

A-Engrossed
House Bill 2910

Ordered by the House April 15
Including House Amendments dated April 15

Sponsored by Representatives SOLLMAN, PILUSO, BYNUM, Senator FREDERICK; Representatives ALONSO LEON, BARKER, BONHAM, CLEM, EVANS, GOMBERG, HELT, HERNANDEZ, KENY-GUYER, MARSH, MCKEOWN, MEEK, NERON, NOBLE, PRUSAK, REARDON, SALINAS, SCHOUTEN, SMITH WARNER, WILLIAMS, WILLIAMSON, WITT, ZIKA, Senators DEMBROW, HASS, RILEY, ROBLAN, WAGNER

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.

Requires that for person who completes prior educational requirements to participate in Oregon Promise program while *[incarcerated or detained]* **confined in correctional facility**, six-month period to enroll in courses to participate in program begins after **person is first released from correctional facility** *[person's period of incarceration or detention has ended]*.

Authorizes Higher Education Coordinating Commission to waive requirement that person enrolled in program must enroll in sufficient number of credit hours to be considered at least half-time student, under specified circumstances.

A BILL FOR AN ACT

1
2 Relating to the Oregon Promise program; creating new provisions; and amending ORS 341.522.

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

4 **SECTION 1.** ORS 341.522 is amended to read:

5 341.522. (1) The Office of Student Access and Completion shall administer the Oregon Promise
6 program as provided by this section.

7 (2) Subject to subsections (7) to (10) of this section, the office shall provide a grant for commu-
8 nity college courses to a person who meets the criteria described in subsections (3) to (6) of this
9 section. The grant shall be limited as provided by subsections (7) to (10) of this section.

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

11 (a) Is enrolled in courses that are:

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

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

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

17 (ii) An associate degree; or

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

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

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

22 (A) Receiving a diploma under ORS 329.451;

23 (B) Receiving a certificate for passing an approved high school equivalency test such as the

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 General Educational Development (GED) test as provided by ORS 350.175;

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

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

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

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

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

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

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

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

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

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

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

34 **(b)(A) A person who completes the highest level of education as described in subsection**
35 **(3)(c) of this section while confined in a correctional facility, either serving a sentence of**
36 **incarceration or as a young person, youth or youth offender, is not required to comply with**
37 **the criteria set forth in subsection (3)(d) of this section in order to receive a grant, provided**
38 **that the person first enrolls in courses described in subsection (3)(a) of this section within**
39 **six months after the date on which the person is first released from a correctional facility**
40 **following completion of the highest level of education described in subsection (3)(c) of this**
41 **section.**

42 **(B) The eligibility requirements described in subsection (6)(a)(C) of this section may be**
43 **waived by the office according to rules adopted by the commission for a person who receives**
44 **a grant under this section in the manner described in subparagraph (A) of this paragraph.**

45 **(C) As used in this paragraph:**

1 (i) **“Correctional facility” means any place used for the confinement of young persons,**
2 **youth or youth offenders or persons charged with or convicted of a crime or otherwise con-**
3 **finned under a court order, including a:**

4 (I) **Youth correction facility;**

5 (II) **Detention facility;**

6 (III) **Department of Corrections institution;**

7 (IV) **Local correctional facility; or**

8 (V) **State hospital or a secure intensive community inpatient facility, with respect to**
9 **persons detained therein who are youth or youth offenders, who are charged with or con-**
10 **vinced of a crime or who are detained therein after having been found guilty except for in-**
11 **sanity of a crime under ORS 161.290 to 161.370 or having been found responsible except for**
12 **insanity under ORS 419C.411.**

13 (ii) **“Department of Corrections institution” has the meaning given that term in ORS**
14 **421.005.**

15 (iii) **“Detention facility,” “young person,” “youth” and “youth offender” have the**
16 **meanings given those terms in ORS 419A.004.**

17 (iv) **“Local correctional facility” has the meaning given that term in ORS 169.005.**

18 (v) **“Youth correction facility” has the meaning given that term in ORS 420.005.**

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

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

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

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

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

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

36 (7)(a) The total amount of a grant awarded under this section shall be based on each term that
37 a person is enrolled in courses described in subsection (3)(a) of this section. Except as provided in
38 subsections (9) and (10) of this section, after the amount of tuition for the person for the term is
39 reduced by any amounts received by the person in state and federal aid grants, the person shall be
40 eligible for a grant under this section in an amount that equals:

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

43 (i) \$1,000; and

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

45 (B) Not more than the lesser of:

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

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

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

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

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

13 (8) The commission may adopt by rule the priority by which grants are awarded, which may
14 allow for preference to be given to persons enrolled in school districts or high schools that meet
15 specified criteria.

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

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

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

26 (10)(a) If at any time the commission determines that there are insufficient moneys to provide
27 a grant to each person who has been awarded a grant under this section, the commission may:

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

29 (B) Increase the amount that a person must pay under subsection (7)(b) of this section for each
30 term that the person receives a grant under this section.

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

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

38 (11) The commission shall adopt any rules necessary for the administration of this section, in-
39 cluding any requirements related to:

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

41 (b) Determining whether a person is eligible for a grant under this section, including whether
42 the person shall be given priority as allowed under subsection (8) of this section;

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

45 (d) Prescribing eligibility requirements and grant calculations for persons dually enrolled in a

1 community college and a public university; and

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

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

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

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

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

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

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

16 **SECTION 2. The amendments to ORS 341.522 by section 1 of this 2019 Act apply to ap-**
17 **plications for Oregon Promise program grants that are received on or after January 1, 2020.**

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