

SB 1563 A STAFF MEASURE SUMMARY**Carrier:** Sen. Dembrow**Senate Committee On Education****Action Date:** 02/12/18**Action:** Do pass with amendments. (Printed A-Eng.)**Vote:** 4-3-0-0**Yeas:** 4 - Dembrow, Gelser, Hass, Roblan**Nays:** 3 - Bentz, Linthicum, Thomsen**Fiscal:** No fiscal impact**Revenue:** No revenue impact**Prepared By:** Lisa Gezelter, LPRO Analyst**WHAT THE MEASURE DOES:**

Removes the requirement that undocumented students apply for an official federal identification document in order to be eligible for resident tuition at public universities. Allows boards of community colleges and Oregon Health and Science University (OHSU) to exempt undocumented students from nonresident tuition rates. Extends eligibility for scholarships and other financial aid from public universities, community colleges, and OHSU to undocumented students. Allows students who are not citizens or lawful permanent residents to receive scholarships, grants, and other financial aid from the Higher Education Coordinating Commission. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Benefits of program
- Needs of undocumented students
- Legislative history

EFFECT OF AMENDMENT:

Allows students who are not citizens or lawful permanent residents to receive scholarships, grants, and other financial aid from the Higher Education Coordinating Commission. Removes provisions relating to community college boards.

BACKGROUND:

In June 2012, then-Secretary of Homeland Security Janet Napolitano issued a memo outlining the department's prosecutorial discretion with respect to young people brought to the United States as children. Secretary Napolitano directed the department to defer action against individuals who:

- came to the U.S. under the age of 16;
- had continuously resided in the U.S. for the past five years;
- were students, GED recipients, or honorably discharged veterans;
- did not pose a threat to national security or public safety; and
- were under the age of 30.

The department began accepting applications from individuals in this category for the purpose of determining whether these individuals qualified for work authorization.

In 2013, the Oregon legislature enacted House Bill 2787, extending resident tuition rates to students who had applied for the federal program and completed their high school diploma within certain time constraints. In 2015, the legislature removed those time constraints, and in 2017, extended the program to recipients of the state's modified diploma.

The Department of Homeland Security's deferred action program was terminated in September, 2017 and the department is no longer accepting applications. This bill removes the state requirement that students file a federal

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application for an identification document in order to be eligible for resident tuition rates.