

A-Engrossed
House Bill 2095

Ordered by the Senate May 1
Including Senate Amendments dated May 1

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor John A. Kitzhaber, M.D., for Oregon Student Access Commission)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Aligns definition of "former foster child" with federal standard for purposes of higher education grants, tuition waivers and scholarships.

Removes requirement that current or former foster child enroll as undergraduate student within three years of student's removal from care of Department of Human Services, high school graduation or receipt of high school diploma equivalent for purposes of obtaining waiver of tuition and fees at public institution of higher education.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to higher education for former foster child; amending ORS 348.270 and 351.293; and de-
3 claring an emergency.

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

5 **SECTION 1.** ORS 351.293 is amended to read:

6 351.293. (1) Notwithstanding ORS 341.290, 351.070 (3) or 353.050, a current foster child or former
7 foster child under 25 years of age who enrolls in an institution of higher education as an [*under-*
8 *graduate student not later than three years after the date the student was removed from the care of the*
9 *Department of Human Services, the date the student graduated from high school or the date the student*
10 *received the equivalent of a high school diploma, whichever date is earliest, shall have*] **undergraduate**
11 **student shall have** the amount of tuition and all fees levied against the student waived if attending
12 an institution of higher education listed in ORS 352.002, a community college operated under ORS
13 chapter 341 or Oregon Health and Science University for purposes of pursuing an initial under-
14 graduate degree.

15 (2) A student who is a current foster child or former foster child is entitled to waiver of tuition
16 and all fees under subsection (1) of this section until the student has received the equivalent of four
17 years of undergraduate education.

18 (3) As a condition of receiving a tuition waiver for an academic year, a current foster child or
19 former foster child must:

20 (a) Complete and submit the Free Application for Federal Student Aid for that academic year;
21 and

22 (b) For years after the first academic year at an institution of higher education, have completed
23 a minimum of 30 volunteer service hours in the previous academic year performing community ser-
24 vice activities such as mentoring foster youth or assisting in the provision of peer support service
25 activities, according to policies developed by the institution of higher education at which the cur-

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 rent foster child or former foster child is enrolled.

2 (4) A waiver of tuition and all fees under subsection (1) of this section may be reduced by the
3 amount of any federal aid scholarships or grants, an award from the Oregon Opportunity Grant
4 program established under ORS 348.205 and any other aid received from the institution of higher
5 education. For the purposes of this subsection, "federal aid scholarships or grants" does not include
6 Chafee Education and Training Grant vouchers (P.L. 107-133).

7 (5) As used in this section, "former foster child" means an individual who, for a total of [12] **six**
8 or more months while between [16] **14** and 21 years of age, was:

9 (a) A ward of the court pursuant to ORS 419B.100 (1)(b) to (e), [and] in the legal custody of the
10 Department of Human Services for out-of-home placement **and not dismissed from care before**
11 **reaching 16 years of age; or**

12 (b) **An Indian child subject to the Indian Child Welfare Act (25 U.S.C. 1901 et seq.), under**
13 **the jurisdiction of a tribal court for out-of-home placement and not dismissed from care be-**
14 **fore reaching 16 years of age.**

15 **SECTION 2.** ORS 348.270 is amended to read:

16 348.270. (1) In addition to any other scholarships provided by law, the commission shall award
17 scholarships in any public university listed in ORS 352.002, in the Oregon Health and Science Uni-
18 versity, in any community college operated under ORS chapter 341, or in any Oregon-based re-
19 gionally accredited independent institution, to any student applying for enrollment or who is
20 enrolled therein, who is:

21 (a) The natural child, adopted child or stepchild of any public safety officer who, in the line of
22 duty, was killed or so disabled, as determined by the commission, that the income of the public
23 safety officer is less than that earned by public safety officers performing duties comparable to those
24 performed at the highest rank or grade attained by the public safety officer; or

25 (b) A current foster child or former foster child who enrolls in an institution of higher education
26 as an undergraduate student not later than three years from the date the student was removed from
27 the care of the Department of Human Services, the date the student graduated from high school or
28 the date the student received the equivalent of a high school diploma, whichever date is earliest.

29 (2) Scholarships awarded under this section to students who are dependents of public safety of-
30 ficers or who are current foster children or former foster children shall equal the amount of tuition
31 and all fees levied by the institution against the recipient of the scholarship. However, scholarships
32 awarded to students who attend independent institutions shall not exceed the amount of tuition and
33 all fees levied by the University of Oregon.

