

# House Bill 3566

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**.

Makes Oregon Promise program grants available to students at community colleges, public universities, Oregon Health and Science University and not-for-profit institutions of higher education in state. Transfers responsibilities for administering program to Higher Education Coordinating Commission from Office of Student Access and Completion.

Alters eligibility requirements for participation in program.

Allows Higher Education Coordinating Commission to use program moneys to make monetary awards to reward student persistence and encourage completion of degree programs at eligible institutions.

Expands eligibility to receive Oregon Opportunity Grant and certain other state financial aid. Transfers responsibilities for administering grant to Higher Education Coordinating Commission from Office of Student Access and Completion.

Allows students who are enrolled on basis other than full-time or half-time to be eligible to receive Oregon Opportunity Grant and certain other student aid awards.

## A BILL FOR AN ACT

1  
2 Relating to financial aid; creating new provisions; and amending ORS 327.108, 341.522, 348.180,  
3 348.205, 348.250, 348.260, 348.263 and 348.520.

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

5 **SECTION 1.** ORS 341.522, as amended by section 18, chapter 81, Oregon Laws 2022, is amended  
6 to read:

7 341.522. (1) The [*Office of Student Access and Completion*] **Higher Education Coordinating**  
8 **Commission** shall administer the Oregon Promise program as provided by this section.

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

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

13 (a) Is enrolled in courses that are:

14 (A) Offered at **an eligible post-secondary institution as defined in ORS 348.180** [*a community*  
15 *college in this state*]; and

16 (B) Determined by the [*office*] **commission**, in accordance with rules adopted by the [*Higher*  
17 *Education Coordinating*] commission, to be required for completion of:

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

20 (ii) An associate degree; [*or*]

21 **(iii) A bachelor's degree; or**

22 [*iii*] **(iv)** A program in career and technical education;

23 (b) Except as provided in subsection (5) of this section, has been a resident of this state for at  
24 least 12 months prior to enrolling in the courses described in paragraph (a) of this subsection;

**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 (c) Attained the person's highest level of education, except as provided in subsection (5) of this  
 2 section, in this state prior to:

3 (A) Receiving a diploma under ORS 329.451;

4 (B) Receiving a certificate for passing an approved high school equivalency test such as the  
 5 General Educational Development (GED) test as provided by ORS 350.175;

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

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

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

12 [(e) Earned a cumulative grade point average of 2.0 or better in high school or otherwise demon-  
 13 strated an equivalent academic ability, as determined by the office according to rules adopted by the  
 14 commission;]

15 [(f)] (e) Completed and submitted the Free Application for Federal Student Aid, **or an equiv-**  
 16 **alent form designated by the commission by rule**, for each academic year and accepted all state  
 17 and federal aid grants available to the person, if eligible to file the application; and

18 [(g)] (f) Has not completed either of the following:

19 (A) More than a total of [90 credit hours] **two years of full-time coursework**, or the equivalent,  
 20 at a post-secondary institution of education, **excluding coursework taken as part of an acceler-**  
 21 **ated learning program while enrolled in high school**; or

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

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

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

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

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

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

4 (C) As used in this paragraph:

5 (i) “Adjudicated youth,” “detention facility,” “young person” and “youth” have the meanings  
 6 given those terms in ORS 419A.004.

7 (ii) “Correctional facility” means any place used for the confinement of young persons, youths  
 8 or adjudicated youths or persons charged with or convicted of a crime or otherwise confined under  
 9 a court order, including a:

10 (I) Youth correction facility;

11 (II) Detention facility;

12 (III) Department of Corrections institution;

13 (IV) Local correctional facility; or

14 (V) State hospital or a secure intensive community inpatient facility, with respect to persons  
 15 detained therein who are youths or adjudicated youths, who are charged with or convicted of a  
 16 crime or who are detained therein after having been found guilty except for insanity of a crime  
 17 under ORS 161.290 to 161.373 or having been found responsible except for insanity under ORS  
 18 419C.411.

19 (iii) “Department of Corrections institution” has the meaning given that term in ORS 421.005.

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

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

22 (c)(A) If a person was a foster child:

23 (i) The person shall be treated as meeting the residency criteria for eligibility under subsection  
 24 (3)(b) of this section if, but for the person’s placement in out-of-state foster care, the person other-  
 25 wise meets the requirements of subsection (3)(b) of this section.

26 (ii) The person shall be treated as attaining the person’s highest level of education in this state  
 27 under subsection (3)(c) of this section if the person attained the person’s highest level of education  
 28 while placed in out-of-state foster care and the person’s highest level of education substantially  
 29 meets the requirements under subsection (3)(c) of this section.

30 (iii) The person is not required to comply with the criteria set forth in subsection (3)(d) of this  
 31 section in order to receive a grant provided that the person completes the highest level of education  
 32 as described in subparagraph (A)(ii) of this paragraph while in a treatment program and the person  
 33 first enrolls in courses described in subsection (3)(a) of this section within 12 months after the date  
 34 on which the person is released from the treatment program.

35 (B) Upon request from the commission, the Department of Human Services shall provide doc-  
 36 umentation of the placement status of a person described in paragraph (c)(A) of this subsection.

37 (C) As used in this paragraph:

38 (i) “Foster care” means substitute care for children placed by the Department of Human Ser-  
 39 vices or a tribal child welfare agency away from the child’s parents and for whom the department  
 40 or agency has placement and care responsibility, including placements in foster family homes, foster  
 41 homes of relatives, group homes, emergency shelters, residential facilities, child care institutions and  
 42 preadoptive homes.

43 (ii) “Foster child” means a child over whom the Department of Human Services retained juris-  
 44 diction under ORS 417.200 for the duration of the child’s placement in foster care outside the State  
 45 of Oregon.

