

Enrolled House Bill 2221

Sponsored by Representative BUCKLEY; Representatives GELSER, RICHARDSON (Pre-session filed.)

CHAPTER

AN ACT

Relating to higher education scholarships for language proficiency; creating new provisions; and amending ORS 348.180 and 348.570.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) In addition to any other form of student financial aid authorized by law, the Oregon Student Assistance Commission may award, to the extent funds are made available, an Oregon Roadmap to Language Excellence Scholarship to a qualified student.

(2) The Oregon Student Assistance Commission may:

(a) Award an initial Oregon Roadmap to Language Excellence Scholarship for up to \$2,000 to a qualified student who:

- (A) Is a United States citizen or a noncitizen legally residing in the United States;
- (B) Has received a diploma from a high school in this state or the equivalent;
- (C) Is attending an eligible post-secondary institution in this state;
- (D) Is pursuing an Associate of Arts or more advanced degree; and
- (E) Demonstrates proficiency in speaking, reading and writing in a natural, human-based language other than English, excluding computer-based languages, musical notation and Esperanto.

(b) Award a subsequent Oregon Roadmap to Language Excellence Scholarship for up to \$2,000 to a student receiving a scholarship under paragraph (a) of this subsection who has demonstrated a measurable gain of proficiency in speaking, reading and writing skills in the same language for which the scholarship was awarded during the previous academic year.

(c) Award a reduced subsequent Oregon Roadmap to Language Excellence Scholarship to a student receiving a scholarship under paragraph (a) of this subsection who has not demonstrated a measurable gain of proficiency in speaking, reading and writing skills in the same language for which the scholarship was awarded during the previous academic year. The reduced scholarship is for \$500 less than the amount of the scholarship awarded the previous academic year. The commission may not award a reduced subsequent scholarship for consecutive academic years.

(3) The maximum amount of scholarships awarded to a person under this section may not exceed \$8,000.

(4) The commission may award scholarships under this section to a person for the year of the initial scholarship and the next three consecutive years. The commission shall adopt rules allowing a waiver of the requirement that the scholarships be awarded in consecutive

years for students with approved leaves of absence for appropriate reasons such as illness, emergency, military service and other appropriate reasons as determined by the commission.

(5) The commission may not award scholarships under this section to a student who is enrolled in a course of study required for and leading to a degree in theology, divinity or religious education.

(6) The commission shall adopt rules:

(a) Establishing priority for Oregon Roadmap to Language Excellence Scholarships when funds are not available to award scholarships to all qualified students.

(b) Setting standards for appropriate levels of language proficiency and improved language proficiency needed for eligible students to qualify for scholarships under this section.

(c) Choosing an assessment method for measuring language proficiency in speaking, reading and writing for the purposes of paragraph (b) of this subsection. The assessment method must comply with the American Council on the Teaching of Foreign Languages proficiency guidelines, and must measure only Intermediate-Mid level language skills and higher.

SECTION 2. ORS 348.180 is amended to read:

348.180. As used in this section and ORS [348.183,] 348.186, 348.205, 348.230, 348.250 and 348.260 **and section 1 of this 2011 Act:**

(1) "Cost of education" includes but is not limited to, tuition, fees and living expenses.

(2) "Eligible post-secondary institution" means:

(a) A state institution under the direction of the State Board of Higher Education;

(b) A community college operated under ORS chapter 341;

(c) The Oregon Health and Science University; or

(d) An Oregon-based, generally accredited, not-for-profit institution of higher education.

(3) "Qualified student" means any resident student who plans to attend an eligible post-secondary institution and who:

(a) Has not achieved a baccalaureate or higher degree from any post-secondary institution;

(b) Is enrolled in an eligible program as defined by rule of the Oregon Student Assistance Commission; and

(c) Is making satisfactory academic progress as defined by rule of the commission.

SECTION 3. ORS 348.570 is amended to read:

348.570. (1) There is established in the State Treasury a fund, separate and distinct from the General Fund, to be known as the Oregon Student Assistance Fund for investment as provided by ORS 293.701 to 293.820 and for the payment of the expenses of the Oregon Student Assistance Commission in carrying out the purposes of ORS 348.210 to 348.250, 348.505 to 348.615, 348.696 and 348.992 **and section 1 of this 2011 Act.** Interest earned by the fund shall be credited to the fund.

(2) There is established in the State Treasury a fund, separate and distinct from the General Fund, to be known as the Alternative Student Loan Program Fund for investment as provided by ORS 293.701 to 293.820 and for the payment of expenses of the commission in carrying out the purposes of ORS 348.625 to 348.695. This fund, including the interest earnings on the fund, if any, is continuously appropriated to the commission for those purposes for which such funds were provided to, received or collected by the commission.

(3)(a) There is established in the General Fund an account to be known as the Nursing Services Account. Funds in the account shall be used for the payment of expenses of the Nursing Services Program created in ORS 442.540.

(b) The account shall consist of:

(A) Funds appropriated to the Oregon Student Assistance Commission for deposit into the account;

(B) Collections and penalties received by the commission under ORS 442.545; and

(C) Any donations or grants received by the commission for purposes of the Nursing Services Program.

(c) Any funds in the account that are not expended in any biennium shall be retained in the account and may be expended in subsequent biennia.

(4) There is established in the State Treasury a fund, separate and distinct from the General Fund, to be known as the Former Foster Youth Scholarship Fund. Moneys received from appropriations, donations and grants shall be credited to the fund. Moneys in the fund are continuously appropriated to the Oregon Student Assistance Commission for the purposes of investment, as provided by ORS 293.701 to 293.820, and for carrying out the provisions of ORS 348.270 (1)(b). Interest earned by the fund shall be credited to the fund.

(5) There is established in the State Treasury a fund, separate and distinct from the General Fund, to be known as the ASPIRE Program Fund. Moneys received from donations and grants shall be credited to the ASPIRE Program Fund. Moneys in the fund are continuously appropriated to the Oregon Student Assistance Commission for the purposes of investment, as provided by ORS 293.701 to 293.820, and for carrying out the provisions of ORS 348.500. Interest earned by the fund shall be credited to the fund.

(6)(a) There is established in the State Treasury the Nursing Faculty Loan Repayment Fund, separate and distinct from the General Fund. Interest earned on the Nursing Faculty Loan Repayment Fund shall be credited to the fund. Moneys in the fund are continuously appropriated to the Oregon Student Assistance Commission for carrying out ORS 348.440 to 348.448. The Nursing Faculty Loan Repayment Fund consists of:

(A) Moneys appropriated to the commission for the Nursing Faculty Loan Repayment Program created in ORS 348.444; and

(B) Grants, gifts or donations received by the commission for the program.

(b) Any unexpended funds in the fund at the end of a biennium shall be retained in the fund and may be expended in subsequent biennia.

Passed by House May 19, 2011

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Ramona Kenady Line, Chief Clerk of House

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Bruce Hanna, Speaker of House

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Arnie Roblan, Speaker of House

Passed by Senate May 26, 2011

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Peter Courtney, President of Senate

Received by Governor:

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Approved:

.....M,....., 2011

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M,....., 2011

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Kate Brown, Secretary of State