

Requested by JOINT COMMITTEE ON WAYS AND MEANS

**PROPOSED AMENDMENTS TO
A-ENGROSSED SENATE BILL 1032**

1 On page 1 of the printed A-engrossed bill, line 2, after “341.522” insert “;
2 repealing sections 1 and 2, chapter 410, Oregon Laws 2017 (Enrolled House
3 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
6 Laws 2016, is amended to read:

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

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

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

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

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

18 “(B) Determined by the office, in accordance with rules adopted by the
19 Higher Education Coordinating Commission, to be required for completion
20 of:

21 “(i) A one-year curriculum for students who plan to transfer to another

1 post-secondary institution of education;

2 “(ii) An associate degree; or

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

4 “(b) Has been a resident of this state for at least 12 months prior to en-

5 rolling in the courses described in paragraph (a) of this subsection;

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

7 to:

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

9 “(B) Receiving a General Educational Development (GED) certificate as

10 provided by ORS 350.175;

11 “(C) Completing grade 12 in compliance with the requirements of ORS

12 339.035; or

13 “(D) Completing grade 12 at a private or parochial school, as described

14 in ORS 339.030 (1)(a);

15 “(d) **Except as provided in subsection (4) of this section**, attained the

16 person’s highest level of education as described in paragraph (c) of this

17 subsection within six months from the date that the person first enrolls in

18 courses described in paragraph (a) of this subsection for the purpose of re-

19 ceiving a grant under this section;

20 “(e) Earned a cumulative grade point average of 2.5 or better in high

21 school or otherwise demonstrated an equivalent academic ability, as deter-

22 mined by the office according to rules adopted by the commission;

23 “(f) Completed and submitted the Free Application for Federal Student

24 Aid for each academic year and accepted all state and federal aid grants

25 available to the person, if eligible to file the application; and

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

27 “(A) More than a total of 90 credit hours, or the equivalent, at a post-

28 secondary institution of education; or

29 “(B) A curriculum, degree or program, as described in paragraph (a)(B)

30 of this subsection.

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

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

17 **“[(4)(a)] (5)(a) A person continues to remain eligible to receive a grant**
18 **under this section if the person, in addition to satisfying the criteria speci-**
19 **fied in subsection (3) of this section, meets the following criteria:**

20 **“(A) Maintains at least the minimum cumulative grade point average**
21 **prescribed by the commission based on federal aid grant requirements;**

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

25 **“(C) Enrolls 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**
27 **student each term for at least three terms in each consecutive academic year;**
28 **and**

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

1 “(b) A person who fails to meet an eligibility requirement described in
2 paragraph (a) of this subsection becomes ineligible to receive a grant under
3 this section for the term after which the person fails to meet the eligibility
4 requirement, unless the eligibility requirement is waived by the office ac-
5 cording to rules adopted by the commission.

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

13 “(A) Except as provided by [*paragraph*] **paragraphs (b) and (c)** of this
14 subsection, not less than the greater of:

15 “(i) \$1,000; and

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

17 “(B) Not more than the lesser of:

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

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

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

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

29 “[c)] **(d)** The commission may prescribe by rule whether to include fees,
30 and any limitations related to the inclusion of fees, when determining the

1 actual cost of tuition or the average cost of tuition under this subsection.

2 “[~~(6)~~] (7) [*The total amount in grants awarded under this section by the*
3 *office may not exceed \$10 million per fiscal year, or any lesser amount avail-*
4 *able to the office for the purpose of this section.*] The commission may adopt
5 by rule the priority by which grants are awarded, which may allow for
6 preference to be given to persons enrolled in school districts or high schools
7 that meet specified criteria.