34 (3) If the student who is the dependent of a deceased public safety officer continues to remain
35 enrolled in a public university listed in ORS 352.002 or a community college or an independent in-
36 stitution within the State of Oregon, the student shall be entitled to renewal of the scholarship until
37 the student has received the equivalent of four years of undergraduate education and four years of
38 post-graduate education.

39 (4) If the student who is a current foster child or former foster child or who is the dependent
40 of a public safety officer with a disability continues to remain enrolled in a public university listed
41 in ORS 352.002 or a community college or an independent institution within the State of Oregon, the
42 student shall be entitled to renewal of the scholarship until the student has received the equivalent
43 of four years of undergraduate education.

44 (5) The commission may require proof of the student's relationship to a public safety officer de-
45 scribed in subsection (1) of this section or proof that the student is a current foster child or former

1 foster child.

2 (6) As used in this section:

3 (a) "Former foster child" [*means an individual who, for a total of 12 or more months while be-*
4 *tween the ages of 16 and 21, was a ward of the court pursuant to ORS 419B.100 (1)(b) to (e) and in*
5 *the legal custody of the Department of Human Services for out-of-home placement*] **has the meaning**
6 **given that term in ORS 351.293.**

7 (b) "Public safety officer" means:

8 (A) A firefighter or police officer as those terms are defined in ORS 237.610.

9 (B) A member of the Oregon State Police.

10 (C) A police officer commissioned by a university under ORS 352.383.

11 (D) An authorized tribal police officer as defined in section 1, chapter 644, Oregon Laws 2011.

12 **SECTION 3.** ORS 348.270, as amended by section 51, chapter 644, Oregon Laws 2011, is
13 amended to read:

14 348.270. (1) In addition to any other scholarships provided by law, the commission shall award
15 scholarships in any public university listed in ORS 352.002, in the Oregon Health and Science Uni-
16 versity, in any community college operated under ORS chapter 341, or in any Oregon-based re-
17 gionally accredited independent institution, to any student applying for enrollment or who is
18 enrolled therein, who is:

19 (a) The natural child, adopted child or stepchild of any public safety officer who, in the line of
20 duty, was killed or so disabled, as determined by the commission, that the income of the public
21 safety officer is less than that earned by public safety officers performing duties comparable to those
22 performed at the highest rank or grade attained by the public safety officer; or

23 (b) A current foster child or former foster child who enrolls in an institution of higher education
24 as an undergraduate student not later than three years from the date the student was removed from
25 the care of the Department of Human Services, the date the student graduated from high school or
26 the date the student received the equivalent of a high school diploma, whichever date is earliest.

27 (2) Scholarships awarded under this section to students who are dependents of public safety of-
28 ficers or who are current foster children or former foster children shall equal the amount of tuition
29 and all fees levied by the institution against the recipient of the scholarship. However, scholarships
30 awarded to students who attend independent institutions shall not exceed the amount of tuition and
31 all fees levied by the University of Oregon.

32 (3) If the student who is the dependent of a deceased public safety officer continues to remain
33 enrolled in a public university listed in ORS 352.002 or a community college or an independent in-
34 stitution within the State of Oregon, the student shall be entitled to renewal of the scholarship until
35 the student has received the equivalent of four years of undergraduate education and four years of
36 post-graduate education.

37 (4) If the student who is a current foster child or former foster child or who is the dependent
38 of a public safety officer with a disability continues to remain enrolled in a public university listed
39 in ORS 352.002 or a community college or an independent institution within the State of Oregon, the
40 student shall be entitled to renewal of the scholarship until the student has received the equivalent
41 of four years of undergraduate education.

42 (5) The commission may require proof of the student's relationship to a public safety officer de-
43 scribed in subsection (1) of this section or proof that the student is a current foster child or former
44 foster child.

45 (6) As used in this section:

1 (a) "Former foster child" [*means an individual who, for a total of 12 or more months while be-*
2 *tween the ages of 16 and 21, was a ward of the court pursuant to ORS 419B.100 (1)(b) to (e) and in*
3 *the legal custody of the Department of Human Services for out-of-home placement*] **has the meaning**
4 **given that term in ORS 351.293.**

5 (b) "Public safety officer" means:

6 (A) A firefighter or police officer as those terms are defined in ORS 237.610.

7 (B) A member of the Oregon State Police.

8 (C) A police officer commissioned by a university under ORS 352.383.

9 **SECTION 4. This 2013 Act being necessary for the immediate preservation of the public**
10 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**
11 **on its passage.**

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