home. Foster care does not  
14 include casual care at irregular intervals or programs as defined in  
15 section 71-1910;

16          (4) Foster youth means an individual who has been placed in foster  
17 care by the State of Nebraska when such individual was fourteen years of  
18 age or older;

19          (5) Grant means a grant for qualified education expenses for  
20 undergraduate study under the Fostering Independence Higher Education  
21 Grant Act; and

22          (6) Qualified education expenses includes tuition, fees, room and  
23 board, books, and required school supplies.

24          Sec. 3. (1) In order to be eligible for a grant, an individual  
25 shall be a foster youth who:

26           (a) Has graduated from high school in Nebraska or completed the  
27 equivalent as approved by the State Department of Education;

28           (b) Has been accepted for admission to, or is currently enrolled at,  
29 an eligible educational institution;

30           (c) Has not previously (i) obtained a baccalaureate degree, (ii)  
31 earned one hundred twenty or more undergraduate credit hours, or (iii)

1 received a grant for five years;

2 (d) If attending an eligible educational institution at the time of  
3 application, is in good academic standing at the eligible educational  
4 institution and is not subject to any disciplinary action by such  
5 institution; and

6 (e) Has applied for financial aid prior to applying for a grant.

7 (2) A foster youth shall not be eligible for renewal of a grant if  
8 the foster youth does not remain in good academic standing at the  
9 eligible educational institution or is subject to any disciplinary action  
10 by such institution. A foster youth may regain eligibility for renewal of  
11 a grant if such student meets the conditions of such student's  
12 disciplinary action or attains good academic standing.

13 (3) A foster youth who meets the eligibility requirements may apply  
14 for and receive a grant for any year of undergraduate study, except that  
15 a foster youth shall not be eligible for a grant for more than three  
16 years for a two-year degree, certificate, or diploma or five years for a  
17 four-year undergraduate degree.

18 (4) The commission may award a grant to an eligible foster youth for  
19 four quarters, three semesters, or the equivalent during the course of a  
20 single school year. In calculating the award amount, the commission shall  
21 use the same calculation it would for any other term.

22 Sec. 4. (1) Subject to available appropriations, the commission  
23 shall award a grant to cover the qualified education expenses of  
24 attending an eligible educational institution to a foster youth who  
25 applies for and meets the requirements of section 3 of this act.

26 (2) The amount of a grant shall not exceed the amount of the foster  
27 youth's qualified education expenses at the eligible educational  
28 institution where such foster youth is or will be enrolled after  
29 deducting the amount of any institutional grant, scholarship, or tuition  
30 waiver from the eligible educational institution or any other federal,  
31 state, or private grant or scholarship received by the foster youth.

1           (3) The commission shall provide the grant directly to the eligible  
2 educational institution at which the foster youth is or will be enrolled.

3           Sec. 5. The commission shall on or before July 31 of each year  
4 submit a report electronically to the Education Committee of the  
5 Legislature detailing (1) the number of foster youth that applied for a  
6 grant, (2) the number of foster youth receiving a grant, (3) the amount  
7 of each grant, (4) the eligible educational institution attended by each  
8 foster youth who receive a grant, and (5) annual retention and graduation  
9 data on foster youth receiving a grant. The report shall not contain the  
10 specific identity of any foster youth that is eligible for or awarded a  
11 grant.

12           Sec. 6. The commission may adopt and promulgate rules and  
13 regulations to carry out the Fostering Independence Higher Education  
14 Grant Act.