

# House Bill 3423

Sponsored by Representative ESQUIVEL; Representatives BARRETO, BENTZ, BOONE, BUEHLER, EVANS, HAYDEN, HEARD, JOHNSON, KENNEMER, LEWIS, LIVELY, MCLANE, MEEK, NEARMAN, NOBLE, PARRISH, POST, RESCHKE, SMITH DB, SOLLMAN, SPRENGER, STARK, VIAL, WHISNANT, WILSON

## 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 **as introduced**.

Exempts person serving in Oregon National Guard from requirement to enroll in community college courses within six months of attaining previous highest level of education in order to qualify for Oregon Promise grant.

## A BILL FOR AN ACT

1  
2 Relating to date to enroll in community college to qualify for the Oregon Promise; creating new  
3 provisions; and amending ORS 341.522.

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

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

7 341.522. (1) The Office of Student Access and Completion shall administer the Oregon Promise  
8 program as provided by this section.

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

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

14 (a) Is enrolled in courses that are:

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

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

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

20 (ii) An associate degree; or

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

22 (b) Has been a resident of this state for at least 12 months prior to enrolling in the courses  
23 described in paragraph (a) of this subsection;

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

25 (A) Receiving a diploma under ORS 329.451;

26 (B) Receiving a General Educational Development (GED) certificate as provided by ORS 350.175;

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

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

29 (d) **Except as provided in subsection (7) of this section**, attained the person's highest level  
30 of education as described in paragraph (c) of this subsection within six months from the date that

**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 the person first enrolls in courses described in paragraph (a) of this subsection for the purpose of  
2 receiving a grant under this section;

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

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

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

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

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

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

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

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

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

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

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

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

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

36 (i) \$1,000; and

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

38 (B) Not more than the lesser of:

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

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

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

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

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

9 **(7) A member of the Oregon National Guard who has completed initial active duty**  
 10 **training is not required to comply with the criteria set forth in subsection (3)(d) of this**  
 11 **section in order to receive a grant.**

12 [(7)] (8) The commission shall adopt any rules necessary for the administration of this section,  
 13 including any requirements related to:

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

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

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

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

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

23 [(8)] (9) No later than December 31 of each even-numbered year, the commission shall submit  
 24 to an interim legislative committee related to education a report that summarizes the commission's  
 25 findings on the impact of the program established under this section. The report shall include:

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

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

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

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

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

35 **SECTION 2. The amendments to ORS 341.522 by section 1 of this 2017 Act first apply to**  
 36 **Oregon Promise program grants awarded for the 2018-2019 academic year.**