

## SENATE AMENDMENTS TO A-ENGROSSED SENATE BILL 1032

By JOINT COMMITTEE ON WAYS AND MEANS

July 4

1 On page 1 of the printed A-engrossed bill, line 2, after “program;” insert “creating new pro-  
2 visions;” and after “341.522” insert “; repealing sections 1 and 2, chapter 410, Oregon Laws 2017  
3 (Enrolled House Bill 3423); and declaring an emergency”.

4 Delete lines 4 through 20 and delete pages 2 through 4 and insert:

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)] **(6) to (9)** of this section, the office shall provide a  
10 [waiver of tuition] **grant** for community college courses to a person who meets the criteria described  
11 in subsections (3) [and (4)] **to (5)** of this section. The [waiver] **grant** shall be [a grant and] limited  
12 as provided by subsections [(5) and (6)] **(6) to (9)** 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 Co-  
17 ordinating Commission, to be required for completion of:

18 “(i) A one-year curriculum for students who plan to transfer to another post-secondary institu-  
19 tion 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  
27 350.175;

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

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

30 “(d) **Except as provided in subsection (4) of this section**, attained the person’s highest level  
31 of education as described in paragraph (c) of this subsection within six months from the date that  
32 the person first enrolls in courses described in paragraph (a) of this subsection for the purpose of  
33 receiving a grant under this section;

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

1 the commission;

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

5 “(g) Has not completed either of the following:

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

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

9 “(4)(a) **If a person otherwise meets the required criteria and has been awarded a grant**  
10 **under subsection (3) of this section, but the person enters into service with a career and**  
11 **technical student organization relating to agriculture or farming that is approved by the**  
12 **Department of Education under ORS 344.077 within six months after the person attained the**  
13 **person’s highest level of education as described in subsection (3)(c) of this section, the person**  
14 **will continue to be eligible to receive the grant if the person first enrolls in courses described**  
15 **in subsection (3)(a) of this section within six months of finishing the person’s service with**  
16 **the career and technical student organization.**

17 “(b) **In addition to the situation described in paragraph (a) of this subsection, the com-**  
18 **mission may waive the requirement set forth in subsection (3)(d) of this section for a person**  
19 **who shows that the person was unable to timely enroll in courses described in subsection**  
20 **(3)(a) of this section due to a significant hardship. The commission may adopt rules to im-**  
21 **plement this paragraph.**

22 “[~~(4)(a)~~] (5)(a) A person continues to remain eligible to receive a grant under this section if the  
23 person, in addition to satisfying the criteria specified in subsection (3) of this section, meets the  
24 following criteria:

25 “(A) Maintains at least the minimum cumulative grade point average prescribed by the com-  
26 mission based on federal aid grant requirements;

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

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

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

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

39 “[~~(5)(a)~~] (6)(a) The total amount of a grant awarded under this section shall be based on each  
40 term that a person is enrolled in courses described in subsection (3)(a) of this section. **Except as**  
41 **provided in subsections (8) and (9) of this section**, after the amount of tuition for the person for  
42 the term is [*reduced by \$50, to be paid by the person, and*] reduced by any amounts received by the  
43 person in state and federal aid grants, the person shall be eligible for a grant under this section in  
44 an amount that equals:

45 “(A) Except as provided by [*paragraph*] **paragraphs (b) and (c)** of this subsection, not less than

1 the greater of:

2 “(i) \$1,000; and

3 “(ii) The person’s actual cost for tuition.

4 “(B) Not more than the lesser of:

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

7 “(ii) The person’s actual cost for tuition.

8 **“(b) The amount of a grant, as calculated under paragraph (a) of this subsection, shall  
9 be reduced by \$50 for each term that the person receives a grant under this section.**

10 “[~~(b)~~] (c) The minimum amount of a grant, as calculated under paragraph (a) of this subsection,  
11 may be prorated for a person who is enrolled in courses described in subsection (3)(a) of this section  
12 for a sufficient number of credit hours to be considered at least a half-time student but not a full-  
13 time student.

14 “[~~(c)~~] (d) The commission may prescribe by rule whether to include fees, and any limitations  
15 related to the inclusion of fees, when determining the actual cost of tuition or the average cost of  
16 tuition under this subsection.

17 “[~~(6)~~] (7) [*The total amount in grants awarded under this section by the office may not exceed \$10  
18 million per fiscal year, or any lesser amount available to the office for the purpose of this section.*] The  
19 commission may adopt by rule the priority by which grants are awarded, which may allow for pref-  
20 erence to be given to persons enrolled in school districts or high schools that meet specified criteria.

