

# House Bill 3565

Sponsored by COMMITTEE ON HIGHER EDUCATION (at the request of Higher Education Coordinating Commission)

## 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 **as introduced**.

Establishes Oregon Tribal Student Grant program. Establishes qualifications for participation in program and details how grant award amounts are calculated under program.

Establishes Oregon Tribal Student Grant Fund.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1 Relating to grant programs for members of Oregon tribes; and declaring an emergency.

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

3 **SECTION 1. Section 2 of this 2023 Act is added to and made a part of ORS chapter 348.**

4 **SECTION 2. (1) The Oregon Tribal Student Grant program is established within the**  
5 **Higher Education Coordinating Commission.**

6 **(2)(a) The commission shall award an initial grant under the Oregon Tribal Student Grant**  
7 **program established under subsection (1) of this section to offset the cost of education while**  
8 **enrolled in an eligible program at an eligible post-secondary institution to each qualified**  
9 **tribal student in the manner set forth in this section.**

10 **(b) Except as provided in paragraph (c) of this subsection, each qualified tribal student**  
11 **who receives an initial grant under this section shall receive renewal grants in the manner**  
12 **provided in this section if the student is continuing to make satisfactory academic progress**  
13 **in an eligible program, as defined by the eligible post-secondary institution in which the**  
14 **student is enrolled.**

15 **(c)(A) A qualified tribal student may not receive grants under this section:**

16 **(i) For an aggregate total of more than five years of full-time enrollment at the under-**  
17 **graduate level;**

18 **(ii) For an aggregate total of more than three years of full-time enrollment in eligible**  
19 **programs that do not lead to an associate degree, bachelor's degree, master's degree, pro-**  
20 **fessional degree or doctoral degree; or**

21 **(iii) For an aggregate total of more than three years of full-time enrollment at eligible**  
22 **programs that lead to a master's degree, professional degree or doctoral degree.**

23 **(B) The maximum time frame for eligibility of a qualified tribal student receiving a grant**  
24 **under this section:**

25 **(i) May not be reduced or restricted based on academic credits earned by the student**  
26 **prior to participating in the program; and**

27 **(ii) If the qualified tribal student is a graduate student, may not be reduced or restricted**  
28 **based on the student's eligibility or participation in the program at the undergraduate level.**

29 **(3)(a) The amount of an initial grant or renewal grant awarded under this section to a**  
30

**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 qualified tribal student who is enrolled in an undergraduate degree program at an eligible  
 2 post-secondary institution that is public shall equal:

3 (A) For a qualified tribal student attending a community college operated under ORS  
 4 chapter 341, the amount of the cost of education at community college, as determined by the  
 5 community college, reduced by the amount of state and federal aid grants and scholarships  
 6 available to the qualified tribal student;

7 (B) For a qualified tribal student attending a public university listed in ORS 352.002, the  
 8 amount of the cost of education at the public university, as determined by the public uni-  
 9 versity, reduced by the amount of state and federal aid grants and scholarships available to  
 10 the qualified tribal student; and

11 (C) For a qualified tribal student attending the Oregon Health and Science University, the  
 12 amount of the cost of education at the university, as determined by the university, reduced  
 13 by the amount of state and federal aid grants and scholarships available to the qualified  
 14 tribal student.

15 (b) The amount of an initial grant or renewal grant awarded under this section to a  
 16 qualified tribal student who is enrolled in an undergraduate degree program at an eligible  
 17 post-secondary institution that is not public shall equal:

18 (A) For a qualified tribal student enrolled in a two-year eligible program at an eligible  
 19 post-secondary institution that is not public, the amount of the cost of education at the  
 20 community college operated under ORS chapter 341 that has the highest cost of education,  
 21 as determined by the commission, reduced by the amount of state and federal aid grants and  
 22 scholarships available to the qualified tribal student; and

23 (B) For a qualified tribal student enrolled in a bachelor's degree program at an eligible  
 24 post-secondary institution that is not public, the amount of the cost of education at the  
 25 public university listed in ORS 352.002 that has the highest cost of education, as determined  
 26 by the commission, reduced by the amount of state and federal aid grants and scholarships  
 27 available to the qualified tribal student.

28 (c) The total amount awarded under this subsection to a qualified tribal student during  
 29 an academic year may not exceed the cost of education at the eligible post-secondary insti-  
 30 tution in which the student is enrolled.

31 (4)(a) When awarding grants under this section to qualified tribal students who have re-  
 32 ceived a bachelor's degree, the commission shall prioritize funding students enrolled in an  
 33 eligible program that leads to a master's degree.

34 (b) The amount of an initial grant or renewal grant awarded under this section to a  
 35 qualified tribal student who is enrolled in an eligible program leading to a master's degree  
 36 shall equal the average cost of education for the eligible program at the eligible post-  
 37 secondary institution in which the qualified tribal student is enrolled, reduced by the amount  
 38 of state and federal aid grants and scholarships and institutional aid available to the qualified  
 39 tribal student.

40 (c) The total amount awarded under this section to a qualified tribal student during an  
 41 academic year may not exceed:

42 (A) The undergraduate cost of education at the public university listed in ORS 352.002  
 43 that has the highest cost of education, as determined by the commission; or

44 (B) The cost of education for the eligible program at the eligible post-secondary institu-  
 45 tion in which the qualified tribal student is enrolled.

