

ONE HUNDRED NINTH LEGISLATURE - FIRST SESSION - 2025

COMMITTEE STATEMENT

LB417

Hearing Date: Tuesday February 18, 2025
Committee On: Education
Introducer: Bostar
One Liner: Provide for administration of the Nebraska Promise Program by the Board of Regents of the University of Nebraska, adopt the College Promise Act, and change provisions relating to the Quality Education Accountability Act

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

Aye:	7	Senators Murman, Hughes, Hunt, Juarez, Lonowski, Meyer, Sanders
Nay:		
Absent:	1	Senator Conrad
Present Not Voting:		

Testimony:

Proponents:

Senator Eliot Bostar
Mary LeFebvre
Shavonna Holman
Courtney Wittstruck

Representing:

Opening Presenter
ACT (American College Testing)
Omaha Public Schools
NE Community College Association

Opponents:

Representing:

Neutral:

Paul Turman

Representing:

Nebraska State College System

* ADA Accommodation Written Testimony

Summary of purpose and/or changes:

Section 1 of LB 417 establishes the Nebraska Promise Program, an initiative administered by the Board of Regents of the University of Nebraska to cover undergraduate tuition costs for eligible students. The program applies to students attending any University of Nebraska campus or the Nebraska College of Technical Agriculture and covers up to 15 credit hours per semester and 30 credit hours per academic year, after deducting Federal Pell Grant funds and any other grants or scholarships. To qualify, a student must be a Nebraska resident, have a family income of less than \$65,000 per year as determined by the FAFSA or be eligible for a Federal Pell Grant, and be enrolled full-time in at least 12 credit hours per semester. To remain eligible, students must meet all University of Nebraska participation requirements and maintain a minimum 2.5 GPA on a 4.0 scale.

Section 2 of LB 417 declares that Sections 2 to 7 of this act shall be referred to as the College Promise Act.



Section 3 of LB 417 defines key terms used in the College Promise Act. It specifies that "community college" refers to the definition provided in section 85-1503, while "state college" is defined as a public postsecondary educational institution that is part of the Nebraska state college system. These definitions clarify the types of institutions covered under the College Promise Act.

Section 4 of LB 417 provides a tuition waiver covering 100% of resident tuition charges at any community college or state college in Nebraska for students who are Nebraska residents and have a family income of less than \$65,000 per year, as determined by the Free Application for Federal Student Aid (FAFSA). To maintain eligibility for the waiver, students must comply with all requirements set by the community college or state college for continued enrollment and degree progression, and must maintain a minimum GPA of 2.5 on a 4.0 scale or its equivalent. The tuition waiver is available for up to two years at a community college or four years at a state college, beginning once the student applies for and receives the waiver.

Section 5 of LB 417 requires students to provide verification of eligibility when applying for the tuition waiver at a community college or state college, following the institution's prescribed process. Within 45 days of receiving a complete application, the college must notify the student in writing regarding their eligibility. If a student is deemed ineligible, the notice must explain the reason for the decision and inform the student of their right to appeal through the process established by the Coordinating Commission for Postsecondary Education, as outlined in section 6 of the act. If a student is eligible, the college will waive 100% of the remaining tuition after deducting any federal financial aid grants and state scholarships.

Section 6 mandates that the Coordinating Commission for Postsecondary Education create an appeals process for tuition waiver decisions made under the College Promise Act.

Section 7 of LB 417 requires the Coordinating Commission for Postsecondary Education to certify the total amount of tuition waived by each community college and state college under the College Promise Act for the previous school year and submit this certification to the State Treasurer by June 1 each year. The State Treasurer must then transfer an amount equal to the certified tuition waiver total from the General Fund to the College Promise Fund in 10 equal monthly payments, beginning in September and continuing through June. The Coordinating Commission is also responsible for distributing the appropriated funds to each institution to cover the total value of all tuition waivers, with payments made monthly from September through June. If the appropriated amount is insufficient to cover the total waivers, the institution will be prohibited from offering additional waivers until fully reimbursed. The College Promise Fund is established to support community colleges and state colleges, with the Coordinating Commission administering the fund. The Legislature intends to fully fund the College Promise Fund each year, ensuring it covers the total value of tuition waivers, and any unspent funds will be invested by the state investment officer in accordance with state investment laws.

Section 8 of LB 417 amends 79-760.03 to assign the department responsibility for conducting studies to verify the technical quality of assessment instruments and ensure their comparability, as required by the Quality Education Accountability Act. It also adds a new subsection (10), effective starting with the 2025-26 school year, mandating the state board to recommend nationally recognized, portable career-readiness assessments leading to a National Career Readiness Certificate, alongside the national assessment instrument already recommended. This subsection further requires that all 12th-grade public school students have the option to retake the national assessment instrument, also used for college admissions, or take any career-readiness assessments leading to a National Career Readiness Certificate during the fall semester of their senior year. The school district must report individual student scores and sub-scores for any assessments taken, following state board and department procedures, and students must take these assessments at no cost. Additionally, the amendment renumbers subsections (10) through (14) to (11) through (15), and clarifies in subsection (14) that the state board cannot require assessments or instruments that



are not aligned with the Quality Education Accountability Act.

Section 9 amends 79-760.05 subsection (1), to require school districts to submit individual student achievement data from assessments taken either by requirement or voluntarily under section 79-760.03, in order to implement the statewide system.

Section 10 specifies that Sections 1, 2, 3, 4, 5, 6, and 7 of this act will become effective 3 calendar months after the adjournment of this legislative session. The remaining sections of the act will become effective on their designated effective date.

Section 11 repeals the original version of section 79-760.03 and 79-760.05 of the Reissue Revised Statutes of Nebraska.

Section 12 declares this an emergency, requiring that this act takes effect immediately upon passing and approval.

Explanation of amendments:

AM 748 amends LB 417 to include new language outlining the purpose of the Nebraska Promise Program at the University of Nebraska, which subjects the Board of Regents to this new language when administering the program. Specifically, it mandates that in academic years when the Federal Pell Grant Program is unavailable to students, the Board of Regents may choose not to administer the Nebraska Promise Program for that year. Additionally, the Board of Regents must notify students in advance of each academic year, in a manner prescribed by the board, about the availability of the Nebraska Promise Program for the upcoming academic year.

AM 748 amends LB 417 to include a provision stating that if any section or part of a section of the act is declared invalid or unconstitutional, such a declaration will not affect the validity or constitutionality of the remaining portions of the act. This ensures that the rest of the legislation remains intact and enforceable, even if a specific part is found to be problematic.

AM 748 amends LB 417 by renumbering sections and correct internal references accordingly.

Dave Murman, Chairperson

