

A-Engrossed
House Bill 2314

Ordered by the House March 16
Including House Amendments dated March 16

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Kate Brown for Higher Education Coordinating 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.

Permits Higher Education Coordinating Commission to establish by rule minimum **hourly training requirement or student proficiency-based training requirement** standards required for graduating from hair design, barbering, esthetics or nail technology schools.

Requires commission to approve, rather than review, mission statements of public universities.

Requires State Apprenticeship and Training Council to work with commission, rather than State Board of Education, to adopt policies regarding apprenticeship and training.

Requires ASPIRE programs to provide financial aid instruction to middle school, high school and college students.

Permits commission to enter into contracts and agreements for certain higher education and workforce development activities.

Amends how federal government share is calculated for purposes of Oregon Opportunity Grant.

[Transfers moneys from which interest is used to provide financial aid to students to study barbering, hairdressing, manicure and esthetics from Oregon Student Assistance Fund to Oregon Community Foundation.]

Changes name of Executive Director of the Office of Student Access and Completion to Director of the Office of Student Access and Completion.

Updates statutory references to General Educational Development (GED) test to clarify that test is example, and not only possibility, of approved high school equivalency test.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to higher education; creating new provisions; amending ORS 240.309, 332.114, 339.505,
3 339.520, 341.522, 344.257, 344.760, 345.400, 348.205, 348.250, 348.260, 348.263, 348.270, 348.272,
4 348.310, 348.320, 348.340, 348.350, 348.360, 348.370, 348.390, 348.448, 348.500, 348.511, 348.520,
5 348.563, 348.570, 348.592, 348.616, 348.618, 348.621, 348.625, 348.630, 348.635, 348.640, 348.670,
6 350.075, 350.080, 350.085, 350.175, 350.645, 411.892, 411.894, 418.658, 421.084, 660.157, 660.162,
7 660.167, 660.353, 676.815, 694.055, 696.022, 703.090, 807.066 and 809.380 and section 2, chapter 109,
8 Oregon Laws 2016; and declaring an emergency.

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

10 **SECTION 1.** ORS 345.400 is amended to read:

11 345.400. In addition to the other requirements of ORS 345.010 to 345.450, the rules adopted by
12 the Higher Education Coordinating Commission to regulate schools teaching hair design, barbering,
13 esthetics or nail technology:

14 (1) May include rules the commission considers necessary to protect the economic or physical
15 health and safety of the public and of the students attending the school including compliance with
16 ORS 345.110.

17 (2) Shall include rules that set standards for teachers teaching in schools licensed to teach hair

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 design, barbering, esthetics or nail technology pursuant to ORS 345.010 to 345.450.

2 (3) Shall require the schools to teach, and require for graduation from the school, courses that
3 meet *[the following]* minimum **hourly training requirement or student proficiency-based training**
4 **requirement** standards[:] **set by the commission by rule.**

5 *[(a)(A) A minimum hourly training requirement for:]*

6 *[(i) Hair design, 1,450 hours;]*

7 *[(ii) Barbering, 1,100 hours;]*

8 *[(iii) Esthetics, 250 hours; and]*

9 *[(iv) Nail technology, 350 hours; and]*

10 *[(B) In addition to the programs listed in this subsection, a student is also required to successfully*
11 *complete the following requirements once:]*

12 *[(i) Safety and sanitation, 150 hours; and]*

13 *[(ii) Career development, 100 hours.]*

14 *[(b) A student proficiency-based training requirement for hair design, barbering, esthetics or nail*
15 *technology, if the school has developed written requirements for graduation that are approved by the*
16 *commission.]*

17 **SECTION 2.** ORS 350.085 is amended to read:

18 350.085. The Higher Education Coordinating Commission shall:

19 (1) *[Review]* **Approve** all mission statements of the public universities listed in ORS 352.002; and

20 (2) Approve all significant changes to academic programs offered at the public universities, and
21 shall ensure that the changes:

22 (a) Are consistent with the mission statement of the respective public university;

23 (b) Do not unnecessarily duplicate academic programs offered by other public universities;

24 (c) Are not located in a geographic area that will cause undue hardship to Oregon's other public
25 universities; and

26 (d) Are allocated among the public universities to maximize the achievement of statewide needs
27 and requirements.

28 **SECTION 3.** ORS 660.157 is amended to read:

29 660.157. (1) Each state joint committee, with the prior approval of the State Apprenticeship and
30 Training Council, shall prescribe a standard course of study, developed from a trade analysis, for
31 the trade, craft or industrial occupation over which the committee exercises jurisdiction. Each such
32 course of study shall include instructional objectives and an outline of course content for related
33 instruction and manipulative instruction in the classroom. The prescribed course shall also provide
34 for evaluation procedures and instruments for measuring performance. For all programs in
35 apprenticeable occupations a minimum of 144 hours of related instruction per year is recommended.

36 (2) Except as provided in subsection (3) of this section, no course of study for the instruction
37 of apprentices or trainees that has not been prescribed pursuant to subsection (1) of this section
38 may be implemented under ORS 660.002 to 660.210.

39 (3) Notwithstanding subsections (1) and (2) of this section, any course of study for the instruc-
40 tion of apprentices or trainees may be implemented under ORS 660.002 to 660.210 where such course
41 of study:

42 (a) Involves instruction in any trades or crafts where the industry will provide the facilities for
43 training;

44 (b) Prepares apprentices and trainees in any trades or crafts;

45 (c) Requires expert instructors to meet the level of skill and training required by the industry;

1 (d) Is substantially equivalent to the standard course prescribed under subsection (1) of this
2 section; and

3 (e) Is supervised by a local joint committee or by a joint industry trust fund committee.

4 (4) Where a course of study meets the requirements of subsection (3) of this section, such course
5 shall be approved:

6 (a) By the state joint committee;

7 (b) By the [*State Board of Education*] **Higher Education Coordinating Commission** for ap-
8 prenticeship training credit; and

9 (c) By the Higher Education Coordinating Commission for community college associate degrees.

10 (5) Operation of a course of study under subsection (3) of this section shall be the responsibility
11 of the recognized local apprenticeship committee or local industry trust fund or recognized local
12 employee organization. Such local committee, trust or organization may prescribe criteria for en-
13 rollment into the course of study.

14 **SECTION 4.** ORS 660.162 is amended to read:

15 660.162. The [*State Board of Education*] **Higher Education Coordinating Commission**, in co-
16 operation with the State Apprenticeship and Training Council and the appropriate state joint com-
17 mittee, by rule shall adopt policies, standards and programs to carry out the provisions of ORS
18 660.002. Such policies, standards or programs may involve any of the following matters:

19 (1) Development of courses of study for apprentices and trainees in the trade, craft or industrial
20 occupation over which the committee exercises jurisdiction.

21 (2) Operation of related instruction classes by district school boards and in courses implemented
22 under ORS 660.157 (3).

23 (3) Development of uniform standards covering occupational qualifications and teacher training
24 requirements for instructors.

25 (4) Preservice and inservice training for instructors.

26 (5) Evaluation procedures for determining credit for apprenticeship training toward community
27 college associate degrees.

28 (6) Defining procedures for granting credit for work experience to instructors, skilled craftsmen
29 or journeyworkers toward the requirements of a community college associate degree.

30 **SECTION 5.** ORS 660.167 is amended to read:

31 660.167. The State Apprenticeship and Training Council, in cooperation with the [*State Board*
32 *of Education*] **Higher Education Coordinating Commission**, shall adopt policies regarding:

33 (1) Evaluation procedures relating to the determination of apprenticeship credit for work expe-
34 rience, education and training.

35 (2) Procedures for demonstrating the level of achievement required in any area of related in-
36 struction, including but not limited to taking a qualifying examination of the course content.

37 **SECTION 6.** ORS 348.500 is amended to read:

38 348.500. (1) The Higher Education Coordinating Commission may establish Access to Student
39 Assistance Programs in Reach of Everyone (ASPIRE) to provide information about financial aid and
40 education and training options beyond high school to students in Oregon [*secondary*] schools **and**
41 **colleges**. The goals of the programs are to:

42 (a) Provide mentoring and resources to help students access education and training beyond high
43 school;

44 (b) Help [*high*] **Oregon** schools build a sustainable [*community*] of volunteer mentors; and

45 (c) Educate students and families about the scholarship application process and other options

1 for paying for post-secondary education.

2 (2) The programs shall bring together students, school staff, community volunteers and parents
3 to help students overcome obstacles to their continuing education. The programs may provide
4 training, technical assistance and other resources to Oregon **middle schools**, high schools **and**
5 **colleges** on how to establish a volunteer-based program. Adult volunteers who are trained through
6 the program may provide mentoring, training and encouragement to students about post-secondary
7 options and financial aid.

8 (3) Each year, the programs shall provide financial aid instruction to **middle school**, high school
9 **and college** students and make the instruction available to the students' families. [*This instruction*
10 *may be conducted in conjunction with existing ASPIRE programs.*] The instruction should focus on
11 areas of academic interest or career opportunities identified as particularly relevant to the students
12 and provide information on apprenticeships or technical and occupational career pathways, with a
13 focus on local apprenticeships or local technical and occupational career pathways.

14 (4) The financial aid instruction required under subsection (3) of this section must outline:

15 (a) The different types of student loans that are available to students attending post-secondary
16 institutions of education;

17 (b) The potential use of individual development accounts established under ORS 458.675 to
18 458.700 to pay for post-secondary education; and

19 (c) The short-term and long-term economic impacts of each type of student loan or individual
20 development account.

21 **SECTION 7.** ORS 350.075, as amended by section 5, chapter 30, Oregon Laws 2016, and section
22 55, chapter 117, Oregon Laws 2016, is amended to read:

23 350.075. (1) As used in this section, "student access programs" means scholarship, loan, grant
24 and access programs described in ORS chapter 348.

25 (2) The Higher Education Coordinating Commission shall be guided by the legislative findings
26 in ORS 341.009, 350.001 and 350.005 and the goals and mission of post-secondary education set forth
27 in ORS 350.009 and 350.014.

28 (3) The Higher Education Coordinating Commission shall:

29 (a) Develop state goals for the state post-secondary education system, including community col-
30 leges and public universities listed in ORS 352.002, and for student access programs.

31 (b) Determine strategic investments in the state's community colleges, public universities and
32 student access programs necessary to achieve state post-secondary education goals.

33 (c) Coordinate the post-secondary elements of data collection and structure, with the advice and
34 recommendation of the state's independent institutions, community colleges and public universities,
35 as appropriate, in order to construct a state longitudinal data system.

36 (d) Adopt a strategic plan for achieving state post-secondary education goals, taking into con-
37 sideration the contributions of this state's independent institutions, philanthropic organizations and
38 other organizations dedicated to helping Oregonians reach state goals. State post-secondary educa-
39 tion goals as described in this section should include, but need not be limited to:

40 (A) Increasing the educational attainment of the population;

41 (B) Increasing this state's global economic competitiveness and the quality of life of its resi-
42 dents;

43 (C) Ensuring affordable access for qualified Oregon students at each college or public university;

44 (D) Removing barriers to on-time completion; and

45 (E) Tracking progress toward meeting the state's post-secondary education goals established in

1 the strategic plan described in this paragraph.

2 (e)(A) Each biennium, after receiving funding requests from the state's community colleges and
3 public universities as authorized by law, recommend to the Governor a consolidated higher educa-
4 tion agency request budget aligned with the strategic plan described in paragraph (d) of this sub-
5 section, including appropriations for:

6 (i) Student access programs;

7 (ii) Public universities listed in ORS 352.002, including but not limited to education and general
8 operations, statewide public services and state-funded debt service;

9 (iii) Community colleges, including but not limited to education and general operations and
10 state-funded debt service;

11 (iv) New facilities or programs;

12 (v) Capital improvements and deferred maintenance; and

13 (vi) Special initiatives and investments.

14 (B) In the development of the consolidated higher education agency request budget:

15 (i) Determine the costs necessary to provide quality post-secondary education;

16 (ii) Solicit input from educators, education policy experts, appropriate legislative committees,
17 students and other persons interested in the development of the funding model; and

18 (iii) Solicit public input regarding educational priorities.

19 (f) Adopt rules governing the distribution of appropriations from the Legislative Assembly to
20 community colleges, public universities listed in ORS 352.002 and student access programs. These
21 rules must be based on allocation formulas developed in consultation with the state's community
22 colleges and public universities, as appropriate.

23 (g) Approve or disapprove any significant change to the academic program of a community col-
24 lege or a public university listed in ORS 352.002. In reaching a decision under this paragraph, the
25 commission shall consider the recommendation from the community college or public university
26 seeking to make the change to an academic program that is issued pursuant to the obligation of the
27 governing board of a community college or public university to review and approve academic pro-
28 grams. The commission shall ensure that approved programs:

29 (A) Are consistent with the mission statement of the community college or public university;

30 (B) Do not unnecessarily duplicate academic programs offered by Oregon's other community
31 colleges or public universities;

32 (C) Are not located in a geographic area that will cause undue hardship to Oregon's other
33 community colleges or public universities; and

34 (D) Are allocated among Oregon's community colleges and public universities to maximize the
35 achievement of statewide needs and requirements.

36 (h) For public universities listed in ORS 352.002:

37 (A) Approve the mission statement adopted by a governing board of a public university.

38 (B) Review and determine whether a proposed annual increase of resident undergraduate en-
39 rollment fees of greater than five percent is appropriate.

40 (C) Advise the Governor and the Legislative Assembly on issues of university governance.

41 (D) Approve and authorize degrees.

42 (E) Perform the evaluation and certification required by ORS 350.095.

43 (i) Authorize degrees to be offered by independent post-secondary institutions in this state under
44 ORS 348.594 to 348.615.

45 (j) Oversee the licensing of career schools under ORS 345.010 to 345.450.

1 (k) Have the authority to enter into and administer interstate agreements regarding the pro-
2 vision of post-secondary distance education. The participation by an educational institution that is
3 not based in this state in distance learning courses or programs that are part of an interstate
4 agreement entered into and administered under this paragraph does not constitute operating in this
5 state for purposes of ORS 348.594 to 348.615. The commission, by rule, may impose a fee on any
6 educational institution that seeks to operate under or participate in such interstate agreements. The
7 fee amount shall be established to recover designated expenses incurred by the commission in par-
8 ticipating in such agreements.

9 (L) Coordinate and collaborate with the Chief Education Office as provided by section 1, chapter
10 519, Oregon Laws 2011.

11 (4)(a) The Higher Education Coordinating Commission shall implement a process to resolve stu-
12 dent complaints against any school operating in this state. As part of the process implemented under
13 this subsection, the commission may:

14 (A) Receive student complaints from students regarding a school;

15 (B) Specify the type of information that must be included in a student complaint;

16 (C) Investigate any student complaint filed against a school;

17 (D) Establish a process to review and resolve student complaints against a school, including but
18 not limited to reviewing school records, holding administrative hearings and issuing final orders;

19 (E) Assess a fee to cover the costs of any proceeding brought under this subsection, including
20 but not limited to the costs of an investigation or administrative hearing;

21 (F) Require a school to make full or partial restitution to a student or to cease an act or prac-
22 tice that is challenged in a student complaint;

23 (G) Adopt rules to implement the provisions of this subsection; and

24 (H) Enter into agreements to implement the provisions of this subsection.

25 (b) Any hearing held under this subsection is subject to the provisions of ORS chapter 183.

26 (c) As used in this subsection:

27 (A) "School" means a school that meets the requirements of ORS 348.597 (2)(a); and

28 (B) "Student" means a person who is enrolled or accepted for enrollment at a school for the
29 purpose of obtaining a degree, certificate or other recognized educational credential offered by that
30 school.

