

SB 713 -1, -2 STAFF MEASURE SUMMARY

Senate Committee On Education

Prepared By: Matt Perreault, LPRO Analyst

Meeting Dates: 2/8, 3/29

WHAT THE MEASURE DOES:

Prohibits institutions of higher education in Oregon from requiring prospective students to disclose prior criminal convictions before institution makes admission decision. Exempts from prohibition standardized applications and applications for professional degree programs and law enforcement training programs. Requires institutions to be in compliance for 2022-2023 academic year. Declares emergency, effective on passage.

REVENUE: May have revenue impact, but no statement yet issued

FISCAL: May have fiscal impact, but no statement yet issued

ISSUES DISCUSSED:

- Access to financial aid for students with criminal convictions
- Deterrent effect of conviction question on applications to higher education
- Professional licensure restrictions and other restrictions for those with criminal convictions

EFFECT OF AMENDMENT:

-1 Exempts applications to courses or programs where professional licensure requirements exclude individuals with a criminal conviction.

REVENUE: May have revenue impact, but no statement yet issued

FISCAL: May have fiscal impact, but no statement yet issued

-2 Replaces measure. Prohibits institutions of higher education in Oregon from requiring prospective student to disclose prior criminal conviction before institution makes admission decision unless otherwise required by law. Provides that materials or websites available to prospective students must include notification on courses, programs, majors, or degree pathways that are likely to lead to professional licensure requirements that exclude individuals with criminal convictions.

REVENUE: No revenue impact

FISCAL: May have fiscal impact, but no statement yet issued

BACKGROUND:

Many colleges and universities require prospective students to disclose whether they have previously been convicted of a crime before an admission decision is made. Institutions of higher education may decide not to admit prospective students who disclose prior convictions. According to the U.S. Department of Education, while a prior conviction may not necessarily prevent applicants from being admitted, a conviction question may deter individuals who have emerged from the criminal justice system from pursuing higher education as a path toward rehabilitation.

Some institutions of higher learning have voluntarily opted to remove the conviction question from their application processes. The Common Application, which is a standardized application used by many public and private higher education institutions, removed the question in 2018. Colorado, Louisiana, Maryland, and Washington have banned colleges and universities in their states from inquiring about prior criminal convictions

SB 713 -1, -2 STAFF MEASURE SUMMARY

on admission applications. The Free Application for Federal Student Aid (FAFSA) asks applicants to disclose criminal convictions, but does not disqualify those with convictions from receiving aid.

Senate Bill 713 prohibits colleges and universities in Oregon from requiring prospective students to disclose a prior criminal conviction before an admission decision is made. It exempts applications that use a common application form and applications to professional degree programs or law enforcement training programs. It requires all higher education institutions in Oregon to prepare for this by the 2022-2023 academic year. The -1 amendment exempts applications to courses or programs where professional licensure requirements exclude individuals with a criminal conviction.