1 (5)(a) If sufficient moneys remain available in the Oregon Tribal Student Grant Fund  
2 established in section 3 of this 2023 Act, after the commission has awarded grants in the  
3 manner described in subsections (3) and (4) of this section, the commission may choose to  
4 award full or partial initial grants, or full or partial renewal grants, to qualified tribal stu-  
5 dents enrolled in an eligible program leading to a professional degree, doctoral degree or  
6 other eligible program identified by the commission by rule.

7 (b) The amount of an initial grant or renewal grant awarded under this section to a  
8 qualified tribal student who is enrolled in an eligible program leading to a professional de-  
9 gree, doctoral degree or other eligible program identified by the commission by rule shall be  
10 the cost of education for the eligible program at the eligible post-secondary institution in  
11 which the qualified tribal student is enrolled, reduced by the amount of state and federal aid  
12 grants and scholarships and institutional aid available to the qualified tribal student.

13 (c) The total amount awarded under this subsection to a qualified tribal student during  
14 an academic year may not exceed:

15 (A) The undergraduate cost of education at the public university listed in ORS 352.002  
16 that has the highest cost of education, as determined by the commission; or

17 (B) The cost of education for the eligible program at the eligible post-secondary institu-  
18 tion in which the qualified tribal student is enrolled.

19 (6) When awarding grants under this section:

20 (a) The commission shall prorate grants awarded to qualified tribal students who are  
21 enrolled in an eligible program on a more than half-time, but less than full-time basis; and

22 (b) When calculating the amount of state and federal aid grants available to qualified  
23 tribal students, the commission may not include:

24 (A) Grants or scholarships awarded by a tribe;

25 (B) Education benefits provided by the United States Department of Veterans Affairs;

26 (C) Federal or private student loans offered to or received by the qualified tribal student;

27 or

28 (D) Any other form of federal student financial assistance identified by the commission  
29 by rule.

30 (7) Prior to the start of the fall term of each academic year, the commission shall de-  
31 termine whether moneys available to the commission are sufficient to award a grant under  
32 this section to each qualified tribal student in the manner set forth in subsections (3) and  
33 (4) of this section. If the commission determines that there are not sufficient moneys avail-  
34 able to award a grant to each qualified tribal student in the manner set forth in subsections  
35 (3) and (4) of this section, the commission may:

36 (a) Establish by rule a method for prioritizing qualified tribal students; or

37 (b) Limit eligibility to receive a grant under this section based on an alternate method-  
38 ology established by the commission by rule.

39 (8) In administering the program, the commission at any time may:

40 (a) Decrease the total award amounts of grants awarded to qualified tribal students, if  
41 the commission determines that the moneys available to the commission are insufficient to  
42 provide a grant under this section to each qualified tribal student in the manner set forth  
43 in subsections (3) and (4) of this section.

44 (b) Reduce or eliminate any limitation on eligibility previously imposed by the commission  
45 under subsection (7) of this section.

1 (9) The commission shall report on the status of the implementation of the program to  
2 the Legislative Commission on Indian Services and to the Government-to-Government Tribal  
3 Education Cluster:

4 (a) No later than September 1 of each even-numbered year; and

5 (b) Each time the commission seeks to alter the calculation of a grant award amount as  
6 determined under this section.

7 (10) The commission may adopt rules necessary to effectively implement this section.

8 (11) As used in this section:

9 (a) "Cost of education" and "eligible post-secondary institution" have the meanings given  
10 those terms in ORS 348.180.

11 (b) "Eligible program" means a program or curriculum designed to lead to a certificate  
12 of completion or degree identified by the commission by rule, including but not limited to an  
13 associate degree, a bachelor's degree, a master's degree, a professional degree and a doctoral  
14 degree.

15 (c) "Qualified tribal student" means a student who:

16 (A) Is an enrolled member of a tribe;

17 (B) Has completed and submitted to the commission the Free Application for Federal  
18 Student Aid, or an equivalent Oregon application established by the commission by rule;

19 (C) Has accepted all state and federal aid grants and scholarships available to the stu-  
20 dent;

21 (D) Has not achieved a degree or academic credential equivalent to or higher than that  
22 issued by the program in which the student is enrolled;

23 (E) Is enrolled on a half-time or greater basis in an eligible program at an eligible post-  
24 secondary institution; and

25 (F) Is in academic good standing, as determined by the eligible post-secondary institution.

26 (d) "Tribe" has the meaning given that term in ORS 182.162.

27 **SECTION 3.** (1) The Oregon Tribal Student Grant Fund is established in the State  
28 Treasury, separate and distinct from the General Fund. Interest earned by the Oregon Tribal  
29 Student Grant Fund shall be credited to the fund.

30 (2) Moneys in the Oregon Tribal Student Grant Fund shall consist of:

31 (a) Amounts donated to the fund from individuals, private organizations and organiza-  
32 tions representing or affiliated with tribes as defined in ORS 182.162;

33 (b) Amounts appropriated or otherwise transferred to the fund by the Legislative As-  
34 sembly; and

35 (c) Interest earned by the fund.

36 (3) Moneys in the fund are continuously appropriated to the Higher Education Coordi-  
37 nating Commission for the purpose of providing grants under the Oregon Tribal Student  
38 Grant program established under section 2 of this 2023 Act, and for related administrative  
39 expenses of the commission.

40 (4) The commission shall keep records of:

41 (a) All moneys credited to and deposited in the Oregon Tribal Student Grant Fund; and

42 (b) The use of any moneys withdrawn from the Oregon Tribal Student Grant Fund.

43 **SECTION 4.** This 2023 Act being necessary for the immediate preservation of the public  
44 peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect  
45 on its passage.