31 (5) In addition to the duties described in subsections (2) to (4) of this section, the Higher Edu-
32 cation Coordinating Commission shall advise the Legislative Assembly, the Governor, community
33 colleges, public universities and other state boards and commissions on policies in order to:

34 (a) Ensure or improve access to higher education by diverse and underserved populations.

35 (b) Encourage student success and completion initiatives.

36 (c) Improve the coordination of the provision of educational services, including:

37 (A) Transfers and coenrollment throughout the higher education system;

38 (B) Accelerated college credit programs for high school students;

39 (C) Applied baccalaureate and other transfer degrees;

40 (D) Programs and grants that span multiple institutions; and

41 (E) Reciprocity agreements with other states.

42 (d) In coordination with the State Board of Education, enhance the use and quality of dual
43 credit, career and technical pathways and efforts to create a culture of college attendance in this
44 state.

45 (e) In coordination with the State Workforce Investment Board, local workforce investment

1 boards, the Oregon Health and Science University and independent institutions, ensure that the
2 state's colleges and universities offer programs in high-demand occupations that meet Oregon's
3 workforce needs.

4 (f) Improve economies of scale by encouraging and facilitating the use of the shared services
5 among post-secondary institutions in this state.

6 (6) The Higher Education Coordinating Commission, in a manner consistent with ORS chapter
7 183, may adopt administrative rules.

8 (7) With the exception of the rulemaking authority granted in subsection (6) of this section, the
9 Higher Education Coordinating Commission may delegate any of its powers, duties or functions to
10 a committee of the commission or to the executive director of the commission.

11 (8) The Higher Education Coordinating Commission may:

12 (a) Establish technical or advisory committees to assist the commission in exercising its powers,
13 duties and functions; **or**

14 (b) **Subject to the Public Contracting Code, enter into contracts and agreements, includ-**
15 **ing grant agreements, with public and private entities for those higher education and**
16 **workforce development activities that are consistent with ORS 350.001 and 350.005, with the**
17 **policies set forth in ORS chapters 341 and 348 and with statutory policies related to career**
18 **schools and public universities.**

19 (9) The Higher Education Coordinating Commission may exercise only powers, duties and func-
20 tions expressly granted by the Legislative Assembly. Except as otherwise expressly provided by law,
21 all other authorities reside at the institutional level with the respective boards of the post-secondary
22 institutions.

23 **SECTION 8.** ORS 350.075, as amended by section 61, chapter 774, Oregon Laws 2015, section
24 6, chapter 30, Oregon Laws 2016, and section 56, chapter 117, Oregon Laws 2016, is amended to
25 read:

26 350.075. (1) As used in this section, "student access programs" means scholarship, loan, grant
27 and access programs described in ORS chapter 348.

28 (2) The Higher Education Coordinating Commission shall be guided by the legislative findings
29 in ORS 341.009, 350.001 and 350.005 and the goals and mission of post-secondary education set forth
30 in ORS 350.009 and 350.014.

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33 leges and public universities listed in ORS 352.002, and for student access programs.

34 (b) Determine strategic investments in the state's community colleges, public universities and
35 student access programs necessary to achieve state post-secondary education goals.

36 (c) Coordinate the post-secondary elements of data collection and structure, with the advice and
37 recommendation of the state's independent institutions, community colleges and public universities,
38 as appropriate, in order to construct a state longitudinal data system.

39 (d) Adopt a strategic plan for achieving state post-secondary education goals, taking into con-
40 sideration the contributions of this state's independent institutions, philanthropic organizations and
41 other organizations dedicated to helping Oregonians reach state goals. State post-secondary educa-
42 tion goals as described in this section should include, but need not be limited to:

43 (A) Increasing the educational attainment of the population;

44 (B) Increasing this state's global economic competitiveness and the quality of life of its resi-
45 dents;

1 (C) Ensuring affordable access for qualified Oregon students at each college or public university;

2 (D) Removing barriers to on-time completion; and

3 (E) Tracking progress toward meeting the state's post-secondary education goals established in
4 the strategic plan described in this paragraph.

5 (e)(A) Each biennium, after receiving funding requests from the state's community colleges and
6 public universities as authorized by law, recommend to the Governor a consolidated higher educa-
7 tion agency request budget aligned with the strategic plan described in paragraph (d) of this sub-
8 section, including appropriations for:

9 (i) Student access programs;

10 (ii) Public universities listed in ORS 352.002, including but not limited to education and general
11 operations, statewide public services and state-funded debt service;

12 (iii) Community colleges, including but not limited to education and general operations and
13 state-funded debt service;

14 (iv) New facilities or programs;

15 (v) Capital improvements and deferred maintenance; and

16 (vi) Special initiatives and investments.

17 (B) In the development of the consolidated higher education agency request budget:

18 (i) Determine the costs necessary to provide quality post-secondary education;

19 (ii) Solicit input from educators, education policy experts, appropriate legislative committees,
20 students and other persons interested in the development of the funding model; and

21 (iii) Solicit public input regarding educational priorities.

22 (f) Adopt rules governing the distribution of appropriations from the Legislative Assembly to
23 community colleges, public universities listed in ORS 352.002 and student access programs. These
24 rules must be based on allocation formulas developed in consultation with the state's community
25 colleges and public universities, as appropriate.

26 (g) Approve or disapprove any significant change to the academic program of a community col-
27 lege or a public university listed in ORS 352.002. In reaching a decision under this paragraph, the
28 commission shall consider the recommendation from the community college or public university
29 seeking to make the change to an academic program that is issued pursuant to the obligation of the
30 governing board of a community college or public university to review and approve academic pro-
31 grams. The commission shall ensure that approved programs:

32 (A) Are consistent with the mission statement of the community college or public university;

33 (B) Do not unnecessarily duplicate academic programs offered by Oregon's other community
34 colleges or public universities;

35 (C) Are not located in a geographic area that will cause undue hardship to Oregon's other
36 community colleges or public universities; and

37 (D) Are allocated among Oregon's community colleges and public universities to maximize the
38 achievement of statewide needs and requirements.

39 (h) For public universities listed in ORS 352.002:

40 (A) Approve the mission statement adopted by a governing board of a public university.

41 (B) Review and determine whether a proposed annual increase of resident undergraduate en-
42 rollment fees of greater than five percent is appropriate.

43 (C) Advise the Governor and the Legislative Assembly on issues of university governance.

44 (D) Approve and authorize degrees.

45 (E) Perform the evaluation and certification required by ORS 350.095.

1 (i) Authorize degrees to be offered by independent post-secondary institutions in this state under
2 ORS 348.594 to 348.615.

3 (j) Oversee the licensing of career schools under ORS 345.010 to 345.450.

4 (k) Have the authority to enter into and administer interstate agreements regarding the pro-
5 vision of post-secondary distance education. The participation by an educational institution that is
6 not based in this state in distance learning courses or programs that are part of an interstate
7 agreement entered into and administered under this paragraph does not constitute operating in this
8 state for purposes of ORS 348.594 to 348.615. The commission, by rule, may impose a fee on any
9 educational institution that seeks to operate under or participate in such interstate agreements. The
10 fee amount shall be established to recover designated expenses incurred by the commission in par-
11 ticipating in such agreements.

12 (4)(a) The Higher Education Coordinating Commission shall implement a process to resolve stu-
13 dent complaints against any school operating in this state. As part of the process implemented under
14 this subsection, the commission may:

15 (A) Receive student complaints from students regarding a school;

16 (B) Specify the type of information that must be included in a student complaint;

17 (C) Investigate any student complaint filed against a school;

18 (D) Establish a process to review and resolve student complaints against a school, including but
19 not limited to reviewing school records, holding administrative hearings and issuing final orders;

20 (E) Assess a fee to cover the costs of any proceeding brought under this subsection, including
21 but not limited to the costs of an investigation or administrative hearing;

22 (F) Require a school to make full or partial restitution to a student or to cease an act or prac-
23 tice that is challenged in a student complaint;

24 (G) Adopt rules to implement the provisions of this subsection; and

25 (H) Enter into agreements to implement the provisions of this subsection.

26 (b) Any hearing held under this subsection is subject to the provisions of ORS chapter 183.

27 (c) As used in this subsection:

28 (A) "School" means a school that meets the requirements of ORS 348.597 (2)(a); and

29 (B) "Student" means a person who is enrolled or accepted for enrollment at a school for the
30 purpose of obtaining a degree, certificate or other recognized educational credential offered by that
31 school.

32 (5) In addition to the duties described in subsections (2) to (4) of this section, the Higher Edu-
33 cation Coordinating Commission shall advise the Legislative Assembly, the Governor, community
34 colleges, public universities and other state boards and commissions on policies in order to:

35 (a) Ensure or improve access to higher education by diverse and underserved populations.

36 (b) Encourage student success and completion initiatives.

37 (c) Improve the coordination of the provision of educational services, including:

38 (A) Transfers and coenrollment throughout the higher education system;

39 (B) Accelerated college credit programs for high school students;

40 (C) Applied baccalaureate and other transfer degrees;

41 (D) Programs and grants that span multiple institutions; and

42 (E) Reciprocity agreements with other states.

43 (d) In coordination with the State Board of Education, enhance the use and quality of dual
44 credit, career and technical pathways and efforts to create a culture of college attendance in this
45 state.

1 (e) In coordination with the State Workforce Investment Board, local workforce investment
2 boards, the Oregon Health and Science University and independent institutions, ensure that the
3 state's colleges and universities offer programs in high-demand occupations that meet Oregon's
4 workforce needs.

5 (f) Improve economies of scale by encouraging and facilitating the use of the shared services
6 among post-secondary institutions in this state.

7 (6) The Higher Education Coordinating Commission, in a manner consistent with ORS chapter
8 183, may adopt administrative rules.

9 (7) With the exception of the rulemaking authority granted in subsection (6) of this section, the
10 Higher Education Coordinating Commission may delegate any of its powers, duties or functions to
11 a committee of the commission or to the executive director of the commission.

12 (8) The Higher Education Coordinating Commission may:

13 (a) Establish technical or advisory committees to assist the commission in exercising its powers,
14 duties and functions; **or**

15 (b) **Subject to the Public Contracting Code, enter into contracts and agreements, includ-**
16 **ing grant agreements, with public and private entities for those higher education and**
17 **workforce development activities that are consistent with ORS 350.001 and 350.005, with the**
18 **policies set forth in ORS chapters 341 and 348 and with statutory policies related to career**
19 **schools and public universities.**

20 (9) The Higher Education Coordinating Commission may exercise only powers, duties and func-
21 tions expressly granted by the Legislative Assembly. Except as otherwise expressly provided by law,
22 all other authorities reside at the institutional level with the respective boards of the post-secondary
23 institutions.

24 **SECTION 9.** ORS 350.080 is amended to read:

25 350.080. The Higher Education Coordinating Commission may:

26 (1) Consistent with the laws of this state, accept money or property not otherwise provided for
27 under subsection (2) of this section that is donated for the use or benefit of community colleges and
28 use such money or property for the purpose for which it was donated. Until it is used, the commis-
29 sion shall deposit any moneys received under this subsection in a special fund with the State
30 Treasurer as provided in ORS 293.265 to 293.275.

31 (2) Apply for federal funds **or funds from any other source** and accept and enter into any
32 contracts or agreements on behalf of this state for the receipt of such funds from the federal gov-
33 ernment, [*or its*] **federal agencies or any other entity providing funding** for:

34 (a) Educational purposes;

35 (b) Career and technical education programs at community colleges;

36 (c) Adult education programs;

37 (d) Workforce training programs; and

38 (e) Any grants available to this state or its political subdivisions for general federal aid for
39 community colleges and their auxiliary services, improvement of teacher preparation, teacher sala-
40 ries, construction of school buildings, administration of the commission and any other educational
41 activities under the jurisdiction of the commission.

42 **SECTION 10.** ORS 348.205 is amended to read:

43 348.205. (1) The Oregon Opportunity Grant program is established within the Higher Education
44 Coordinating Commission.

45 (2) Under the program, the cost of education of a qualified student shall be shared by the stu-

1 dent, the family of the student, the federal government and the state.

2 (3) The [Executive] Director of the Office of Student Access and Completion shall determine the
3 cost of education of a qualified student based on the type of eligible post-secondary institution the
4 student is attending. The cost of education equals:

5 (a) For a student attending a community college, the average cost of education of attending a
6 community college in this state;

7 (b) For a student attending a public university listed in ORS 352.002, the average cost of edu-
8 cation of attending a public university;

9 (c) For a student attending a two-year Oregon-based, generally accredited, not-for-profit institu-
10 tion of higher education, the average cost of education of attending a community college in this
11 state; and

12 (d) For a student attending the Oregon Health and Science University or a four-year Oregon-
13 based, generally accredited, not-for-profit institution of higher education, the average cost of edu-
14 cation of attending a public university listed in ORS 352.002.

15 (4)(a) The [executive] director shall determine the amount of the student share. The student share
16 shall be based on:

17 (A) The type of eligible post-secondary institution the student is attending;

18 (B) The number of hours of work that the [executive] director determines may be reasonably
19 expected from the student; and

20 (C) The amount of loans that the [executive] director determines would constitute a manageable
21 debt burden for the student.

22 (b) The student shall determine how to cover the student share through income from work,
23 loans, savings and scholarships.

24 (c) The student share for a student who attends a community college may not exceed the amount
25 that the [executive] director determines a student may earn based on the number of hours of work
26 reasonably expected from the student under paragraph (a) of this subsection.

27 (d) The student share for a student who attends an eligible post-secondary institution that is not
28 a community college may not exceed the sum of the amount that the [executive] director determines
29 a student may receive as loans plus the amount a student may earn based on the number of hours
30 of work reasonably expected from the student under paragraph (a) of this subsection.

31 (5) The [executive] director shall determine the amount of the family share. The family share
32 shall be based on the resources of the family.

33 (6) The [executive] director shall determine the amount of the federal share based on how much
34 the student or the student's family is expected to receive from the federal government [*as grants,*
35 *loans, tax credits or other student assistance*].

36 (7)(a) The [executive] director shall determine the amount of the state share. The state share
37 shall be equal to the cost of education reduced by the student share, family share and amount re-
38 ceived by the student from the federal government.

39 (b) The [executive] director shall establish a minimum amount that a student may receive as a
40 state share. If the [executive] director determines that the amount of the state share of a student is
41 below the minimum amount, the student may not receive the state share.

42 (c) The [executive] director may not reduce the amount of the state share of a student based on
43 amounts available to the student by virtue of being the designated beneficiary of a college savings
44 network account established under ORS 178.300 to 178.355.

45 (8) Subject to subsection (9) of this section, if the [executive] director determines that there are

1 insufficient moneys to award the state share to all qualified students, the [executive] director:

2 (a) May establish the maximum amount that a student may receive as a state share. This amount
3 may vary based on whether the student is attending an eligible post-secondary institution on a
4 half-time or full-time basis.

5 (b) May establish procedures that prioritize awarding Oregon Opportunity Grants to qualified
6 students with the greatest financial need or whose circumstances would enhance the promotion of
7 equity guidelines published by the Higher Education Coordinating Commission.

8 (c) May not reduce the amount of the state share awarded to students in the low income range
9 in a greater proportion than the amount that the state share for students in other income ranges
10 is reduced.

11 (9)(a) The Higher Education Coordinating Commission shall adopt rules that prioritize current
12 foster children and former foster children for receiving Oregon Opportunity Grants when the Oregon
13 Opportunity Grant program does not have sufficient funding to serve all eligible Oregon students.

14 (b) For the purposes of this subsection, "former foster child" has the meaning given that term
15 in ORS 350.300.