21 **“(8) Prior to the start of the fall term of each academic year, the commission shall de-  
22 termine whether there are sufficient moneys to award a grant under this section to each  
23 person who meets the criteria described in subsections (3) to (5) of this section. On the basis  
24 of this determination the commission may:**

25 **“(a) Limit eligibility to receive a grant under this section to a person whose family con-  
26 tribution, as determined by the commission by rule, is at or below the level the commission  
27 determines is necessary to allow the commission to operate the Oregon Promise program  
28 with available moneys; or**

29 **“(b) Reduce or eliminate any limitation on eligibility previously imposed by the commis-  
30 sion under paragraph (a) of this subsection.**

31 **“(9)(a) If at any time the commission determines that there are insufficient moneys to  
32 provide a grant to each person who has been awarded a grant under this section, the com-  
33 mission may:**

34 **“(A) Decrease the total amount of the grant awarded; or**

35 **“(B) Increase the amount that a person must pay under subsection (6)(b) of this section  
36 for each term that the person receives a grant under this section.**

37 **“(b) If at any time the commission determines that the amount of moneys available to  
38 operate the Oregon Promise program exceeds the amount determined under subsection (8)  
39 of this section, the commission may reduce or eliminate any limitation on eligibility to re-  
40 ceive a grant under this section that was previously imposed by the commission under sub-  
41 section (8)(a) of this section.**

42 **“(c) The commission shall promptly notify the interim committees of the Legislative  
43 Assembly responsible for higher education each time the commission takes any action under  
44 paragraph (a) or (b) of this subsection.**

45 “[~~(7)~~] (10) The commission shall adopt any rules necessary for the administration of this section,

1 including any requirements related to:

2 “(a) Specifying the form and timelines for submitting an application for a grant under this sec-  
3 tion;

4 “(b) Determining whether a person is eligible for a grant under this section, including whether  
5 the person shall be given priority as allowed under subsection [(6)] (7) of this section;

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

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

10 “(e) Evaluating the impact of the program established under this section, including any re-  
11 quirements for reporting data needed for evaluations.

12 “[8)] (11) No later than December 31 of each even-numbered year, the commission shall submit  
13 to an interim legislative committee related to education a report that summarizes the commission’s  
14 findings on the impact of the program established under this section. The report shall include:

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

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

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

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

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

24 “**SECTION 2. If House Bill 3423 becomes law, sections 1 (amending ORS 341.522) and 2,**  
25 **chapter 410, Oregon Laws 2017 (Enrolled House Bill 3423), are repealed and ORS 341.522, as**  
26 **amended by section 1, chapter 75, Oregon Laws 2016, and section 1 of this 2017 Act, is**  
27 **amended to read:**

28 “341.522. (1) The Office of Student Access and Completion shall administer the Oregon Promise  
29 program as provided by this section.

30 “(2) Subject to subsections [(6) to (9)] (7) to (10) of this section, the office shall provide a grant  
31 for community college courses to a person who meets the criteria described in subsections (3) to  
32 [(5)] (6) of this section. The grant shall be limited as provided by subsections [(6) to (9)] (7) to (10)  
33 of this section.

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

35 “(a) Is enrolled in courses that are:

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

37 “(B) Determined by the office, in accordance with rules adopted by the Higher Education Co-  
38 ordinating Commission, to be required for completion of:

39 “(i) A one-year curriculum for students who plan to transfer to another post-secondary institu-  
40 tion of education;

41 “(ii) An associate degree; or

42 “(iii) A program in career and technical education;

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

45 “(c) Attained the person’s highest level of education in this state prior to:

1       “(A) Receiving a diploma under ORS 329.451;

2       “(B) Receiving a General Educational Development (GED) certificate as provided by ORS  
3 350.175;

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

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

6       “(d) Except as provided in [subsection] **subsections (4) and (5)** of this section, attained the  
7 person’s highest level of education as described in paragraph (c) of this subsection within six months  
8 from the date that the person first enrolls in courses described in paragraph (a) of this subsection  
9 for the purpose of receiving a grant under this section;

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

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

16       “(g) Has not completed either of the following:

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

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

20       “(4)(a) If a person otherwise meets the required criteria and has been awarded a grant under  
21 subsection (3) of this section, but the person enters into service with a career and technical student  
22 organization relating to agriculture or farming that is approved by the Department of Education  
23 under ORS 344.077 within six months after the person attained the person’s highest level of educa-  
24 tion as described in subsection (3)(c) of this section, the person will continue to be eligible to receive  
25 the grant if the person first enrolls in courses described in subsection (3)(a) of this section within  
26 six months of finishing the person’s service with the career and technical student organization.

27       “(b) In addition to the situation described in paragraph (a) of this subsection, the commission  
28 may waive the requirement set forth in subsection (3)(d) of this section for a person who shows that  
29 the person was unable to timely enroll in courses described in subsection (3)(a) of this section due  
30 to a significant hardship. The commission may adopt rules to implement this paragraph.

