

LEGISLATURE OF NEBRASKA  
ONE HUNDRED NINTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 481**

Introduced by Ballard, 21.

Read first time January 21, 2025

Committee: Health and Human Services

- 1 A BILL FOR AN ACT relating to education; to adopt the Foster Child
- 2 Scholarships Act; and to declare an emergency.
- 3 Be it enacted by the people of the State of Nebraska,

1        **Section 1.** Sections 1 to 5 of this act shall be known and may be  
2 cited as the Foster Child Scholarships Act.

3        **Sec. 2.** For purposes of the Foster Child Scholarships Act:

4        (1) Department means the Department of Health and Human Services;

5        (2) Educational decisionmaker means a parent, guardian, foster care  
6 parent, or other person with the authority to make educational decisions  
7 for a child;

8        (3) Eligible student means any elementary or secondary school  
9 student who was eligible to attend a public school in the preceding  
10 semester or is starting school for the first time and is in foster care  
11 or is the biological sibling of a foster child;

12        (4) Eligible school means any nongovernmental, privately operated  
13 elementary or secondary school located in this state that (i) is operated  
14 not for profit, (ii) complies with the antidiscrimination provisions of  
15 42 U.S.C. 1981, as such section existed on January 1, 2025, (iii)  
16 complies with all health and safety laws or codes that apply to privately  
17 operated schools, and (iv) fulfills the applicable accreditation or  
18 approval requirements established by the State Board of Education  
19 pursuant to section 79-318; and

20        (5) HOPE Scholarship means a financial grant-in-aid to be used to  
21 pay all or part of the cost to educate an eligible student attending an  
22 eligible school.

23        **Sec. 3.** (1) The department shall establish the Foster Child  
24 Scholarship Program to provide HOPE Scholarships to eligible students to  
25 pay the costs associated with attending an eligible school beginning with  
26 the 2025-26 school year.

27        (2)(a) An educational decisionmaker of an eligible student shall  
28 qualify for a HOPE Scholarship for a foster child to enroll in and attend  
29 an eligible school, upon being accepted for admission at a participating  
30 school.

31        (b) An eligible student shall retain program eligibility regardless

1 of subsequent placement out of the foster care system and until the  
2 eligible student's graduation from high school or the date the eligible  
3 student is twenty-one years of age, whichever comes first.

4 (3) The Foster Child Scholarships Act shall not be construed to  
5 grant any expanded or additional authority to the State of Nebraska to  
6 control or influence the governance or policies of any eligible school  
7 due to the fact that the eligible school admits and enrolls students who  
8 receive HOPE Scholarships or as requiring any eligible school to admit or  
9 to continue enrollment of any student receiving a HOPE Scholarship.

10 (4) The department shall annually notify educational decisionmakers  
11 about the Foster Child Scholarship Act, in order to increase awareness  
12 and eligibility of potential beneficiaries.

13 (5) The department may adopt and promulgate rules and regulations to  
14 carry out the Foster Child Scholarships Act.

15 **Sec. 4.** On or before December 1, 2026, and on or before December 1  
16 of each year thereafter, the department shall electronically submit a  
17 report to the Governor and the Legislature that includes:

18 (1) The number of eligible students receiving a HOPE Scholarship in  
19 the most recent fiscal year;

20 (2) The total amount of HOPE Scholarships awarded in the most recent  
21 fiscal year; and

22 (3) Demographic information for eligible students receiving HOPE  
23 Scholarships including, but not limited to: (a) Income level; (b) grade  
24 level; (c) race and ethnicity; and (d) geographic location.

25 **Sec. 5.** It is the intent of the Legislature to appropriate two  
26 hundred thousand dollars from the General Fund for fiscal years 2025-26  
27 and 2026-27 to the department to carry out the Foster Child Scholarships  
28 Act.

29 **Sec. 6.** Since an emergency exists, this act takes effect when  
30 passed and approved according to law.