16 **NOTE:** Sections 11 through 13 were deleted by amendment. Subsequent sections were not re-
17 numbered.

18
19 **AMENDING STATUTORY REFERENCES TO**
20 **GENERAL EDUCATIONAL DEVELOPMENT (GED)**
21 **TESTS AND CERTIFICATES**
22

23 **SECTION 14.** ORS 240.309 is amended to read:

24 240.309. (1) Temporary employment shall be used for the purpose of meeting emergency, nonre-
25 curring or short-term workload needs of the state.

26 (2) A temporary employee may be given a nonstatus appointment without open competition and
27 consideration only for the purposes enumerated in this section. Temporary appointments shall not
28 be used to defeat the open competition and consideration system.

29 (3) A temporary employee may not be employed in a permanent, seasonal, intermittent or limited
30 duration position except to replace an employee during an approved leave period.

31 (4) Employment of a temporary employee for the same workload need, other than for leave, may
32 not exceed six calendar months. The decision to extend the period of employment may be delegated
33 by the Personnel Division of the Oregon Department of Administrative Services to other state
34 agencies. Approval to extend shall be allowed only upon an appointing authority's finding that the
35 original emergency continues to exist and that there is no other reasonable means to meet the
36 emergency. Agency actions under this subsection are subject to post-audit review by the Oregon
37 Department of Administrative Services as provided in ORS 240.311.

38 (5) Employment of a temporary employee for different workload needs shall not exceed the
39 equivalent of six calendar months in a 12-month period.

40 (6) A temporary employee shall not be denied permanent work because of the temporary status.
41 Temporary service shall not be used as any portion of a required trial service period.

42 (7) The Personnel Division of the Oregon Department of Administrative Services shall report the
43 use of temporary employees, by agency, once every six months, including the duration and reason
44 for use or extensions, if any, of temporary appointments. The reports shall be made available upon
45 request to interested parties, including employee organizations. If any interested party alleges mis-

1 use of temporary employees, the division shall investigate, report its findings and take appropriate
2 action.

3 (8) The Department of Justice may use temporary status appointments for student law clerks for
4 a period not to exceed 24 months.

5 (9) The chief administrative law judge of the Office of Administrative Hearings may use tempo-
6 rary status appointments for student law clerks for a period not to exceed 24 months. Student law
7 clerks appointed under this subsection may not act as administrative law judges or conduct hearings
8 for the Office of Administrative Hearings.

9 (10) The Public Utility Commission may use temporary status appointments for student law
10 clerks for a period not to exceed 24 months.

11 (11) A state agency may use temporary status appointments for a period not to exceed 48 months
12 for student interns who are enrolled in high school or who are under 19 years of age and are
13 training to receive a **certificate for passing an approved high school equivalency test such as**
14 **the** General Educational Development (GED) [*certificate*] **test**. Student interns are not eligible for
15 benefits under ORS 243.105 to 243.285.

16 **SECTION 15.** ORS 332.114 is amended to read:

17 332.114. (1) A person who meets the requirements under subsection (3) of this section may re-
18 quest a school district to issue the person a high school diploma if the person resides within the
19 boundaries of the school district or is a resident of this state and attended a high school of the
20 school district.

21 (2) A representative of a deceased person who meets the requirements under subsection (3) of
22 this section may request a school district to issue a high school diploma on behalf of the deceased
23 person if the deceased person resided within the boundaries of the school district at the time of
24 death or was a resident of this state at the time of death and attended a high school of the school
25 district.

26 (3) Notwithstanding the requirements for a high school diploma established under ORS 329.451
27 and by the State Board of Education and school districts, a school district that receives a request
28 under subsection (1) or (2) of this section shall issue a high school diploma to a person if the person:

29 (a) Attended a high school before serving in the Armed Forces of the United States;

30 (b) Did not graduate from a high school because the person was serving in the Armed Forces
31 of the United States;

32 (c) Was discharged or released under honorable conditions from the Armed Forces of the United
33 States;

34 (d) Served in the Armed Forces of the United States as described in subsection (4) of this sec-
35 tion; and

36 (e)(A) Has received a **certificate for passing an approved high school equivalency test such**
37 **as the** General Educational Development (GED) [*certificate*] **test**;

38 (B) Has received a post-secondary degree from a community college, public university listed in
39 ORS 352.002 or other generally accredited institution of higher education; or

40 (C) Has received a minimum score on the Armed Services Vocational Aptitude Battery (ASVAB),
41 as established by the Oregon Military Department.

42 (4) The provisions of subsection (3) of this section apply to a person who:

43 (a) Served in the Armed Forces of the United States at any time during:

44 (A) World War I;

45 (B) World War II;

- 1 (C) The Korean Conflict; or
- 2 (D) The Vietnam War;
- 3 (b) Served in the Armed Forces of the United States and was physically present in:
- 4 (A) Operation Urgent Fury (Grenada);
- 5 (B) Operation Just Cause (Panama);
- 6 (C) Operation Desert Shield/Desert Storm (the Persian Gulf War);
- 7 (D) Operation Restore Hope (Somalia);
- 8 (E) Operation Enduring Freedom (Afghanistan); or
- 9 (F) Operation Iraqi Freedom (Iraq); or
- 10 (c) Served in the Armed Forces of the United States in an area designated as a combat zone by
- 11 the President of the United States.

12 **SECTION 16.** ORS 339.505 is amended to read:

13 339.505. (1) For purposes of the student accounting system required by ORS 339.515, the follow-

14 ing definitions shall be used:

15 (a) "Graduate" means an individual who has:

16 (A) Not reached 21 years of age or whose 21st birthday occurs during the current school year;

17 (B) Met all state requirements and local requirements for attendance, competence and units of

18 credit for high school; and

19 (C) Received one of the following:

20 (i) A high school diploma issued by a school district or a public charter school.

21 (ii) A high school diploma issued by an authorized community college.

22 (iii) A modified diploma issued by a school district or a public charter school.

23 (iv) An extended diploma issued by a school district or a public charter school.

24 (v) An alternative certificate issued by a school district or a public charter school.

25 (b) "School dropout" means an individual who:

26 (A) Has enrolled for the current school year, or was enrolled in the previous school year and

27 did not attend during the current school year;

28 (B) Is not a high school graduate;

29 (C) Has not received a **certificate for passing an approved high school equivalency test**

30 **such as the** General Educational Development (GED) [*certificate*] **test**; and

31 (D) Has withdrawn from school.

32 (c) "School dropout" does not include a student described by at least one of the following:

33 (A) A student who has transferred to another educational system or institution that leads to

34 graduation and the school district has received a written request for the transfer of the student's

35 records or transcripts.

36 (B) A student who is deceased.

37 (C) A student who is participating in home instruction paid for by the district.

38 (D) A student who is being taught by a private teacher, parent or legal guardian pursuant to

39 ORS 339.030 (1)(d) or (e).

40 (E) A student who is participating in a Department of Education approved public or private

41 education program, an alternative education program as defined in ORS 336.615 or a hospital edu-

42 cation program, or is residing in a Department of Human Services or an Oregon Health Authority

43 facility.

44 (F) A student who is temporarily residing in a shelter care program certified by the Oregon

45 Youth Authority or in a juvenile detention facility.

1 (G) A student who is enrolled in a foreign exchange program.

2 (H) A student who is temporarily absent from school because of suspension, a family emergency,
3 or severe health or medical problems that prohibit the student from attending school.

4 (I) A student who has received a **certificate for passing an approved high school equivalency**
5 **test such as the** General Educational Development (GED) [*certificate*] **test**.

6 (2) The State Board of Education shall prescribe by rule when an unexplained absence becomes
7 withdrawal, when a student is considered enrolled in school, acceptable alternative education pro-
8 grams under ORS 336.615 to 336.665 and the standards for excused absences for purposes of ORS
9 339.065 for family emergencies and health and medical problems.

10 **SECTION 17.** ORS 339.520 is amended to read:

11 339.520. The minimum information to be reported on students who withdraw from school prior
12 to becoming graduates and who do not transfer to another educational system is:

13 (1) Age, sex and racial-ethnic designation of the student;

14 (2) Date of withdrawal;

15 (3) Reason for withdrawal, including but not limited to expulsion, work or death;

16 (4) Number of credits earned toward meeting graduation requirements, if applicable, or grade
17 level, of the reporting district;

18 (5) Length of time the student was enrolled in the reporting district;

19 (6) Information relating to the disposition of the student after withdrawing, including but not
20 limited to **studying for an approved high school equivalency test such as the** General Educa-
21 tional Development (GED) [*participation*] **test**, alternative certificate of participation, transfer to
22 mental health or youth correction facility or participation in a substance abuse program or other
23 dispositions listed in ORS 339.505 (1)(b) and (c); and

24 (7) Information on why the student withdrew as such information relates to academics, conduct
25 standards, interpersonal relationships, relation with school personnel, personal characteristics such
26 as illness, lack of motivation, home and family characteristics, alternative education participation
27 and employment information.

28 **SECTION 18.** ORS 341.522, as amended by section 1, chapter 75, Oregon Laws 2016, is amended
29 to read:

30 341.522. (1) The Office of Student Access and Completion shall administer the Oregon Promise
31 program as provided by this section.

32 (2) Subject to subsections (5) and (6) of this section, the office shall provide a waiver of tuition
33 for community college courses to a person who meets the criteria described in subsections (3) and
34 (4) of this section. The waiver shall be a grant and limited as provided by subsections (5) and (6)
35 of this section.

36 (3) A grant shall be awarded under this section to a person who meets the following criteria:

37 (a) Is enrolled in courses that are:

38 (A) Offered at a community college in this state; and

39 (B) Determined by the office, in accordance with rules adopted by the Higher Education Coor-
40 dinating Commission, to be required for completion of:

41 (i) A one-year curriculum for students who plan to transfer to another post-secondary institution
42 of education;

43 (ii) An associate degree; or

44 (iii) A program in career and technical education;

45 (b) Has been a resident of this state for at least 12 months prior to enrolling in the courses

1 described in paragraph (a) of this subsection;

2 (c) Attained the person's highest level of education in this state prior to:

3 (A) Receiving a diploma under ORS 329.451;

4 (B) Receiving a **certificate for passing an approved high school equivalency test such as**
5 **the** General Educational Development (GED) [*certificate*] **test** as provided by ORS 350.175;

6 (C) Completing grade 12 in compliance with the requirements of ORS 339.035; or

7 (D) Completing grade 12 at a private or parochial school, as described in ORS 339.030 (1)(a);

8 (d) Attained the person's highest level of education as described in paragraph (c) of this sub-
9 section within six months from the date that the person first enrolls in courses described in para-
10 graph (a) of this subsection for the purpose of receiving a grant under this section;

11 (e) Earned a cumulative grade point average of 2.5 or better in high school or otherwise dem-
12 onstrated an equivalent academic ability, as determined by the office according to rules adopted by
13 the commission;

14 (f) Completed and submitted the Free Application for Federal Student Aid for each academic
15 year and accepted all state and federal aid grants available to the person, if eligible to file the ap-
16 plication; and

17 (g) Has not completed either of the following:

18 (A) More than a total of 90 credit hours, or the equivalent, at a post-secondary institution of
19 education; or

20 (B) A curriculum, degree or program, as described in paragraph (a)(B) of this subsection.

21 (4)(a) A person continues to remain eligible to receive a grant under this section if the person,
22 in addition to satisfying the criteria specified in subsection (3) of this section, meets the following
23 criteria:

24 (A) Maintains at least the minimum cumulative grade point average prescribed by the commis-
25 sion based on federal aid grant requirements;

26 (B) Makes satisfactory academic progress toward a curriculum, degree or program, as described
27 in subsection (3)(a)(B) of this section, as prescribed by the commission based on federal aid grant
28 requirements;

29 (C) Enrolls in courses described in subsection (3)(a) of this section for a sufficient number of
30 credit hours to be considered at least a half-time student each term for at least three terms in each
31 consecutive academic year; and

32 (D) Completes a first-year experience, as identified by the community college and reported by
33 the community college to the commission.

34 (b) A person who fails to meet an eligibility requirement described in paragraph (a) of this
35 subsection becomes ineligible to receive a grant under this section for the term after which the
36 person fails to meet the eligibility requirement, unless the eligibility requirement is waived by the
37 office according to rules adopted by the commission.

38 (5)(a) The total amount of a grant awarded under this section shall be based on each term that
39 a person is enrolled in courses described in subsection (3)(a) of this section. After the amount of
40 tuition for the person for the term is reduced by \$50, to be paid by the person, and reduced by any
41 amounts received by the person in state and federal aid grants, the person shall be eligible for a
42 grant under this section in an amount that equals:

43 (A) Except as provided by paragraph (b) of this subsection, not less than the greater of:

44 (i) \$1,000; and

45 (ii) The person's actual cost for tuition.

1 (B) Not more than the lesser of:

2 (i) The average cost of tuition at a community college in this state, as determined by the office;
3 and

4 (ii) The person's actual cost for tuition.

5 (b) The minimum amount of a grant, as calculated under paragraph (a) of this subsection, may
6 be prorated for a person who is enrolled in courses described in subsection (3)(a) of this section for
7 a sufficient number of credit hours to be considered at least a half-time student but not a full-time
8 student.

9 (c) The commission may prescribe by rule whether to include fees, and any limitations related
10 to the inclusion of fees, when determining the actual cost of tuition or the average cost of tuition
11 under this subsection.

12 (6) The total amount in grants awarded under this section by the office may not exceed \$10
13 million per fiscal year, or any lesser amount available to the office for the purpose of this section.
14 The commission may adopt by rule the priority by which grants are awarded, which may allow for
15 preference to be given to persons enrolled in school districts or high schools that meet specified
16 criteria.

17 (7) The commission shall adopt any rules necessary for the administration of this section, in-
18 cluding any requirements related to:

19 (a) Specifying the form and timelines for submitting an application for a grant under this section;

20 (b) Determining whether a person is eligible for a grant under this section, including whether
21 the person shall be given priority as allowed under subsection (6) of this section;

22 (c) Implementing programs or policies that improve the academic success or completion rates for
23 persons who receive a grant under this section;

24 (d) Prescribing eligibility requirements and grant calculations for persons dually enrolled in a
25 community college and a public university; and

26 (e) Evaluating the impact of the program established under this section, including any require-
27 ments for reporting data needed for evaluations.

28 (8) No later than December 31 of each even-numbered year, the commission shall submit to an
29 interim legislative committee related to education a report that summarizes the commission's
30 findings on the impact of the program established under this section. The report shall include:

31 (a) Student completion rates of curricula, degrees and programs described in subsection (3)(a)(B)
32 of this section;

33 (b) The amount of federal aid grants received by persons who received a grant under this sec-
34 tion;

35 (c) The financial impact of the program on school districts that had students receive a grant
36 under this section;

37 (d) The financial impact and the enrollment impact of the program on community colleges and
38 public universities in this state; and

39 (e) The overall success rate of the program and financial impact of the program.

40 **SECTION 19.** ORS 344.257 is amended to read:

41 344.257. (1) For the purposes of ORS 344.259, "continuing education" means organized instruc-
42 tion to serve the needs of post-secondary students, including but not limited to:

43 (a) Courses as offered to the regular full-time resident post-secondary student consisting of pro-
44 fessional preparatory courses and professional supplementary, technical, academic and professional
45 courses;

1 (b) Developmental education, consisting of adult basic education, high school completion courses
2 for a high school diploma, instruction to pass **approved high school equivalency tests such as** the
3 General Educational Development (GED) [*tests*] **test**, English language learner programs, and reme-
4 dial instruction;

5 (c) Educational activities, consisting of adult self-improvement courses and Federal Cooperative
6 Extension Service; and

7 (d) Hobby and recreation activities.