31       **“(5) A member of the Oregon National Guard who has completed initial active duty**  
32 **training is not required to comply with the criteria set forth in subsection (3)(d) of this**  
33 **section in order to receive a grant, provided that the member first enrolls in courses de-**  
34 **scribed in subsection (3)(a) of this section within six months after completing initial active**  
35 **duty training, as evidenced by an official form issued by the United States Department of**  
36 **Defense.**

37       “[(5)(a)] **(6)(a)** A person continues to remain eligible to receive a grant under this section if the  
38 person, in addition to satisfying the criteria specified in subsection (3) of this section, meets the  
39 following criteria:

40       “(A) Maintains at least the minimum cumulative grade point average prescribed by the com-  
41 mission based on federal aid grant requirements;

42       “(B) Makes satisfactory academic progress toward a curriculum, degree or program, as de-  
43 scribed in subsection (3)(a)(B) of this section, as prescribed by the commission based on federal aid  
44 grant requirements;

45       “(C) Enrolls in courses described in subsection (3)(a) of this section for a sufficient number of

1 credit hours to be considered at least a half-time student each term for at least three terms in each  
2 consecutive academic year; and

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

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

9 “[~~(6)(a)~~] **(7)(a)** The total amount of a grant awarded under this section shall be based on each  
10 term that a person is enrolled in courses described in subsection (3)(a) of this section. Except as  
11 provided in subsections [~~(8)~~] **(9)** and [~~(9)~~] **(10)** of this section, after the amount of tuition for the  
12 person for the term is reduced by any amounts received by the person in state and federal aid  
13 grants, the person shall be eligible for a grant under this section in an amount that equals:

14 “(A) Except as provided by paragraphs (b) and (c) of this subsection, not less than the greater  
15 of:

16 “(i) \$1,000; and

17 “(ii) The person’s actual cost for tuition.

18 “(B) Not more than the lesser of:

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

21 “(ii) The person’s actual cost for tuition.

22 “(b) The amount of a grant, as calculated under paragraph (a) of this subsection, shall be re-  
23 duced by \$50 for each term that the person receives a grant under this section.

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

28 “(d) The commission may prescribe by rule whether to include fees, and any limitations related  
29 to the inclusion of fees, when determining the actual cost of tuition or the average cost of tuition  
30 under this subsection.

31 “[~~(7)~~] **(8)** The commission may adopt by rule the priority by which grants are awarded, which  
32 may allow for preference to be given to persons enrolled in school districts or high schools that  
33 meet specified criteria.

34 “[~~(8)~~] **(9)** Prior to the start of the fall term of each academic year, the commission shall deter-  
35 mine whether there are sufficient moneys to award a grant under this section to each person who  
36 meets the criteria described in subsections (3) to [~~(5)~~] **(6)** of this section. On the basis of this deter-  
37 mination the commission may:

38 “(a) Limit eligibility to receive a grant under this section to a person whose family contribution,  
39 as determined by the commission by rule, is at or below the level the commission determines is  
40 necessary to allow the commission to operate the Oregon Promise program with available moneys;  
41 or

42 “(b) Reduce or eliminate any limitation on eligibility previously imposed by the commission un-  
43 der paragraph (a) of this subsection.

44 “[~~(9)(a)~~] **(10)(a)** If at any time the commission determines that there are insufficient moneys to  
45 provide a grant to each person who has been awarded a grant under this section, the commission

1 may:

2 “(A) Decrease the total amount of the grant awarded; or

3 “(B) Increase the amount that a person must pay under subsection [(6)(b)] (7)(b) of this section  
4 for each term that the person receives a grant under this section.

5 “(b) If at any time the commission determines that the amount of moneys available to operate  
6 the Oregon Promise program exceeds the amount determined under subsection [(8)] (9) of this sec-  
7 tion, the commission may reduce or eliminate any limitation on eligibility to receive a grant under  
8 this section that was previously imposed by the commission under subsection [(8)(a)] (9)(a) of this  
9 section.

10 “(c) The commission shall promptly notify the interim committees of the Legislative Assembly  
11 responsible for higher education each time the commission takes any action under paragraph (a) or  
12 (b) of this subsection.

13 “[10] (11) The commission shall adopt any rules necessary for the administration of this sec-  
14 tion, including any requirements related to:

15 “(a) Specifying the form and timelines for submitting an application for a grant under this sec-  
16 tion;

17 “(b) Determining whether a person is eligible for a grant under this section, including whether  
18 the person shall be given priority as allowed under subsection [(7)] (8) of this section;

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

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

23 “(e) Evaluating the impact of the program established under this section, including any re-  
24 quirements for reporting data needed for evaluations.

25 “[11] (12) No later than December 31 of each even-numbered year, the commission shall submit  
26 to an interim legislative committee related to education a report that summarizes the commission’s  
27 findings on the impact of the program established under this section. The report shall include:

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

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

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

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

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

37 “**SECTION 3. The amendments to ORS 341.522 by section 2 of this 2017 Act first apply to**  
38 **Oregon Promise program grants awarded for the 2018-2019 academic year.**

39 “**SECTION 4. This 2017 Act being necessary for the immediate preservation of the public**  
40 **peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect**  
41 **on its passage.”.**

42