8 **“(8) Prior to the start of the fall term of each academic year, the**
9 **commission shall determine whether there are sufficient moneys to**
10 **award a grant under this section to each person who meets the criteria**
11 **described in subsections (3) to (5) of this section. On the basis of this**
12 **determination the commission may:**

13 **“(a) Limit eligibility to receive a grant under this section to a per-**
14 **son whose family contribution, as determined by the commission by**
15 **rule, is at or below the level the commission determines is necessary**
16 **to allow the commission to operate the Oregon Promise program with**
17 **available moneys; or**

18 **“(b) Reduce or eliminate any limitation on eligibility previously**
19 **imposed by the commission under paragraph (a) of this subsection.**

20 **“(9)(a) If at any time the commission determines that there are**
21 **insufficient moneys to provide a grant to each person who has been**
22 **awarded a grant under this section, the commission may:**

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

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

27 **“(b) If at any time the commission determines that the amount of**
28 **moneys available to operate the Oregon Promise program exceeds the**
29 **amount determined under subsection (8) of this section, the commis-**
30 **sion may reduce or eliminate any limitation on eligibility to receive a**

1 **grant under this section that was previously imposed by the commis-**
2 **sion under subsection (8)(a) of this section.**

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

7 “[7] **(10)** The commission shall adopt any rules necessary for the ad-
8 ministration of this section, including any requirements related to:

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

11 “(b) Determining whether a person is eligible for a grant under this sec-
12 tion, including whether the person shall be given priority as allowed under
13 subsection [(6)] **(7)** of this section;

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

16 “(d) Prescribing eligibility requirements and grant calculations for per-
17 sons dually enrolled in a community college and a public university; and

18 “(e) Evaluating the impact of the program established under this section,
19 including any requirements for reporting data needed for evaluations.

20 “[8] **(11)** No later than December 31 of each even-numbered year, the
21 commission shall submit to an interim legislative committee related to edu-
22 cation a report that summarizes the commission’s findings on the impact of
23 the program established under this section. The report shall include:

24 “(a) Student completion rates of curricula, degrees and programs de-
25 scribed in subsection (3)(a)(B) of this section;

26 “(b) The amount of federal aid grants received by persons who received
27 a grant under this section;

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

30 “(d) The financial impact and the enrollment impact of the program on

1 community colleges and public universities in this state; and

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

4 **“SECTION 2. If House Bill 3423 becomes law, sections 1 (amending**
5 **ORS 341.522) and 2, chapter 410, Oregon Laws 2017 (Enrolled House Bill**
6 **3423), are repealed and ORS 341.522, as amended by section 1, chapter**
7 **75, Oregon Laws 2016, and section 1 of this 2017 Act, is amended to**
8 **read:**

9 “341.522. (1) The Office of Student Access and Completion shall administer
10 the Oregon Promise program as provided by this section.

11 “(2) Subject to subsections [~~(6) to (9)~~] **(7) to (10)** of this section, the office
12 shall provide a grant for community college courses to a person who meets
13 the criteria described in subsections (3) to [~~(5)~~] **(6)** of this section. The grant
14 shall be limited as provided by subsections [~~(6) to (9)~~] **(7) to (10)** of this
15 section.

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

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

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

20 “(B) Determined by the office, in accordance with rules adopted by the
21 Higher Education Coordinating Commission, to be required for completion
22 of:

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

25 “(ii) An associate degree; or

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

27 “(b) Has been a resident of this state for at least 12 months prior to en-
28 rolling in the courses described in paragraph (a) of this subsection;

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

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

2 “(B) Receiving a General Educational Development (GED) certificate as

3 provided by ORS 350.175;

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

5 339.035; or

6 “(D) Completing grade 12 at a private or parochial school, as described

7 in ORS 339.030 (1)(a);

8 “(d) Except as provided in [*subsection*] **subsections (4) and (5)** of this

9 section, attained the person’s highest level of education as described in par-

10 agraph (c) of this subsection within six months from the date that the person

11 first enrolls in courses described in paragraph (a) of this subsection for the

12 purpose of receiving a grant under this section;

13 “(e) Earned a cumulative grade point average of 2.5 or better in high

14 school or otherwise demonstrated an equivalent academic ability, as deter-

15 mined by the office according to rules adopted by the commission;

16 “(f) Completed and submitted the Free Application for Federal Student

17 Aid for each academic year and accepted all state and federal aid grants

18 available to the person, if eligible to file the application; and

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

20 “(A) More than a total of 90 credit hours, or the equivalent, at a post-

21 secondary institution of education; or

22 “(B) A curriculum, degree or program, as described in paragraph (a)(B)

23 of this subsection.