8 (2) "Continuing education" for a community college is limited to instruction within district
9 boundaries and instruction outside district boundaries offered under contract.

10 **SECTION 20.** ORS 344.760 is amended to read:

11 344.760. The Legislative Assembly finds that:

12 (1) It is in the state's interest to ensure coordination of the various groups providing adult lit-
13 eracy services within communities.

14 (2) The demands created by new technologies and foreign competition have intensified the need
15 for a literate workforce.

16 (3) Community colleges are the major providers of adult literacy to Oregon communities through
17 adult basic education, **training for approved high school equivalency tests such as the** General
18 Educational Development (GED) **test** and reading, tutoring and pre-employment skills classes.

19 (4) Community colleges present the opportunity of a statewide network able to link libraries,
20 providers of workforce development services, community schools, volunteer literacy groups and
21 other providers of literacy services and resources.

22 **SECTION 21.** ORS 350.175 is amended to read:

23 350.175. (1) The Director of the Office of Community Colleges and Workforce Development may
24 issue **certificates for passing approved high school equivalency tests such as the** General Ed-
25 ucational Development (GED) [*certificates*] **test** to persons who demonstrate satisfactory perform-
26 ance in tests prescribed under subsection (2) of this section or meet the requirements of any
27 prescribed evaluative procedure.

28 (2) The Higher Education Coordinating Commission by rule may prescribe tests and other ap-
29 propriate evaluation procedures for the purposes of subsection (1) of this section and may establish
30 age, residence and other relevant qualifications for applicants.

31 (3) The Office of Community Colleges and Workforce Development may utilize its personnel and
32 facilities for the administration of this section, and the commission may establish by rule a
33 nonrefundable application fee. The fee may be waived by the commission in case of hardship.

34 (4) Subject to prior approval of the Oregon Department of Administrative Services and a report
35 to the Emergency Board prior to adopting the fee, the fee established under subsection (3) of this
36 section shall not exceed the cost of administering the program, as authorized by the Legislative
37 Assembly within the office's budget, as the budget may be modified by the Emergency Board.

38 (5) All moneys received under this section shall be deposited in the State Treasury to the credit
39 of the Office of Community Colleges and Workforce Development and shall be used exclusively for
40 administration of this section. The Office of Community Colleges and Workforce Development shall
41 keep a record of all moneys deposited in such account. The record shall indicate by separate cu-
42 mulative accounts the source from which the moneys are derived and the individual activity against
43 which each withdrawal is charged.

44 (6) The Director of the Office of Community Colleges and Workforce Development shall consult
45 with the Superintendent of Public Instruction on all matters related to evaluation procedures used

1 to measure equivalent achievement under this section. The superintendent is authorized to make
2 independent recommendations on evaluation procedures to the office in those cases where the
3 superintendent's judgment differs from that of the director.

4 **SECTION 22.** ORS 411.892 is amended to read:

5 411.892. (1)(a) All employers, including public and private sector employers within the State of
6 Oregon, are eligible to participate in the JOBS Plus Program. The Department of Human Services
7 shall adopt by rule a method to disqualify employers from participating in the program. No employer
8 is required to participate in the JOBS Plus Program. In the event that there are unassigned partic-
9 ipants whom no employer desires to utilize, the participants may be assigned to work for a public
10 agency.

11 (b) The maximum number of program participants that any employer is authorized to receive at
12 any one time may not exceed 10 percent of the total number of the employer's employees. However,
13 each employer may receive one participant. The Director of Human Services may waive the limit in
14 special circumstances.

15 (c) The Department of Human Services by rule shall establish criteria for excluding employers
16 from participation for failure to abide by program requirements, showing a pattern of terminating
17 participants prior to the completion of training or other demonstrated unwillingness to comply with
18 the stated intent of the program.

19 (2) The Department of Human Services shall ensure that jobs made available to program par-
20 ticipants:

21 (a) Do not require work in excess of 40 hours per week;

22 (b) Are not used to displace regular employees or to fill unfilled positions previously established;
23 and

24 (c) Do not pay a wage that is substantially less than the wage paid for similar jobs in the local
25 economy with appropriate adjustments for experience and training.

26 (3)(a) Eligibility for the program shall be limited to residents who are:

27 (A) Adults and caretaker relatives who are receiving temporary assistance for needy families
28 benefits;

29 (B) Adult Supplemental Nutrition Assistance Program recipients except as described in sub-
30 section (5)(b) of this section; and

31 (C) Unemployed noncaretaker parents of children who are receiving temporary assistance for
32 needy families benefits.

33 (b) In addition to those residents eligible for the program under paragraph (a) of this subsection,
34 additional residents who are seeking employment may be eligible for the program if there are
35 legislatively allocated funds available in the temporary assistance for needy families budget of the
36 Department of Human Services.

37 (4)(a) Individuals desiring work through the program shall contact the nearest Department of
38 Human Services office serving the county in which they reside if they are temporary assistance for
39 needy families program or Supplemental Nutrition Assistance Program applicants or recipients or
40 noncustodial parents of individuals receiving temporary assistance for needy families.

41 (b) With the assistance of the local JOBS Plus Implementation Councils and the JOBS Plus
42 Advisory Board, the Department of Human Services shall develop a job inventory of sufficient size
43 to accommodate all of the participants who desire to work in the program. In consultation with the
44 participant, the department shall try to match the profile of each participant with the needs of an
45 employer when assigning a participant to work with the employer.

1 (c) Either the employer or the participant may terminate the assignment by contacting the ap-
2 propriate Department of Human Services office. In such event, the Department of Human Services
3 shall reassess the needs of the participant and assign the participant to another JOBS Plus Program
4 placement or another job opportunity and basic skills program component and, at the employer's
5 request, provide the employer with another participant.

6 (d)(A) If after four months in a placement, a participant has not been hired for an unsubsidized
7 position, the employer shall allow the worker to undertake eight hours of job search per week.
8 Participating employers shall consider such time as hours worked for the purposes of paying wages.

9 (B) If after six months in a placement, a participant has not been hired for an unsubsidized po-
10 sition, the placement shall be terminated, and the caseworker shall reassess the participant's em-
11 ployment development plan.

12 (e) The Department of Human Services may pay placement and barrier removal payments to
13 temporary assistance for needy families program and Supplemental Nutrition Assistance Program
14 participants as necessary to enable participation in the JOBS Plus Program.

15 (f) The Department of Human Services shall accept eligible volunteers into the program prior
16 to mandating program participation by eligible persons.

17 (5)(a) Assignment of participants to available jobs shall be based on a preference schedule de-
18 veloped by the Department of Human Services. Any temporary assistance for needy families recipi-
19 ent or supplemental nutrition assistance recipient may volunteer for the program.

20 (b) The following individuals may not be required to participate in the program:

21 (A) Recipients under the temporary assistance for needy families program and the Supplemental
22 Nutrition Assistance Program who are eligible for Supplemental Security Income benefits or other
23 ongoing state or federal maintenance benefits based on age or disability.

24 (B) Supplemental nutrition assistance applicants or recipients who are employed full-time or are
25 college students eligible for supplemental nutrition assistance and enrolled full-time in a community
26 college or an institution of higher education, or enrolled half-time in a community college or an in-
27 stitution of higher education and working at least 20 hours per week.

28 (C) Teenage parents who remain in high school if progressing toward a diploma. Teenage par-
29 ents not in school are eligible for the JOBS Plus Program.

30 (c) The Department of Human Services shall provide life skills classes and opportunities to
31 achieve **a certificate for passing an approved high school equivalency test such as the** General
32 Educational Development (GED) [*certificates*] **test** to appropriate participants in conjunction with
33 working in the JOBS Plus Program.

34 (d) Subject to subsection (7) of this section, temporary assistance for needy families and sup-
35 plemental nutrition assistance shall be suspended at the end of the calendar month in which an
36 employer makes the first wage payment to a participant who is a custodial parent in a family that
37 receives temporary assistance for needy families or to any adult member of a household receiving
38 supplemental nutrition assistance. Failure of the participant to cooperate with the requirements of
39 the JOBS Plus Program may result in the participant's removal, in accordance with rules adopted
40 by the Department of Human Services, from the JOBS Plus Program and suspension of the
41 participant's temporary assistance for needy families grant and supplemental nutrition assistance.
42 A temporary assistance for needy families and supplemental nutrition assistance recipient who has
43 been removed from the program for failing to cooperate shall be eligible to reapply to participate
44 in the program and shall have eligibility for program services determined without regard to the
45 length of time the person was not participating following removal.

1 (6)(a) Employers shall pay all participating individuals at least the hourly rate of the Oregon
2 minimum wage.

3 (b) Sick leave, holiday and vacation absences shall conform to the individual employer's rules
4 for temporary employees.

5 (c) Group health insurance benefits shall be provided by the employer to program participants
6 if, and to the extent that, state or federal law requires the employer to provide such benefits.

7 (d) All persons participating in the JOBS Plus Program shall be considered to be temporary
8 employees of the individual employer providing the work and shall be entitled only to benefits re-
9 quired by state or federal law.

10 (e) Employers shall provide workers' compensation coverage for each JOBS Plus Program par-
11 ticipant.

12 (7) In the event that the net monthly full-time wage paid to a participant would be less than the
13 level of income from the temporary assistance for needy families program and the supplemental nu-
14 trition assistance amount equivalent that the participant would otherwise receive, the Department
15 of Human Services shall determine and pay a supplemental payment as necessary to provide the
16 participant with that level of net income. The department shall determine and pay in advance sup-
17 plemental payments to participants on a monthly basis as necessary to ensure equivalent net pro-
18 gram wages. Participants shall be compensated only for time worked.

19 (8) In addition to and not in lieu of the payments provided for under subsections (6) and (7) of
20 this section, participants shall be entitled to retain the full child support payments collected by the
21 Department of Justice.

22 (9) In conformity with existing state day care program regulations, child day care shall be pro-
23 vided for all program participants who require it.

24 (10) JOBS Plus Program employers shall:

25 (a) Endeavor to make JOBS Plus Program placements positive learning and training experiences;

26 (b) Maintain health, safety and working conditions at or above levels generally acceptable in the
27 industry and no less than that of comparable jobs of the employer;

28 (c) Provide on-the-job training to the degree necessary for the participants to perform their du-
29 ties;

30 (d) Recruit volunteer mentors from among their regular employees to assist the participants in
31 becoming oriented to work and the workplace; and

32 (e) Sign an agreement to abide by all requirements of the program, including the requirement
33 that the program not supplant existing jobs. All agreements shall include provisions noting the
34 employer's responsibility to repay reimbursements in the event the employer violates program rules.
35 When a professional placement service, professional employment organization or temporary employ-
36 ment agency is acting as an employer pursuant to subsection (13) of this section, agreements under
37 this paragraph shall require a three-party agreement between the professional placement service,
38 professional employment organization or temporary employment agency, the organization where the
39 participant has been placed to perform services and the State of Oregon. The three-party agreement
40 shall include provisions requiring that all JOBS Plus reimbursements received by the professional
41 placement service, professional employment organization or temporary employment agency be cred-
42 ited to the organization where the participant has been placed to perform services.

43 (11) Program participant wages shall be subject to federal and state income taxes, Social Secu-
44 rity taxes and unemployment insurance tax or reimbursement as applicable under ORS chapter 657,
45 which shall be withheld and paid in accordance with state and federal law. Supplemental payments

1 made pursuant to subsection (7) of this section shall not be subject to state income taxes under ORS
2 chapter 316 and, to the extent allowed by federal law, shall not be subject to federal income taxes
3 and Social Security taxes.

4 (12)(a) The Department of Human Services shall reimburse employers for the employers' share
5 of Social Security, unemployment insurance and workers' compensation premiums paid on behalf of
6 program participants referred to the employer by the Department of Human Services, as well as the
7 minimum wage earnings paid by the employer to program participants referred to the employer by
8 the Department of Human Services.

9 (b) If the Department of Human Services finds that an employer has violated any of the rules
10 of the JOBS Plus Program, the department:

11 (A) Shall withhold any amounts due to employers under paragraph (a) of this subsection.

12 (B) May seek repayment of any amounts paid to employers under paragraph (a) of this sub-
13 section.

14 (13) For purposes of this section, "employer" shall include professional placement services, pro-
15 fessional employment organizations and temporary employment agencies.

16 **SECTION 23.** ORS 418.658 is amended to read:

17 418.658. (1) The program director of the Oregon Youth Conservation Corps shall establish a
18 separate program known as the Oregon Community Stewardship Corps. In addition to the estab-
19 lished purposes of the Oregon Youth Conservation Corps, the purpose of the Oregon Community
20 Stewardship Corps is to promote community service activities throughout the state for a broad cross
21 section of Oregon disadvantaged and at-risk youth through programs that also include appropriate
22 educational and job training opportunities for participants.

23 (2) In addition to projects submitted under ORS 418.660 (1), projects of the Oregon Community
24 Stewardship Corps may include, but shall not be limited to:

25 (a) Child care services.

26 (b) Elderly and disabled care services.

27 (c) Literacy education programs.

28 (d) Recycling and other waste reduction services.

29 (3) The Oregon Community Stewardship Corps shall offer employment and educational opportu-
30 nities of at least three but not more than 12 months' duration for selected participants.

31 (4) Under rules adopted by the Higher Education Coordinating Commission, participants who
32 successfully complete any 12-month program under this section shall be eligible for \$1,500 in tuition
33 vouchers that can be used at any career school or post-secondary educational institution that is
34 qualified to receive assistance through the [Executive] Director of the Office of Student Access and
35 Completion.

36 (5) All Oregonians who are at least 13 years of age and under 25 years of age are eligible to
37 participate in the program. To ensure that Oregon Community Stewardship Corps participants rep-
38 resent a broad cross section of Oregonians, special emphasis shall be given to recruiting school
39 dropouts and other disadvantaged and at-risk youth, according to criteria established by the Oregon
40 Youth Conservation Corps Advisory Committee.

41 (6) To the extent practicable, the program director shall enlist state and federal agencies, local
42 government, nonprofit organizations and private businesses, and any combination of such entities,
43 to act as sponsors for programs administered under this section. Selection of sponsors shall be based
44 on criteria that include the following:

45 (a) The availability of other resources on a matching basis, including contributions from private

1 sources, other federal, state and local agencies, and moneys available through the federal Workforce
2 Investment Act of 1998 (29 U.S.C. 2801 et seq.);

3 (b) The provision of related educational and job training programs to participants, including but
4 not limited to school and college coursework, **training for approved high school equivalency**
5 **tests such as the** General Educational Development (GED) [*tests equivalency training*], project-
6 related education and professional training;

7 (c) Assurances that proposed projects will not displace existing employees or duplicate existing
8 private or government programs; and

9 (d) Assurances that proposed projects are devoted to the enhancement of the community and are
10 not based in maintenance activities and that these projects meet an identified need.

11 (7) In consultation with the advisory committee and the Director of the Office of Community
12 Colleges and Workforce Development, the program director shall make grants for programs admin-
13 istered under this section.

14 **SECTION 24.** ORS 421.084 is amended to read:

15 421.084. (1) The Administrator of Correctional Education shall administer an adult basic skills
16 development program for all individuals in the custody of the Department of Corrections. The pro-
17 gram shall:

18 (a) Test individuals for basic reading and mathematics skills or, for individuals with limited
19 English language proficiency, English speaking skills. Testing for basic intelligence, learning disa-
20 bilities, developmental disabilities and adaptive behavior skills shall be administered as needed ex-
21 cept that the administrator may accept equivalent test results from other sources.

