

B-Engrossed Senate Bill 473

Ordered by the Senate June 15
Including Senate Amendments dated April 8 and June 15

Sponsored by Senator GELSER, Representative NOSSE (Pre-session filed.)

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.

Requires each public university to allow students, faculty and staff to identify sexual orientation on forms used to collect demographic data.

Requires each public university to make demographic data available to Higher Education Coordinating Commission.

Requires commission to establish format and time frame for collection and reporting of demographic data, to evaluate public university compliance with collecting and providing demographic data and to report to each regular session of Legislative Assembly on status of collecting and providing demographic data.

Requires each public university to permit enrolled students to use name other than legal first name on all course and grade rosters, directory listings, advisor lists, identification cards and diplomas.

Requires commission to work with community colleges to determine best method for collecting voluntarily provided sexual orientation data and permitting enrolled students to use preferred names on certain college documents.

A BILL FOR AN ACT

1
2 Relating to identifying information at higher education institutions.

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

4 **SECTION 1. (1) Each public university listed in ORS 352.002 shall allow all students, fac-**
5 **ulty and staff to identify the person's sexual orientation on any forms used to collect demo-**
6 **graphic data that includes gender, race or ethnicity.**

7 **(2) Each public university listed in ORS 352.002 shall make the demographic data collected**
8 **under subsection (1) of this section available to the Higher Education Coordinating Commis-**
9 **sion in the format determined by the commission under subsection (3) of this section.**

10 **(3) The commission shall:**

11 **(a) By rule establish a common format and time frame for the collection and reporting**
12 **of the demographic data specified in subsection (1) of this section;**

13 **(b) Evaluate the degree to which public universities are complying with the requirements**
14 **set forth in subsections (1) and (2) of this section; and**

15 **(c) During each regular session of the Legislative Assembly, submit a report in the**
16 **manner provided by ORS 192.245 to the committees related to higher education that:**

17 **(A) Sets forth the progress public universities have made toward implementing the re-**
18 **quirements set forth in subsections (1) and (2) of this section; and**

19 **(B) Summarizes the demographic data collected by the commission under this section.**

20 **SECTION 2. (1) Except as provided in subsection (2) of this section, to the extent allowed**
21 **by federal law, each public university listed in ORS 352.002:**

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 (a) Shall permit enrolled students to use a preferred first name other than the student's
2 legal first name on course and grade rosters, directory listings, advisor lists, identification
3 cards and diplomas; and

4 (b) May permit enrolled students to use a preferred first name other than the student's
5 legal first name on campus records not listed in paragraph (a) of this subsection.

6 (2) Public universities listed in ORS 352.002 must use the legal first name of enrolled
7 students on official transcripts and enrollment verification documents.

8 **SECTION 3.** (1) Except as provided in subsection (2) of this section, sections 1 and 2 of
9 this 2015 Act apply to all forms or campus records that are created or updated for the
10 2016-2017 academic year.

11 (2)(a) A public university is not required to update existing forms in order to comply with
12 the requirements of section 1 of this 2015 Act.

13 (b) A public university must permit an enrolled student to update the student's campus
14 records in order to implement the preferred first name policy set forth in section 2 of this
15 2015 Act.

16 **SECTION 4.** (1) The Higher Education Coordinating Commission shall work with repre-
17 sentatives from community colleges to:

18 (a) Determine the best method for community colleges to administer the collection of
19 sexual orientation identification data that is voluntarily provided by students, faculty and
20 staff;

21 (b) Determine the best method for community colleges to implement policies permitting
22 enrolled students to use preferred names on certain college documents; and

23 (c) Identify potential barriers to carrying out the activities described in paragraphs (a)
24 and (b) of this subsection, including legal issues, cost issues and data system limitations.

25 (2) The commission shall report its conclusions on the most cost effective and least
26 burdensome methods of carrying out the activities described in subsection (1)(a) and (b) of
27 this section to the interim committees of the Legislative Assembly related to higher educa-
28 tion no later than May 31, 2016.

29 **SECTION 5.** Section 4 of this 2015 Act is repealed on July 1, 2016.

30 **SECTION 6.** (1) The requirements set forth in sections 1 to 3 of this 2015 Act first apply
31 to the 2016-2017 academic year.

32 (2) The Higher Education Coordinating Commission and public universities listed in ORS
33 352.002 may take any action before the 2016-2017 academic year that is necessary to enable
34 the commission and universities to exercise, during and after the 2016-2017 academic year,
35 all of the duties, functions and powers conferred on the commission and universities by
36 sections 1 to 3 of this 2015 Act.

37 **SECTION 7.** In addition to and not in lieu of any other appropriation, there is appropri-
38 ated to the Higher Education Coordinating Commission, out of the General Fund, the sum
39 of \$53,707 for the purpose of performing the obligations assigned to the commission under
40 sections 1 and 4 of this 2015 Act.