24 “(4)(a) If a person otherwise meets the required criteria and has been

25 awarded a grant under subsection (3) of this section, but the person enters

26 into service with a career and technical student organization relating to

27 agriculture or farming that is approved by the Department of Education un-

28 der ORS 344.077 within six months after the person attained the person’s

29 highest level of education as described in subsection (3)(c) of this section, the

30 person will continue to be eligible to receive the grant if the person first

1 enrolls in courses described in subsection (3)(a) of this section within six
2 months of finishing the person's service with the career and technical stu-
3 dent organization.

4 “(b) In addition to the situation described in paragraph (a) of this sub-
5 section, the commission may waive the requirement set forth in subsection
6 (3)(d) of this section for a person who shows that the person was unable to
7 timely enroll in courses described in subsection (3)(a) of this section due to
8 a significant hardship. The commission may adopt rules to implement this
9 paragraph.

10 **“(5) A member of the Oregon National Guard who has completed**
11 **initial active duty training is not required to comply with the criteria**
12 **set forth in subsection (3)(d) of this section in order to receive a grant,**
13 **provided that the member first enrolls in courses described in sub-**
14 **section (3)(a) of this section within six months after completing initial**
15 **active duty training, as evidenced by an official form issued by the**
16 **United States Department of Defense.**

17 “[5)(a)] **(6)(a)** A person continues to remain eligible to receive a grant
18 under this section if the person, in addition to satisfying the criteria speci-
19 fied in subsection (3) of this section, meets the following criteria:

20 “(A) Maintains at least the minimum cumulative grade point average
21 prescribed by the commission based on federal aid grant requirements;

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

25 “(C) Enrolls 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
27 student each term for at least three terms in each consecutive academic year;
28 and

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

1 “(b) A person who fails to meet an eligibility requirement described in
2 paragraph (a) of this subsection becomes ineligible to receive a grant under
3 this section for the term after which the person fails to meet the eligibility
4 requirement, unless the eligibility requirement is waived by the office ac-
5 cording to rules adopted by the commission.

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

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

15 “(i) \$1,000; and

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

17 “(B) Not more than the lesser of:

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

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

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

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

29 “(d) The commission may prescribe by rule whether to include fees, and
30 any limitations related to the inclusion of fees, when determining the actual

1 cost of tuition or the average cost of tuition under this subsection.

2 “[7] (8) The commission may adopt by rule the priority by which grants
3 are awarded, which may allow for preference to be given to persons enrolled
4 in school districts or high schools that meet specified criteria.

5 “[8] (9) Prior to the start of the fall term of each academic year, the
6 commission shall determine whether there are sufficient moneys to award a
7 grant under this section to each person who meets the criteria described in
8 subsections (3) to [(5)] (6) of this section. On the basis of this determination
9 the commission may:

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

15 “(b) Reduce or eliminate any limitation on eligibility previously imposed
16 by the commission under paragraph (a) of this subsection.

17 “[9(a)] (10)(a) If at any time the commission determines that there are
18 insufficient moneys to provide a grant to each person who has been awarded
19 a grant under this section, the commission may:

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

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

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

30 “(c) The commission shall promptly notify the interim committees of the

1 Legislative Assembly responsible for higher education each time the com-
2 mission takes any action under paragraph (a) or (b) of this subsection.

3 “[10] (11) The commission shall adopt any rules necessary for the ad-
4 ministration of this section, including any requirements related to:

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

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

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

12 “(d) Prescribing eligibility requirements and grant calculations for per-
13 sons dually enrolled in a community college and a public university; and

14 “(e) Evaluating the impact of the program established under this section,
15 including any requirements for reporting data needed for evaluations.

16 “[11] (12) No later than December 31 of each even-numbered year, the
17 commission shall submit to an interim legislative committee related to edu-
18 cation a report that summarizes the commission’s findings on the impact of
19 the program established under this section. The report shall include:

20 “(a) Student completion rates of curricula, degrees and programs de-
21 scribed in subsection (3)(a)(B) of this section;

22 “(b) The amount of federal aid grants received by persons who received
23 a grant under this section;

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

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

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

30 **SECTION 3. The amendments to ORS 341.522 by section 2 of this**

1 **2017 Act first apply to Oregon Promise program grants awarded for the**
2 **2018-2019 academic year.**

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

6