22 (b) Except as provided in subsection (2) of this section, be mandatory for all individuals testing
23 below a 8.0 grade equivalency on a standardized reading test approved by the National Reporting
24 System for Adult Education of the United States Department of Education and by the Adult Basic
25 Skills Program of the Office of Community Colleges and Workforce Development.

26 (c) Provide progress testing and certification.

27 (d) Provide strong incentives for entering the program and for achieving the minimum reading
28 level and, for those individuals with demonstrated ability, provide incentives for making progress
29 toward earning a **certificate for passing an approved high school equivalency test such as the**
30 **General Educational Development (GED) [*certificate*] test.**

31 (e) Maintain records of an individual's achievement in the program and make those records
32 available to the State Board of Parole and Post-Prison Supervision.

33 (2) Testing for basic skills and participation in the adult basic skills development program are
34 not required for inmates:

35 (a) Sentenced to or otherwise confined by the department for less than one year;

36 (b) Sentenced to life imprisonment without parole;

37 (c) Sentenced to death;

38 (d) With developmental disabilities; or

39 (e) Who are specifically exempted by the Department of Corrections for security or health rea-
40 sons.

41 **SECTION 25.** ORS 660.353 is amended to read:

42 660.353. (1) There is created in the Office of Community Colleges and Workforce Development
43 the Oregon Youth Employment Program. Subject to the availability of funding, the office shall create
44 and operate, and local workforce investment boards shall manage, the program to provide meaning-
45 ful work experience and workforce training for persons between the ages of 14 and 24.

1 (2) The program shall provide to participants in the program case management and support
2 services that include, but are not limited to:

3 (a) Developing an individual development plan for the participant that outlines work readiness,
4 career and educational goals;

5 (b) Work readiness instruction;

6 (c) At least 12 weeks of paid internships or other work experience; and

7 (d) Academic support for earning high school graduation credit, completion of [a] **approved high**
8 **school equivalency programs such as the** General Educational Development (GED) certificate
9 program or earning college credit for work experience or internships provided through the program.

10 (3) The program:

11 (a) Plan, implementation procedures and evaluation criteria shall be described in the local plan
12 developed by a local workforce investment board under ORS 660.327.

13 (b) May provide for public and private sector employment opportunities.

14 (4) Local workforce investment boards responsible for managing the program shall ensure ap-
15 propriate training and positive work experiences for participants.

16 (5) The office shall collaborate with the local workforce investment boards to collect data on
17 youth work experience programs that identify successful work experiences and allow for the iden-
18 tification and dissemination of the most promising practices. The data collected shall also include
19 the number of participants in the program, the number of participants that complete the program,
20 the cost of internships and other work experiences provided, the academic credit earned by partic-
21 ipants and the number of **certificates for passing approved high school equivalency tests such**
22 **as the** General Educational Development (GED) [*certificates*] **test** earned by participants.

23 (6) The office shall adopt rules necessary for the implementation and operation of the program
24 created under subsection (1) of this section. The rules shall include, but are not limited to, estab-
25 lishing eligibility criteria for persons participating in the program.

26 **SECTION 26.** ORS 676.815 is amended to read:

27 676.815. The Health Licensing Office shall establish by rule criteria for the registration of be-
28 havior analysis interventionists. The criteria must include, but are not limited to, the requirement
29 that the applicant:

30 (1) Have a high school diploma or a **certificate for passing an approved high school equiv-**
31 **alency test such as the** General Educational Development (GED) [*certificate*] **test**;

32 (2) Be at least 18 years of age;

33 (3) Have successfully completed a state and nationwide criminal records check that requires
34 fingerprinting;

35 (4) Have completed at least 40 hours of professional training in applied behavior analysis ap-
36 proved by the office by rule; and

37 (5) Receive ongoing training and supervision by a licensed behavior analyst, by a licensed as-
38 sistant behavior analyst or by another licensed health care professional.

39 **SECTION 27.** ORS 694.055 is amended to read:

40 694.055. An applicant for licensure under this chapter shall pay the applicable fees established
41 under ORS 676.592 and shall demonstrate to the satisfaction of the Health Licensing Office that the
42 applicant:

43 (1) Is a person 18 years of age or older.

44 (2) Has graduated from high school or has been awarded a **certificate for passing an approved**
45 **high school equivalency test such as the** General Educational Development (GED) [*certificate*]

1 **test.**

2 (3) Has completed the training and has the experience required under ORS 694.065.

3 **SECTION 28.** ORS 696.022 is amended to read:

4 696.022. (1) The Real Estate Agency shall establish by rule a system for licensing real estate
5 brokers, principal real estate brokers and real estate property managers. The system shall establish,
6 at a minimum:

7 (a) The form and content of applications for licensing under each category of real estate pro-
8 fessional licensed by the agency;

9 (b) A licensing examination for each category of license;

10 (c) Schedules and procedures for issuing and renewing licenses;

11 (d) The term of a license in each category; and

12 (e) Terms and conditions under which the license of a real estate licensee must be returned or
13 transferred to the Real Estate Commissioner for purposes including, but not limited to, inactivation,
14 suspension or termination of the license.

15 (2)(a) A real estate broker may engage in professional real estate activity only if the broker is
16 associated with and supervised by a principal real estate broker. Except as provided in paragraph
17 (c) of this subsection, a real estate broker may not employ, engage or supervise the professional real
18 estate activity of another real estate licensee.

19 (b) To qualify for a real estate broker's license, an applicant must furnish to the commissioner
20 at the time of application for the license:

21 (A) Certification by the applicant that the applicant has a high school diploma or a **certificate**
22 **for passing an approved high school equivalency test such as the** General Educational Devel-
23 opment (GED) [*certificate*] **test** or the international equivalent, or other equivalent education ac-
24 ceptable to the commissioner;

25 (B) Proof that the applicant:

26 (i) Has successfully completed the basic real estate broker's educational courses required by
27 rule of the agency; and

28 (ii) Has passed the real estate broker's examination required by rule of the agency; and

29 (C) Certification that the applicant is at least 18 years of age.

30 (c) A real estate broker who has acquired three years of active experience as a real estate
31 broker may temporarily supervise the professional real estate activity of another real estate licensee
32 due to unforeseen circumstances or the temporary absence of a sole principal real estate broker,
33 as provided by rule of the agency. The temporary supervision of professional real estate activity
34 allowed under this paragraph may not exceed 90 days.

35 (3)(a) A principal real estate broker may engage in professional real estate activity. A principal
36 real estate broker may conduct professional real estate activity in conjunction with other real estate
37 brokers or principal real estate brokers or licensed real estate property managers. In addition, a
38 principal real estate broker may employ, engage or supervise the professional real estate activity
39 of another real estate licensee.

40 (b) To qualify for a principal real estate broker's license, an applicant must furnish to the com-
41 missioner at the time of application for the license:

42 (A) Certification by the applicant that the applicant has a high school diploma or a **certificate**
43 **for passing an approved high school equivalency test such as the** General Educational Devel-
44 opment (GED) [*certificate*] **test** or the international equivalent, or other equivalent education ac-
45 ceptable to the commissioner;

1 (B) Proof that the applicant:

2 (i) Has three years of active experience as a licensed real estate broker or a licensed real estate
3 salesperson as defined in ORS 696.025 (1999 Edition);

4 (ii) Has passed the principal real estate broker's examination required by rule of the agency;
5 and

6 (iii) Has successfully completed the brokerage administration and sales supervision course re-
7 quired by rule of the agency; and

8 (C) Certification that the applicant is at least 18 years of age.

9 (4)(a) An individual who holds a real estate property manager license may engage only in the
10 management of rental real estate.

11 (b) A licensed real estate property manager may employ, engage or supervise the professional
12 real estate activity of another licensed real estate property manager.

13 (c) To qualify for a real estate property manager's license, an applicant must furnish to the
14 commissioner at the time of application for the license:

15 (A) Certification by the applicant that the applicant has a high school diploma or **a certificate**
16 **for passing an approved high school equivalency test such as the** General Educational Devel-
17 opment (GED) [*certificate*] **test** or the international equivalent, or other equivalent education ac-
18 ceptable to the commissioner;

19 (B) Proof that the applicant:

20 (i) Has successfully completed the basic real estate property manager's educational courses re-
21 quired by rule of the agency; and

22 (ii) Has passed the real estate property manager's license examination required by rule of the
23 agency; and

24 (C) Certification that the applicant is at least 18 years of age.

25 (5)(a) A license for a real estate broker, principal real estate broker or real estate property
26 manager may be granted only to an individual who is trustworthy and competent to conduct pro-
27 fessional real estate activity in a manner that protects the public interest. As a condition of li-
28 censing, the commissioner may require proof of competence and trustworthiness that the
29 commissioner deems necessary to protect the public interest.

30 (b) In implementing this subsection, the commissioner shall require fingerprints and criminal
31 offender information of an applicant for initial licensing and may require fingerprints and criminal
32 offender information of an applicant for license renewal. Fingerprints acquired under this sub-
33 section may be used for the purpose of requesting a state or nationwide criminal records check
34 under ORS 181A.195.

35 (6) In order to qualify for a real estate broker's license, a real estate salesperson licensed in
36 another state or country must successfully complete a course of study and pass a real estate
37 broker's license examination, both as prescribed by agency rule.

38 (7) In order to satisfy the educational requirements under subsections (2) to (4) and (6) of this
39 section, a course must be approved by the commissioner. The commissioner shall determine the final
40 examination score acceptable as evidence of successful completion for each required course.

41 (8) The Real Estate Board may determine that an applicant for a principal real estate broker's
42 license has experience related to professional real estate activity that is equivalent to the experi-
43 ence required under subsection (3) of this section.

44 **SECTION 29.** ORS 703.090 is amended to read:

45 703.090. (1) All of the following requirements apply to an applicant for a license as a general

1 polygraph examiner. The applicant must:

2 (a) Be at least 18 years of age.

3 (b) Be a citizen of the United States.

4 (c) Not have demonstrated, in the preceding 10 years, a course of behavior that indicates a high
5 degree of probability that the applicant will be unlikely to perform the duties of a polygraph exam-
6 iner in a manner that would serve the interests of the public.

7 (d) If previously convicted for a criminal offense, provide information, as required by the De-
8 partment of Public Safety Standards and Training, relating to the circumstances of the conviction.
9 ORS 670.280 is applicable when the department considers information provided under this paragraph.

10 (e)(A) Have received a baccalaureate degree from a college or university that is accredited by
11 the American Association of Collegiate Registrars and Admissions Officers; or

12 (B) Have graduated from high school or have been awarded a **certificate for passing an ap-**
13 **proved high school equivalency test such as the** General Educational Development (GED) [*cer-*
14 *tificate*] **test**, and have at least five years of active investigative experience before the date of
15 application.

16 (f) Have graduated from a polygraph examiners course approved by the department and con-
17 forming to any minimum training standards approved by the Board on Public Safety Standards and
18 Training and have satisfactorily completed at least 200 examinations, or have worked as a polygraph
19 examiner for a period of at least five years for a governmental agency within the State of Oregon
20 and have satisfactorily completed at least 200 examinations.

21 (g) Have successfully completed an examination conducted by the department to determine,
22 consistent with any standards approved by the board, competency to act as a polygraph examiner.

23 (2) An applicant meets the requirements of subsection (1)(e) or (f) of this section if the applicant
24 provides the Department of Public Safety Standards and Training with documentation of military
25 training or experience that the department determines is substantially equivalent to the education
26 or experience required by subsection (1)(e) or (f) of this section.

27 (3) For the purpose of requesting a state or nationwide criminal records check under ORS
28 181A.195, the Department of Public Safety Standards and Training shall require each applicant to
29 be fingerprinted as part of the licensing procedure.

30 (4) Notwithstanding ORS 181A.195 (5) and (6), the Department of State Police shall maintain in
31 the department's files fingerprint cards submitted to it for purposes of conducting a state or na-
32 tionwide criminal records check under ORS 181A.195 on applicants for a license as a general
33 polygraph examiner.

34 (5) When the Department of Public Safety Standards and Training refuses to issue a license
35 based upon an applicant's failure to meet the requirements of subsection (1)(c) of this section, the
36 department shall prepare a concise, specific written statement of the facts supporting the
37 department's conclusion that there is a high degree of probability that the applicant will be unlikely
38 to perform required duties in a manner that would serve the interests of the public. A copy of the
39 statement must be given to the applicant.

40 **SECTION 30.** ORS 807.066 is amended to read:

41 807.066. (1) Subject to subsection (2) of this section, the Department of Transportation may not
42 issue driving privileges to a person who is under 18 years of age unless:

43 (a) The person has graduated from high school and provides the department with proof of
44 graduation satisfactory to the department;

45 (b) The person has received a **certificate for passing an approved high school equivalency**

1 **test, such as the** General Educational Development (GED) [*certificate*] **test**, from a community
2 college and provides the department with proof of the certificate satisfactory to the department; or

3 (c) The person's parent or legal guardian certifies that the person is:

4 (A) Enrolled in a school of this state, or any other state or any other country;

5 (B) Enrolled in a community college and making satisfactory progress toward a **certificate for**
6 **passing an approved high school equivalency test, such as the** General Educational Develop-
7 ment (GED) [*certificate*] **test**, or a high school diploma;

8 (C) Being taught by a private teacher, legal guardian or parent in compliance with ORS 339.035;

9 (D) Exempted from school attendance requirements due to circumstances beyond the control of
10 the person; or

11 (E) Exempt under ORS 339.030 (2) from the requirement to attend school.

12 (2) The department may not issue driving privileges to a person who is under 18 years of age
13 and whose driving privileges are suspended under ORS 809.423 (3) for withdrawing from school un-
14 less the person:

15 (a) Has graduated from high school and provides the department with proof of graduation sat-
16 isfactory to the department;

17 (b) Has received a **certificate for passing an approved high school equivalency test, such**
18 **as the** General Educational Development (GED) [*certificate*] **test**, from a community college and
19 provides the department with proof of the certificate satisfactory to the department;

20 (c) Provides the department with a form provided by the department and signed by the principal,
21 or the designee of the principal, of the school attended by the person that declares that the person
22 is enrolled in a school of this state, or any other state or any other country;

23 (d) Provides the department with a form provided by the department and signed by the author-
24 ized representative of the community college attended by the person that declares that the person
25 is making satisfactory progress toward a **certificate for passing an approved high school equiv-**
26 **alency test such as the** General Educational Development (GED) [*certificate*] **test**;

27 (e) Provides the department with a form provided by the department and signed by the author-
28 ized representative of the community college attended by the person that declares that the person
29 is making satisfactory progress toward a high school diploma;

30 (f) Provides the department with a form provided by the department and signed by the author-
31 ized representative of the education service district or school district having jurisdiction over the
32 area of the person's residence that declares that the person is being taught by a private teacher,
33 legal guardian or parent in compliance with ORS 339.035;

34 (g) Provides the department with documentation satisfactory to the department that indicates
35 that the person is exempted from school attendance requirements due to circumstances beyond the
36 control of the person; or

37 (h) Provides the department with documentation satisfactory to the department that the person
38 is exempt under ORS 339.030 (2) from the requirement to attend school.

39 **SECTION 31.** ORS 809.380 is amended to read:

40 809.380. All of the following apply to a person whose driving privileges have been suspended:

41 (1) The period of suspension shall last as long as provided for that particular suspension by law.

42 (2) During the period of suspension, the person is not entitled to exercise any driving privileges
43 in this state except as provided under this subsection. Unless otherwise specifically provided by law,
44 a person whose driving privileges are suspended may obtain, if the person qualifies, a hardship
45 driver permit under ORS 807.240, and exercise driving privileges under the driver permit.

1 (3) Upon expiration of the suspension, the Department of Transportation shall reissue, upon re-
2 quest of the person, the suspended driving privileges and any license or driver permit that evidences
3 the driving privileges. The reissuance shall be without requalification by the person except that the
4 department may require the person to furnish evidence satisfactory to the department that the per-
5 son is qualified to continue to exercise driving privileges in this state before the department reissues
6 the driving privileges.

7 (4) The department may not issue any driving privileges in contradiction to this section.

8 (5) If the person fails to surrender to the department any license or driver permit issued as ev-
9 idence of driving privileges that are suspended, the person is subject to the penalties under ORS
10 809.500.

11 (6) No reinstatement of suspended driving privileges will be made by the department until the
12 fee for reinstatement of suspended driving privileges established under ORS 807.370 is paid to or
13 waived by the department. The department may waive the reinstatement fee for any of the following
14 reasons:

15 (a) The suspension occurred under ORS 809.419 for failure to take an examination upon request
16 of the department under ORS 807.340.

17 (b) The suspension occurred under ORS 809.419 for failure to obtain required medical clearance
18 upon request of the department under ORS 807.070 or 807.090.

19 (c) The suspension occurred under ORS 809.419 for incompetence to drive a motor vehicle or
20 having a mental or physical condition or impairment that affects the person's ability to safely op-
21 erate a motor vehicle.

22 (d) The suspension occurred under ORS 809.419 upon notification by the superintendent of a
23 hospital under ORS 807.700 that a person should not drive.

24 (e) The suspension occurred under ORS 809.419 upon notification by a court under ORS 810.375
25 that a person charged with a traffic offense has been found guilty except for insanity.

26 (f) The department committed an error in issuing the suspension.

27 (g) The suspension was the result of an error committed by an insurance company in issuing or
28 failing to issue a certification of insurance or in canceling a certification of insurance filed with the
29 department under ORS 806.270.

30 (h) The department issued the suspension without error because the person failed to respond as
31 required under ORS 806.160 or to furnish proof of exemption under ORS 806.210 from the filing re-
32 quirement of ORS 806.200, but the department later determines that the person in fact was in com-
33 pliance with financial responsibility requirements as of the date of the department's letter of
34 verification under ORS 806.150 or at the time of an accident described in ORS 806.200.

35 (i) The department issued the suspension without error because the person was not in compli-
36 ance with financial responsibility requirements as of the date of the department's letter of verifica-
37 tion under ORS 806.150 or at the time of an accident described in ORS 806.200, but the department
38 later determines that the person reasonably and in good faith believed that the person was in com-
39 pliance with financial responsibility requirements on the date of the department's letter of verifica-
40 tion or at the time of the accident.

41 (j) The suspension was the result of an error committed by an insurance company in notifying
42 the department regarding the correctness of a certification under ORS 806.150.

43 (k) The suspension occurred because the person failed to make future responsibility filings but
44 the department later determines that the reason for the failure was that the person was a military
45 reservist or a member of a national guard unit that was ordered to active military duty to a location

1 outside of the United States. The effective date of the military orders must be prior to the effective
2 date of a suspension issued by the department for failure to make a future responsibility filing.

3 (L) The department issued the suspension without error because the department received a no-
4 tice to suspend from a court under ORS 809.210 or 809.220, but the department later determines that
5 the person in fact was in compliance with the requirements of the court prior to the effective date
6 of the suspension.

7 (7) The department shall waive the reinstatement fee for a person whose driving privileges were
8 suspended under ORS 809.423 (3) if the person:

9 (a) Has graduated from high school and provides the department with proof of graduation sat-
10 isfactory to the department; or

11 (b) Has received a **certificate for passing an approved high school equivalency test such**
12 **as the** General Educational Development (GED) [*certificate*] **test** from a community college and
13 provides the department with proof of the certificate satisfactory to the department.

14 **SECTION 32.** Section 2, chapter 109, Oregon Laws 2016, is amended to read:

15 **Sec. 2.** (1) As used in this section, “post-graduate scholar” means a student who:

16 (a) Has been in grades 9 through 12 for more than a total of four school years; and

17 (b) Has satisfied the requirements for a high school diploma as provided in ORS 329.451 (2).

18 (2) A school district may establish a program under this section to allow:

19 (a) A post-graduate scholar who satisfies the requirements of subsection (3) of this section to:

20 (A) Enroll in courses at a community college that are part of a course of study approved by the
21 school district and that may lead to a certificate or diploma;

22 (B) Enroll in the courses described in subparagraph (A) of this paragraph for one school year
23 after the post-graduate scholar has satisfied the requirements for a high school diploma as provided
24 in ORS 329.451 (2); and

25 (C) Have the school district pay the costs incurred for the courses described in subparagraph
26 (A) of this paragraph, including tuition, fees and books.

27 (b) A school district that satisfies the requirements of subsection (4) of this section to receive
28 and expend moneys distributed from the State School Fund under ORS 327.013 for the purpose of
29 paying the costs described in paragraph (a)(C) of this subsection.

30 (3) A post-graduate scholar qualifies to participate in a program established under this section
31 if the post-graduate scholar:

32 (a) Has completed and submitted the Free Application for Federal Student Aid, if eligible to file
33 the application;

34 (b) Is not eligible for a grant under the Oregon Promise program described in ORS 341.522 be-
35 cause of failure to earn the minimum cumulative grade point average, or submitted a complete ap-
36 plication for a grant under the Oregon Promise program by the established deadline but did not
37 receive a grant;

38 (c) Is not eligible for a federal aid grant that is equal to or more than the average cost of tuition
39 and fees at a community college, as determined by the Department of Education after consultation
40 with the [*Executive*] Director of the Office of Student Access and Completion; and

41 (d) Retains a legal residence within the boundaries of the school district through which the
42 post-graduate scholar satisfied the requirements for a high school diploma.

43 (4) A school district may receive and expend moneys distributed from the State School Fund
44 under ORS 327.013 for a program established under this section if the school district meets all of
45 the following criteria:

- 1 (a) Has a policy for the program that is adopted by the school district board and that describes:
2 (A) The goals of the program, including target high school graduation rates for underserved
3 students;
4 (B) Minimum requirements for grade point average, attendance and participation in regular in-
5 person meetings with school district staff to monitor student progress;
6 (C) The manner by which the results of the program will be measured and monitored; and
7 (D) The courses of study that are approved by the school district for the purpose of this section.
8 (b) Enters into a written agreement with the community college that has a service area within
9 which the school district is located.
10 (c) Has dedicated staff to provide support services to post-graduate scholars, including regular
11 in-person meetings to monitor student progress that occur at least twice each month.
12 (d) Ensures that a majority of students from the school district who are enrolled in courses at
13 a community college meet at least one of the criteria identified in this paragraph. The student:
14 (A) Is not a post-graduate scholar;
15 (B) Has received a modified diploma, an extended diploma or a **certificate for passing an ap-**
16 **proved high school equivalency test such as the** General Educational Development (GED) [*cer-*
17 *tificate*] **test**;
18 (C) Was enrolled in an alternative high school program within the preceding 12 months;
19 (D) Is, or will be, a first-generation graduate of high school;
20 (E) Is, or has been, a child in a foster home;
21 (F) Is, or has been, placed in a facility or an education program by a court;
22 (G) Is homeless;
23 (H) Is a parent; or
24 (I) Was identified as eligible for free or reduced price lunches within the preceding 12 months.
25 (5) Notwithstanding ORS 327.013, the weighted average daily membership assigned for each
26 post-graduate scholar shall be adjusted as follows:
27 (a) By subtracting 0.25 from the average daily membership assigned for each post-graduate
28 scholar participating in the program established under this section; and
29 (b) Without adding any amounts identified in ORS 327.013 (1)(c)(A).
30 (6) For purposes of this section, a school district may not counsel or assist a student to delay
31 receiving a high school diploma for the purpose of participating in a school-sponsored, post-
32 secondary education program.
33 (7) Nothing in this section:
34 (a) Prohibits a school district from receiving or expending moneys related to the education of
35 post-graduate scholars that are not received or expended for purposes of this section, as long as the
36 school district does not receive or expend State School Fund distributions under ORS 327.013 for
37 those purposes.
38 (b) Requires a post-graduate scholar to accept or use any federal grant moneys to offset costs
39 of tuition, fees or books incurred by a post-graduate scholar at a community college.
40 (c) Requires a school district to add or extend existing bus routes or other transportation ser-
41 vices for post-graduate scholars. Any transportation costs incurred by a school district to add or
42 extend existing bus routes or other transportation services are not considered approved transpor-
43 tation costs for the purposes of ORS 327.013. Nothing in this paragraph prohibits post-graduate
44 scholars from using existing bus routes or transportation services provided by the school district.
45 (8) Notwithstanding subsection (3) of this section, a post-graduate scholar may not accept or use

1 any federal grant moneys to offset costs of tuition, fees or books incurred by a post-graduate scholar
2 at a community college.

3 (9) A school district may receive or expend moneys distributed from the State School Fund un-
4 der ORS 327.013 for post-graduate scholars who enroll in courses at a community college only if the
5 post-graduate scholars are enrolled in the courses as part of a program established under this sec-
6 tion.

7
8 **NAME CHANGE: EXECUTIVE DIRECTOR OF THE OFFICE**
9 **OF STUDENT ACCESS AND COMPLETION TO**
10 **DIRECTOR OF THE OFFICE OF**
11 **STUDENT ACCESS AND COMPLETION**

12
13 **SECTION 33.** ORS 348.250 is amended to read:

14 348.250. (1) Grants established under ORS 348.260 shall be awarded by the Higher Education
15 Coordinating Commission in the manner provided in this section.

16 (2) Persons interested in obtaining a grant established under ORS 348.260 may apply to the
17 [*Executive*] Director of the Office of Student Access and Completion for a grant.

18 (3) The [*executive*] director shall screen or cause to be screened the applications and shall de-
19 termine for each available grant the person best qualified to receive that grant. A qualified appli-
20 cant is eligible to receive a grant established under ORS 348.260 if:

21 (a) The applicant's financial need is such that in the opinion of the [*executive*] director financial
22 aid is warranted; and

23 (b) The applicant plans to be a student at the eligible post-secondary institution where the grant
24 is to be used.

25 (4) The [*executive*] director shall not discriminate for or against any applicant for a grant.

26 (5) Nothing in this section or ORS 348.260, 348.505 to 348.615, 348.696 or 348.992 shall be con-
27 strued to require any institution to admit a grant recipient or to attempt to control or influence the
28 policies of the institution.

29 (6) Whenever funds are not available to award grants to all qualified students, the [*executive*]
30 director may give priority to applicants who are or plan to be full-time students at the eligible
31 post-secondary institution where the grant is to be used. A student shall be considered to be a
32 full-time student if the combination of credit hours at more than one eligible post-secondary insti-
33 tution equals full-time attendance, according to the institution disbursing the grant funds.

34 (7) As used in this section, "discriminate" has the meaning given "discrimination" in ORS
35 659.850.

36 **SECTION 34.** ORS 348.260 is amended to read:

37 348.260. (1) In addition to any other form of student financial aid authorized by law, the Higher
38 Education Coordinating Commission may award Oregon Opportunity Grants to qualified students.

39 (2) The amount of a grant shall equal the state share of a qualified student's cost of education
40 as determined by the [*Executive*] Director of the Office of Student Access and Completion and com-
41 ply with applicable rules and procedures described in ORS 348.205.

42 (3) Grant funds necessary to meet matching requirements for federal funds may also be used to
43 award grants to qualified students in any eligible post-secondary institution approved by the com-
44 mission.

45 (4) Grants may be awarded under this section to qualified students enrolled for any term, in-

1 cluding summer term. The commission may prescribe the method and date or dates by which a stu-
2 dent must apply to the commission to qualify for a grant.

3 (5)(a) A qualified student who receives a grant under this section may apply for renewal of the
4 grant on an annual basis. The commission may not renew the grant if the qualified student has not
5 made a timely application for renewal of the grant.

6 (b) The commission shall by rule establish academic standards and benchmarks that a qualified
7 student must meet to have the student's grant renewed.

8 (c) If a qualified student who receives a grant under this section makes a timely application for
9 renewal of the grant, meets the academic standards and benchmarks established by the commission
10 under this subsection and continues to meet all other grant eligibility criteria, the grant shall be
11 renewed for a second year of attendance at an eligible post-secondary institution.

12 (d) Upon timely application by a qualified student who meets the academic standards and
13 benchmarks established by the commission under this subsection and who continues to meet all
14 other grant eligibility criteria, the commission may continue to renew the grant until the qualified
15 student has received the equivalent of four full-time undergraduate years of grant funding for an
16 eligible program as defined by the commission.

17 (6)(a) The [*Executive*] Director of the Office of Student Access and Completion shall inform eli-
18 gible post-secondary institutions of the identity of qualified students who attend the institution and
19 who receive a grant under this section for more than one academic year.

20 (b) To the extent possible, eligible post-secondary institutions shall ensure that qualified stu-
21 dents identified under this subsection are made aware of the academic guidance and counseling
22 services available at the institution.

23 (7) A qualified student who receives a grant under this section must attend the eligible post-
24 secondary institution upon which the grant application is based unless the [*Executive*] Director of
25 the Office of Student Access and Completion authorizes the grant to be used at a different eligible
26 post-secondary institution. A qualified student who receives a grant under this section may attend
27 more than one eligible post-secondary institution if the grant application was based on the qualified
28 student attending more than one eligible post-secondary institution.

29 (8) The commission may not make a grant award to any qualified student enrolled in a course
30 of study required for and leading to a degree in theology, divinity or religious education.

31 (9)(a) The commission shall report annually on or before February 1 to committees of the Leg-
32 islative Assembly related to higher education regarding the academic success and performance of
33 qualified students who receive grants under this section.

34 (b) In order to meet the reporting requirements set forth in paragraph (a) of this subsection:

35 (A) The commission shall by rule design a method for evaluating the academic success and
36 performance of students who receive a grant under this section; and

37 (B) Upon a request from the commission, eligible post-secondary institutions must provide the
38 commission with the data necessary for the commission to conduct its analysis.

39 **SECTION 35.** ORS 348.263 is amended to read:

40 348.263. (1) In addition to any other form of student financial aid authorized by law, the Higher
41 Education Coordinating Commission may award moneys from the Oregon Opportunity Grant pro-
42 gram to qualified students to reward student persistence and encourage completion of degree pro-
43 grams at eligible post-secondary institutions.

44 (2) Awards made under this section are not subject to the maximum Oregon Opportunity Grant
45 amount established under ORS 348.205.

1 (3) The commission shall establish by rule eligibility criteria for awards made under this section.
2 These criteria shall include, but not be limited to, whether the qualified student is attending an el-
3 igible post-secondary institution on a full-time or half-time basis.

4 (4)(a) The [Executive] Director of the Office of Student Access and Completion shall administer,
5 and determine the size of, awards made under this section.

6 (b) In determining the size of awards made under this section, the [executive] director shall
7 consider basing the size of the awards on a percentage of the maximum Oregon Opportunity Grant
8 amount established under ORS 348.205.

9 **SECTION 36.** ORS 348.270 is amended to read:

10 348.270. (1) In addition to any other scholarships provided by law, the Higher Education Coor-
11 dinating Commission shall award scholarships to any individual applying for enrollment or enrolled
12 in an institution of higher education who is the natural child, adopted child or stepchild of any
13 public safety officer, reserve officer or volunteer firefighter who, in the line of duty, was killed or
14 so disabled, as determined by the [Executive] Director of the Office of Student Access and Com-
15 pletion, that:

16 (a) The income of the public safety officer is less than that earned by public safety officers
17 performing duties comparable to those performed at the highest rank or grade attained by the public
18 safety officer; or

19 (b) The income of the reserve officer or volunteer firefighter working in their primary profession
20 or type of employment is less than that earned by individuals in the same profession or type of
21 employment with similar levels of education and experience.

22 (2) Except as provided in this subsection, scholarships awarded under this section shall be in
23 an amount equal to the amount of tuition and all fees levied by the institution of higher education
24 against the recipient of the scholarship. Scholarships awarded to students who attend independent
25 institutions may not exceed the amount of tuition and all fees levied by the University of Oregon.

26 (3) If a student who is the dependent of a deceased public safety officer, reserve officer or vol-
27 unteer firefighter continues to remain enrolled in a public university listed in ORS 352.002, a com-
28 munity college or an Oregon-based, regionally accredited independent institution, the student is
29 entitled to renewal of the scholarship until the student has received the equivalent of four years of
30 undergraduate education and four years of post-graduate education.

31 (4) If a student who is the dependent of a public safety officer, reserve officer or volunteer
32 firefighter with a disability continues to remain enrolled in a public university listed in ORS 352.002,
33 a community college or an Oregon-based, regionally accredited independent institution, the student
34 is entitled to renewal of the scholarship until the student has received the equivalent of four years
35 of undergraduate education.

36 (5) The [Executive] Director of the Office of Student Access and Completion may require proof
37 of a student's relationship to a public safety officer, reserve officer or volunteer firefighter described
38 in subsection (1) of this section.

39 (6) As used in this section:

40 (a) "Institution of higher education" means a public university listed in ORS 352.002, the Oregon
41 Health and Science University, a community college operated under ORS chapter 341 or an
42 Oregon-based, regionally accredited independent institution.

43 (b) "Public safety officer" means:

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

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

1 (C) A police officer commissioned by a university under ORS 352.121 or 353.125.

2 (D) An authorized tribal police officer as defined in ORS 181A.680.

3 (c) "Reserve officer" has the meaning given that term in ORS 133.005.

4 (d) "Volunteer firefighter" has the meaning given that term in ORS 652.050.

5 **SECTION 37.** ORS 348.272 is amended to read:

6 348.272. (1) As used in this section:

7 (a) "Former foster child" has the meaning given that term in ORS 350.300.

8 (b) "Institution of higher education" means a public university listed in ORS 352.002, the Oregon
9 Health and Science University, a community college operated under ORS chapter 341 or an
10 Oregon-based, regionally accredited independent institution.

11 (2) In addition to any other scholarships provided by law, the Higher Education Coordinating
12 Commission shall award scholarships to any individual applying for enrollment or enrolled in an
13 institution of higher education who is a current foster child or former foster child.

14 (3) Scholarships awarded under this section shall be in an amount to be determined by the
15 commission based on the funds that are made available for the awarding year.

16 (4) If a student who is a current foster child or former foster child continues to remain enrolled
17 in a public university listed in ORS 352.002, a community college or an Oregon-based, regionally
18 accredited independent institution, the student is entitled to apply for renewal of the scholarship
19 until the student has received the equivalent of four years of undergraduate education.

20 (5) The [Executive] Director of the Office of Student Access and Completion may require proof
21 that a student is a current foster child or former foster child.

22 **SECTION 38.** ORS 348.310 is amended to read:

23 348.310. (1) The Higher Education Coordinating Commission is authorized to make loans to all
24 qualified applicants, from the fund created in ORS 348.390 (1), to assist in financing the cost of a
25 program of study leading to the degree of Doctor of Medicine or to the degree of Doctor of
26 Osteopathic Medicine.

27 (2) The [Executive] Director of the Office of Student Access and Completion shall:

28 (a) Develop criteria for the preparation of applications and procedures for the submission,
29 evaluation, priority selection and award of loans provided for in ORS 348.310 to 348.390; and

30 (b) Determine the number and amount of loans and loan renewals.

31 (3) The Higher Education Coordinating Commission shall adopt such rules as may be necessary
32 to implement ORS 348.310 to 348.390.

33 **SECTION 39.** ORS 348.320 is amended to read:

34 348.320. (1) A person shall be eligible for a loan under ORS 348.310 to 348.390 if the person is:

35 (a) A bona fide resident of this state or is exempted from paying nonresident tuition under ORS
36 352.287;

37 (b) Accepted for enrollment, or is a student in good standing in the professional medical program
38 at an accredited medical school located in the United States or in an accredited school of
39 osteopathic medicine;

40 (c) As a result of personal financial resources, unable to pursue a program of study in the ab-
41 sence of a loan or would be unable to do so without great hardship; and

42 (d) Desirous of practicing medicine in a rural community in this state, and in an area which
43 meets the qualifications of a medical shortage area.

44 (2) The person desiring consideration for a loan under ORS 348.310 to 348.390 shall apply to the
45 [Executive] Director of the Office of Student Access and Completion.

1 (3) The person desiring consideration for a loan under ORS 348.310 to 348.390 shall agree in
 2 writing to practice medicine in a medical shortage area as defined by the Oregon Health Authority,
 3 for a period equal to the period covered by the loan, but no less than two years.

4 **SECTION 40.** ORS 348.340 is amended to read:

5 348.340. (1) The [*Executive*] Director of the Office of Student Access and Completion may estab-
 6 lish and administer cost-sharing loan fund programs which provide for assistance, in conjunction
 7 with community agencies or organizations, selected and approved by the Higher Education Coordi-
 8 nating Commission in a rural community in the state having a population of fewer than 7,500 per-
 9 sons. Participation in a program established under this subsection shall be on a matching funds basis
 10 between the Rural Medical Education Loan Fund and the approved community agency and shall
 11 fund the educational costs, fees and charges of a specific, eligible student, who shall be approved
 12 by the participating community and the commission.

13 (2) Funds provided from the Rural Medical Education Loan Fund under subsection (1) of this
 14 section shall not exceed 75 percent of the total amount calculated to be necessary to fund one per-
 15 son for one year, in an approved school as determined by the commission.

16 (3) The eligibility requirements for persons participating in a program established in subsection
 17 (1) of this section shall be the same as the requirements for eligibility in the loan program under
 18 ORS 348.320.

19 (4) Upon completion of the program of study and training for licensure, the person receiving
 20 funds under this section shall not be required to repay such funds if the person practices medicine
 21 in the community providing the matching funds. The person shall practice medicine one year for
 22 each year that funds were provided, but in no event shall the person practice less than two years.

23 **SECTION 41.** ORS 348.350 is amended to read:

24 348.350. (1) The [*Executive*] Director of the Office of Student Access and Completion is author-
 25 ized to establish and administer a cost-sharing program to train intern and residency physicians as
 26 may be arranged by contract with an accredited training hospital within this state. The cost sharing
 27 shall be limited to general practice internships and family practice residencies. The commission may
 28 pay up to \$18,000 to an institution for each intern or resident position which is reserved for training
 29 students who are planning to enter medical practice in rural areas.

30 (2) Funds for programs established under subsection (1) of this section shall be paid from the
 31 Rural Medical Education Loan Fund.

32 (3) No money appropriated under this section shall be used for any program at the Oregon
 33 Health and Science University. The center shall be required to give priority admissions to recipients
 34 under ORS 348.310 to 348.390 in its family practice residency programs.

35 **SECTION 42.** ORS 348.360 is amended to read:

36 348.360. Each loan granted under ORS 348.330 and 348.340 is renewable annually. The
 37 [*Executive*] Director of the Office of Student Access and Completion shall renew the loans upon ap-
 38 plication by the recipient when the [*executive*] director finds that the applicant has successfully
 39 completed the required work for the preceding academic year and is a student in good standing, is
 40 a resident of this state and is in a financial condition that warrants the continuation of the aid.

41 **SECTION 43.** ORS 348.370 is amended to read:

42 348.370. (1) A person receiving funds under ORS 348.310 to 348.390 shall not be required to repay
 43 the funds if the person practices medicine in a rural community in this state having a population
 44 of fewer than 7,500 persons and which meets the qualifications of a medical shortage area.

45 (2) The fund recipient shall practice medicine in the area designated under subsection (1) of this

1 section at the rate of one year for each year the funds were provided to that recipient, but in no
2 event shall any recipient practice medicine in an area less than two years.

3 (3) Any person receiving funds under ORS 348.310 to 348.390 who fails to complete the course
4 of study, shall be required to repay the amount received to the Rural Medical Education Loan Fund.
5 Ten percent interest shall be charged on the unpaid balance, accrued from the date the loan was
6 granted.

7 (4) Any person receiving funds under ORS 348.310 to 348.390 who completes the course of study
8 and requirements for licensure but fails to fulfill the obligations required by the loan, shall repay
9 the amount received to the Rural Medical Education Loan Fund. Ten percent interest shall be
10 charged on the unpaid balance, accrued from the date the loan was granted. Additionally, a penalty
11 fee, equal to 25 percent of the total amount of funds received shall be assessed against the person.
12 No interest shall accrue on the penalty.

13 (5) Any funds received by the Rural Medical Education Loan Fund under subsections (3) to (6)
14 of this section shall be used by the [Executive] Director of the Office of Student Access and Com-
15 pletion for the purpose of carrying out the provisions of ORS 348.310 to 348.390.

16 (6) The [executive] director may waive any interest or penalty assessed under subsections (3) to
17 (6) of this section in case of undue hardship.

18 **SECTION 44.** ORS 348.390 is amended to read:

19 348.390. (1) There is established in the State Treasury a fund, separate and distinct from the
20 General Fund, to be known as the Rural Medical Education Loan Fund, which may be invested in
21 the same manner as the Oregon Student Assistance Fund. This fund may receive funds from state
22 and private sources for the purpose of making loans to student residents of this state who are de-
23 termined to be eligible to receive funds under ORS 348.310 to 348.390. Interest earned by the fund
24 shall be credited to the fund.

25 (2) All funds for and relating to loans received by the [Executive] Director of the Office of Stu-
26 dent Access and Completion, including repayments, interest and penalties, for the Rural Medical
27 Education Loan Fund, except moneys appropriated from the State Treasury for a specified period
28 of time, are continuously appropriated to the Rural Medical Education Loan Fund for the purposes
29 for which the fund was created.

30 **SECTION 45.** ORS 348.448 is amended to read:

31 348.448. (1) To be eligible to participate in the Nursing Faculty Loan Repayment Program, a
32 nurse educator or prospective nurse educator shall submit a letter of interest to the [Executive] Di-
33 rector of the Office of Student Access and Completion.

34 (2) At the end of each school year in which a nurse practices as a nurse educator in Oregon,
35 the [executive] director shall pay an amount not to exceed the lesser of 20 percent of the total of the
36 nurse's outstanding qualifying loans or \$10,000 as adjusted under subsection (4) of this section.

37 (3) The [executive] director may make the annual payments under this section for up to:

38 (a) Three years for a nurse educator who has earned a master's degree; or

39 (b) Five years for a nurse educator who has earned a doctoral degree.

40 (4)(a) The [executive] director shall adjust annually the maximum dollar amount allowed under
41 subsection (2) of this section by multiplying that amount by a cost-of-living adjustment as specified
42 in this subsection.

43 (b) The cost-of-living adjustment applied to the maximum dollar amount allowed under sub-
44 section (2) of this section shall be equal to the ratio of the seasonally adjusted United States City
45 Average Consumer Price Index for All Urban Consumers as published by the Bureau of Labor Sta-

1 tistics of the United States Department of Labor for April of that calendar year divided by the value
2 of the same index for April 2009.

3 (c) If the value of the dollar amount determined under paragraph (a) of this subsection is not a
4 multiple of \$100, the [executive] director shall round the dollar amount to the next lower multiple
5 of \$100.

6 **SECTION 46.** ORS 348.511, as amended by section 1, chapter 30, Oregon Laws 2016, is amended
7 to read:

8 348.511. (1) The Office of Student Access and Completion is established and shall operate under
9 the direction and control of the Higher Education Coordinating Commission.

10 (2) The executive director of the Higher Education Coordinating Commission shall appoint the
11 [Executive] Director of the Office of Student Access and Completion.

12 (3) The [Executive] Director of the Office of Student Access and Completion shall:

13 (a) Be responsible for the performance of the duties, functions and powers of the Office of Stu-
14 dent Access and Completion;

15 (b) Be paid a salary as provided by law or, if not so provided, as prescribed by the commission;
16 and

17 (c) Subject to any applicable provisions of ORS chapter 240, appoint all subordinate officers and
18 employees of the office, prescribe their duties and fix their compensation.

19 **SECTION 47.** ORS 348.520 is amended to read:

20 348.520. The [Executive] Director of the Office of Student Access and Completion shall:

21 (1) Make available to qualified persons financial aid from financial sources available to the
22 [executive] director.

23 (2) Determine qualifications of persons to receive financial aid.

24 (3) Maintain reports and records on persons applying for and receiving financial aid from the
25 [executive] director.

26 (4) Withhold any financial aid if the recipient thereof fails to maintain the standards established
27 for receipt of that aid.

28 (5) Recommend to the Legislative Assembly not less than once every biennium matters relating
29 to the establishment, administration, modification, transfer, reduction or cancellation of financial
30 aid.

31 (6) Prior to implementing changes to the Oregon Opportunity Grant program, report to the
32 Higher Education Coordinating Commission and the Legislative Assembly or the Emergency Board
33 any proposed change:

34 (a) That increases or decreases the total amount awarded as Oregon Opportunity Grants that
35 was approved as part of the budget enacted by the Legislative Assembly for the Higher Education
36 Coordinating Commission; and

37 (b) To the methodology used to determine the student share, family share or state share under
38 ORS 348.205.

39 (7) Encourage the establishment of financial aid programs by private agencies.

40 (8) Collect and disseminate information pertaining to all types of available financial aid.

41 (9) Review the administrative practices and evaluate the effectiveness of all public and private
42 post-secondary financial aid programs in Oregon.

43 (10) Disburse state appropriations for financial aid in such a manner as to maximize its role in
44 cooperative coordination of financial aid programs.

45 **SECTION 48.** ORS 348.563 is amended to read:

1 348.563. For the purpose of requesting a state or nationwide criminal records check under ORS
2 181A.195, the Higher Education Coordinating Commission may require the fingerprints of a person
3 who:

4 (1)(a) Is employed or applying for employment by the [*Executive*] Director of the Office of Stu-
5 dent Access and Completion; or

6 (b) Provides services or seeks to provide services to the [*executive*] director as a contractor or
7 volunteer; and

8 (2) Is, or will be, working or providing services in a position:

9 (a) In which the person has direct access to facilities where students reside or to persons under
10 18 years of age, elderly persons or persons with disabilities;

11 (b) In which the person is providing information technology services and has control over, or
12 access to, information technology systems that would allow the person to harm the information
13 technology systems or the information contained in the systems;

14 (c) In which the person has access to information, the disclosure of which is prohibited by state
15 or federal laws, rules or regulations or information that is defined as confidential under state or
16 federal laws, rules or regulations; or

17 (d) That has payroll functions or in which the person has responsibility for receiving, receipting
18 or depositing money or negotiable instruments, for billing, collections or other financial transactions
19 or for purchasing or selling property or has access to property held in trust or to private property
20 in the temporary custody of the state.

21 **SECTION 49.** ORS 348.570 is amended to read:

22 348.570. (1)(a) There is established in the State Treasury a fund, separate and distinct from the
23 General Fund, to be known as the Oregon Student Assistance Fund. Interest earned by the fund
24 shall be credited to the fund.

25 (b) The fund shall consist of moneys appropriated to the Higher Education Coordinating Com-
26 mission for deposit into the fund, collections and penalties received by the [*Executive*] Director of
27 the Office of Student Access and Completion under ORS 442.545 and any donations or grants re-
28 ceived by the commission for a purpose of the fund.

29 (c) Moneys in the fund are continuously appropriated to the commission for:

30 (A) Investments as provided by ORS 293.701 to 293.857;

31 (B) The payment of expenses of the commission in carrying out the purposes of ORS 348.250,
32 348.285, 348.505 to 348.615, 348.625 to 348.695, 348.696 and 348.992;

33 (C) The payment of expenses of the Nursing Services Program created in ORS 442.540; and

34 (D) The purpose of carrying out the provisions of ORS 348.272.

35 (d) The commission shall use moneys in the fund for those purposes for which the moneys were
36 provided to or received or collected by the commission.

37 (2) There is established in the State Treasury a fund, separate and distinct from the General
38 Fund, to be known as the ASPIRE Program Fund. Moneys received from donations and grants shall
39 be credited to the ASPIRE Program Fund. Moneys in the fund are continuously appropriated to the
40 commission for the purposes of investment, as provided by ORS 293.701 to 293.857, and for carrying
41 out the provisions of ORS 348.500. Interest earned by the fund shall be credited to the fund.

42 (3)(a) There is established in the State Treasury the Nursing Faculty Loan Repayment Fund,
43 separate and distinct from the General Fund. Interest earned on the Nursing Faculty Loan Repay-
44 ment Fund shall be credited to the fund. Moneys in the fund are continuously appropriated to the
45 commission for carrying out ORS 348.440 to 348.448. The Nursing Faculty Loan Repayment Fund

1 consists of:

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

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

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

7 **SECTION 50.** ORS 348.592 is amended to read:

8 348.592. (1) The [*Executive*] Director of the Office of Student Access and Completion may obtain
9 loan cancellation insurance for any person holding a loan under this section and ORS 348.505 to
10 348.530 and 348.570.

11 (2) The insurance shall insure the life of the student who borrows under this section and ORS
12 348.505 to 348.530 and 348.570 for the amount of the principal and interest due on the loan and the
13 State of Oregon shall be named as the beneficiary. If the borrower dies before repaying the loan, the
14 insurance shall be used to pay the balance of the loan and the [*executive*] director shall issue a
15 satisfaction of the obligation.

16 (3) The Oregon Department of Administrative Services shall procure bids for the purchasing of
17 insurance in compliance with the laws governing the purchase and furnishing of services to state
18 agencies.

19 **SECTION 51.** ORS 348.616 is amended to read:

20 348.616. (1) The Higher Education Coordinating Commission shall develop and adopt rules that
21 provide the minimum criteria that an employer must meet in order for the employer's scholarship
22 program for employees and dependents to be certified as eligible for the employee and dependent
23 scholarship program tax credit provided under ORS 348.621. The commission shall adopt rules to
24 determine:

25 (a) The types of educational programs, institutions and expenses related to the programs and
26 institutions for which scholarships may be offered to employees and dependents, and scholarship
27 moneys expended on their behalf;

28 (b) The types of employees and dependents to whom scholarships must be offered;

29 (c) The minimum and maximum annual dollar amounts of a scholarship that would be a qualified
30 scholarship under ORS 315.237;

31 (d) The minimum annual number of hours of instruction that a scholarship beneficiary must
32 commit to in order to be eligible for a scholarship; and

33 (e) Any other requirements as the commission may provide.

34 (2) An employer must employ at least four full-time equivalent employees but no more than 250
35 employees in order to be certified as eligible for the employee and dependent scholarship program
36 tax credit under ORS 348.621.

37 (3) An employer seeking to claim the tax credit provided under ORS 315.237 must apply to the
38 [*Executive*] Director of the Office of Student Access and Completion for both employee and depend-
39 ent scholarship program certification under ORS 348.618 and tax credit certification under ORS
40 348.621.

41 **SECTION 52.** ORS 348.618 is amended to read:

42 348.618. (1) An application for employee and dependent scholarship program certification shall
43 be filed by the employer establishing the program. The application shall be filed with the
44 [*Executive*] Director of the Office of Student Access and Completion at least three months prior to
45 the close of the first tax year for which a tax credit under ORS 315.237 will be claimed.

1 (2) The application shall be filed on a form prescribed by the [executive] director and shall con-
2 tain the information required by the [executive] director, including:

3 (a) The date on which the proposed employee and dependent scholarship program will first be
4 available to the employer's employees and their dependents;

5 (b) The total number of employees of the employer;

6 (c) The total number of employees who will be eligible, or whose dependents will be eligible, to
7 participate in the program;

8 (d) The criteria to be used by the employer in determining the eligibility of an employee or an
9 employee's dependent for a scholarship under the program; and

10 (e) The annual limit, if any, on the amount of funds to be used for scholarships under the pro-
11 gram.

12 (3) The [executive] director shall certify an application that describes an employee and dependent
13 scholarship program that is in compliance with the rules adopted by the Higher Education Coordi-
14 nating Commission under ORS 348.616 (1), if made by an employer that meets the employment re-
15 quirements of ORS 348.616 (1) and (2).

16 (4) The [executive] director shall certify or reject an application within 60 days of receipt of the
17 application and shall notify the employer of the [executive] director's determination.

18 (5) An employer whose application has been rejected by the [executive] director shall be afforded
19 an opportunity to amend the application to address the [executive] director's objections to the ori-
20 ginal application.

21 (6) In the case of an employer whose proposed employee and dependent scholarship program has
22 been certified by the [executive] director, the [executive] director shall send a letter of program cer-
23 tification to the employer. The letter of program certification shall set forth or incorporate by ref-
24 erence the statements made in the application being certified.

25 (7) A letter of program certification issued under this section shall remain valid until the em-
26 ployer changes the terms of eligibility for a scholarship under the program, changes the minimum
27 or maximum amount of a scholarship under the program or ceases to be an employer.

28 **SECTION 53.** ORS 348.621 is amended to read:

29 348.621. (1) An application for tax credit certification shall be filed by an employer that has
30 obtained program certification under ORS 348.618 or that has applied for program certification and
31 is awaiting such certification by the [Executive] Director of the Office of Student Access and Com-
32 pletion.

33 (2) The application for tax credit certification shall be filed by the employer with the
34 [executive] director. The application shall be filed at the time prescribed by the [executive] director,
35 but no later than October 1 of the calendar year in which begins the tax year for which a credit
36 under ORS 315.237 will be claimed.

37 (3) The application shall be filed on a form prescribed by the [executive] director and shall con-
38 tain the information required by the [executive] director, including the amount of scholarship moneys
39 the employer has provided or intends to provide to employees or dependents during the calendar
40 year for which tax credit certification is being sought and the number of employees employed by the
41 employer for the calendar year.

42 (4) The [executive] director shall consider applications in the chronological order in which the
43 applications are received and shall approve applications to the extent the amount set forth in the
44 application, when added to the total amount already certified by the [executive] director for the
45 calendar year under this section, does not exceed \$1 million.

1 (5) An employer may not receive tax credit certification:

2 (a) For an amount that is greater than \$1 million;

3 (b) If the employer employs fewer than four full-time equivalent employees for the calendar year;

4 or

5 (c) If the employer employs more than 250 employees for the calendar year.

6 (6) The [*executive*] director shall send written notice of the amount of the tax credit certification,
7 or written notice that no amount is being certified, to the employer and to the Department of Re-
8 venue within 60 days of the date an application is filed under this section.

9 (7) The employer shall keep the written certification in the employer's records for at least five
10 years and shall furnish the certification to the Department of Revenue if requested.

11 **SECTION 54.** ORS 348.625 is amended to read:

12 348.625. As used in ORS 348.570 and 348.625 to 348.695:

13 (1) "Alternative student loan program" means a program established by the Higher Education
14 Coordinating Commission to fund loans to eligible students, or to qualifying parents of eligible stu-
15 dents, to help meet expenses of eligible students of attending post-secondary educational institutions;
16 provided, however, that alternative student loan program loans may be made only to students who
17 have applied for student financial aid under Title IV, Part B of the Higher Education Act of 1965,
18 as amended, and have received information on their eligibility for programs under that Act, or the
19 parents of students who have made such application and received such information.

20 (2) "Eligible student" means a student enrolled in an eligible post-secondary educational insti-
21 tution located in Oregon or a student who is an Oregon resident and who is enrolled in an eligible
22 post-secondary educational institution located outside of Oregon. The [*Executive*] Director of the
23 Office of Student Access and Completion shall determine, among other things, what constitutes en-
24 rollment and which post-secondary educational institutions are eligible institutions under the alter-
25 native student loan program.

26 (3) "Lender" means an insured institution as defined in ORS 706.008 that is authorized to do
27 business in Oregon and that has entered into an agreement with the Higher Education Coordinating
28 Commission to originate, service and administer alternative student loans in the manner authorized
29 by ORS 348.570 and 348.625 to 348.695.

30 **SECTION 55.** ORS 348.630 is amended to read:

31 348.630. (1) Loans may be made under the alternative student loan program to an eligible stu-
32 dent or to a parent of an eligible student.

33 (2) Loans made under the alternative student loan program shall not exceed the eligible costs
34 of education as determined by the [*Executive*] Director of the Office of Student Access and Com-
35 pletion, minus other financial aid received, or \$10,000, whichever is less, for any eligible student
36 during a single calendar year. Total loans made for any eligible student under the alternative stu-
37 dent loan program shall not exceed \$40,000.

38 (3) Under the alternative student loan program, borrowers shall undergo a credit check by the
39 lender or by the [*executive*] director and shall be creditworthy or provide a creditworthy cosigner.

40 **SECTION 56.** ORS 348.635 is amended to read:

41 348.635. In consultation with private sector lenders, the [*Executive*] Director of the Office of
42 Student Access and Completion shall establish the terms and conditions, including but not limited
43 to maturities and repayment provisions, of student loans for which the [*executive*] director shall
44 provide funding. The [*executive*] director may also set standards of academic achievement which
45 borrowers must maintain to receive loans.

SECTION 57. ORS 348.640 is amended to read:

348.640. (1) The [Executive] Director of the Office of Student Access and Completion shall provide funding to lenders pursuant to contracts which shall provide, among other things, the terms and conditions under which private sector lenders, using funding made available by the [executive] director, shall originate, service and administer loans pursuant to the alternative student loan program. Lenders shall receive and process loan applications from borrowers, perform credit analysis, approve or deny loan requests, and for loans that are approved, originate, document, administer and service the loans. The [executive] director shall make provision for payment to lenders of the reasonable costs of origination, servicing and administration of loans. Payment may be made directly by borrowers or by the [executive] director, as the [executive] director may determine.

(2) Loans shall be structured in such a manner that anticipated payments of principal and interest shall permit timely repayment of the revenue bonds to be issued by the State of Oregon pursuant to ORS 348.570 and 348.625 to 348.695. As a condition of participation in the alternative student loan program by private sector lenders, the [executive] director shall procure from each such lender a guarantee or letter of credit ensuring that the [executive] director shall receive full and timely repayment of principal of and interest due on loans originated, serviced and administered by the lender. The [executive] director shall provide by contract for payment by the [executive] director or by borrowers, as the [executive] director may determine, of the reasonable costs of such guarantees or letters of credit. It is the intention of ORS 348.570 and 348.625 to 348.695 that participating private sector lenders, not the [executive] director, shall bear the entire risk of loss, nontimely repayment or nonpayment of alternative student loan program loans.

SECTION 58. ORS 348.670 is amended to read:

348.670. The administrative expenses of the State Treasurer and the [Executive] Director of the Office of Student Access and Completion shall be charged against bond proceeds or repayment revenues.

SECTION 59. ORS 350.645 is amended to read:

350.645. Payments to private and independent institutions of higher education under contracts entered into under ORS 350.640 shall be determined by the [Executive] Director of the Office of Student Access and Completion on a uniform rate for every 45 quarter hours, or equivalent, of approved and registered course work in nonsectarian subjects completed by undergraduate students enrolled in the institutions who are residents of Oregon, and shall not exceed the actual cost to the institution of providing such educational services. This uniform rate shall apply to the estimated 45-hour units for each institution upon which the legislative appropriation is based for that year, or the actual 45-hour units for each institution, whichever is the lesser. Any remaining funds shall be distributed among those institutions whose actual 45-hour units exceed the estimate. The distribution to each institution shall be according to the uniform rate established for the 45-hour units or an amount equal to the ratio that the excess units bear to 45. However, if insufficient funds are available for such a distribution, then the distribution shall be according to the ratio that the total number of 45-hour units in excess of the estimate bears to the total amount of funds remaining undistributed, multiplied by the number of excess 45-hour units, if any, at each institution.

SECTION 60. ORS 411.894 is amended to read:

411.894. (1) The Oregon JOBS Individual Education Account is established to improve the position of JOBS Plus participants in the workforce by increasing their access to continuing education. Employer contributions to the account under this section shall be used to pay for education expenses for the individual as provided in subsection (2) of this section.

1 (2)(a) After the participant has participated in the JOBS Plus Program for 30 days, the employer
2 shall pay, in addition to the participant wage, one dollar for each participant hour worked into the
3 participant's individual education account. Contributions to such an account shall be tax deferred
4 or tax-exempt to the extent permitted by federal and state law.

5 (b) Any participant for whom an Oregon JOBS Individual Education Account contribution is
6 made shall be eligible for access to education benefits from that participant's individual education
7 account for up to five years after the participant has left the JOBS Plus Program and has held a
8 full-time, unsubsidized job for at least 30 days.

9 (c) When any participant has qualified for use of that participant's individual education account,
10 an amount equal to that participant's individual education account balance shall be transferred to
11 the [Executive] Director of the Office of Student Access and Completion for that participant's use.
12 Only one individual education account shall be created for any participant. Each account shall be
13 administered by the [executive] director and shall be used for continuing education and training for
14 the participant and the participant's immediate family.

15 (3)(a) The [executive] director may use any interest earned by an individual education account
16 transferred to the [executive] director under this section for payment of expenses incurred by the
17 [executive] director in carrying out the [executive] director's duties under this section.

18 (b) The Department of Human Services shall transfer any interest earned by the Oregon JOBS
19 Individual Education Account to the General Fund for general governmental purposes. The depart-
20 ment shall transfer the interest no later than the close of each fiscal year in which the interest is
21 earned.

22 (4) Any unexpended or unobligated moneys remaining in an individual education account five
23 years after the participant has left the JOBS Plus Program are appropriated and transferred to the
24 Higher Education Coordinating Commission for the Oregon Opportunity Grant program on that date.

25 **SECTION 61. (1) The amendments to ORS 348.511 by section 46 of this 2017 Act are in-**
26 **tended to change the name of the "Executive Director of the Office of Student Access and**
27 **Completion" to the "Director of the Office of Student Access and Completion."**

28 **(2) For the purpose of harmonizing and clarifying statutory law, the Legislative Counsel**
29 **may substitute for words designating the "Executive Director of the Office of Student Access**
30 **and Completion," wherever they occur in statutory law, other words designating the "Di-**
31 **rector of the Office of Student Access and Completion."**

32
33 **UNIT CAPTIONS**

34
35 **SECTION 62. The unit captions used in this 2017 Act are provided only for the conven-**
36 **ience of the reader and do not become part of the statutory law of this state or express any**
37 **legislative intent in the enactment of this 2017 Act.**

38
39 **EMERGENCY CLAUSE**

40
41 **SECTION 63. This 2017 Act being necessary for the immediate preservation of the public**
42 **peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect**
43 **on its passage.**