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

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

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

9 (C) Enrolls in courses described in subsection (3)(a) of this section:

10 (i) **As a part-time or full-time student; and**

11 (ii) For a sufficient number of credit hours to be considered at least a half-time student **during**  
12 each **academic term, excluding summer terms**, [*for at least three terms*] in each consecutive aca-  
13 demic year.

14 (b) A person who fails to meet an eligibility requirement described in paragraph (a) of this  
15 subsection becomes ineligible to receive a grant under this section for the term after which the  
16 person fails to meet the eligibility requirement, unless the eligibility requirement is waived by the  
17 [*office*] **commission** according to rules adopted by the commission.

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

23 (A) Except as provided by paragraph (b) of this subsection, not less than the greater of:

24 (i) \$2,000, adjusted for inflation based on the increase of the average cost of tuition at a com-  
25 munity college operated under ORS chapter 341 in a manner determined by the commission by rule;  
26 and

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

28 (B) Not more than the lesser of:

29 (i) The average cost of tuition at a community college in this state, as determined by the  
30 [*office*] **commission**; and

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

32 (b)(A) If the [*office*] **commission** determines both that the person's actual cost for tuition ex-  
33 ceeds the amount set forth in paragraph (a)(A)(i) of this subsection and that the person's actual cost  
34 for tuition exceeds the average cost of tuition at a community college in this state, the person shall  
35 be eligible for a grant in an amount that equals the average cost of tuition at a community college  
36 in this state.

37 (B) If the [*office*] **commission** determines that the person's actual cost for tuition is less than  
38 the amount set forth in paragraph (a)(A)(i) of this subsection, the person shall be eligible for a grant  
39 in an amount that equals the amount set forth in paragraph (a)(A)(i) of this subsection.

40 (c) The minimum amount of a grant, as calculated under paragraphs (a) and (b) of this sub-  
41 section, may be prorated for a person who is enrolled in courses described in subsection (3)(a) of this  
42 section for a sufficient number of credit hours to be considered at least a half-time student but not  
43 a full-time student.

44 (d) The commission may prescribe by rule whether to include fees, and any limitations related  
45 to the inclusion of fees, when determining the actual cost of tuition or the average cost of tuition

1 under this subsection.

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

5 (9) Prior to the start of the fall term of each academic year, the commission shall determine  
6 whether there are sufficient moneys to award a grant under this section to each person who meets  
7 the criteria described in subsections (3) to (6) of this section. When making a determination under  
8 this subsection, the commission may consider both projected resources and statutory modifications  
9 that will take effect during the current biennium. On the basis of this determination the commission  
10 may:

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

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

17 (10)(a) If at any time the commission determines that there are insufficient moneys to provide  
18 a grant to each person who has been awarded a grant under this section, the commission may de-  
19 crease the total amount of the grant awarded.

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

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

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

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

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

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

34 (d) Prescribing eligibility requirements and grant calculations for persons dually enrolled in a  
35 community college and a public university; and

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

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

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

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

45 (c) The financial impact of the program on school districts that had students receive a grant

1 under this section;

2 (d) The financial impact and the enrollment impact of the program on [*community colleges and*  
 3 *public universities in this state*] **eligible post-secondary institutions as defined in ORS 348.180;**  
 4 and

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

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

7 **SECTION 3. (1) In addition to any other form of student financial aid authorized by law,**  
 8 **the Higher Education Coordinating Commission may award moneys from the Oregon Promise**  
 9 **program to students who qualify to receive grants under the program to reward student**  
 10 **persistence and encourage completion of degree programs at eligible post-secondary insti-**  
 11 **tutions.**

12 **(2) Awards made under this section are not subject to the minimum or maximum Oregon**  
 13 **Promise program grant amounts established under ORS 341.522.**

14 **(3) The commission shall establish by rule eligibility criteria for awards made under this**  
 15 **section. These criteria shall include, but not be limited to, whether the student is attending**  
 16 **an eligible post-secondary institution on a full-time or less than full-time basis.**

17 **(4)(a) The commission shall administer, and determine the size of, awards made under**  
 18 **this section.**

19 **(b) In determining the size of awards made under this section, the commission shall**  
 20 **consider basing the size of the awards on a percentage of the maximum Oregon Promise**  
 21 **program grant amount authorized under ORS 341.522.**

22 **(5) As used in this section, “eligible post-secondary institution” has the meaning given**  
 23 **that term in ORS 348.180.**

24 **SECTION 4.** ORS 348.180 is amended to read:

25 348.180. As used in this section and ORS 348.205, 348.250, 348.260 and 348.263:

26 (1) “Cost of education” includes but is not limited to, tuition, fees and living expenses.

27 (2) “Eligible post-secondary institution” means:

28 (a) A public university listed in ORS 352.002;

29 (b) A community college operated under ORS chapter 341;

30 (c) The Oregon Health and Science University; or

31 (d) An Oregon-based, generally accredited, not-for-profit institution of higher education.

32 (3) “Qualified student” means any [*resident*] student [, *or student exempted from paying nonresi-*  
 33 *dent tuition under ORS 352.287, who plans to attend*] **who has been a resident of this state for**  
 34 **at least 12 months prior to enrolling at** an eligible post-secondary institution and who:

35 (a) Has not achieved a baccalaureate or higher degree from any post-secondary institution;

36 (b) Is enrolled in an eligible program as defined by rule of the Higher Education Coordinating  
 37 Commission; [*and*]

38 (c) Is making satisfactory academic progress as defined by rule of the commission; **and**

39 **(d) Has not been admitted to the United States for the sole purpose of enrolling in a**  
 40 **higher education program of study.**

41 **SECTION 5.** ORS 348.205 is amended to read:

42 348.205. (1) The Oregon Opportunity Grant program is established within the Higher Education  
 43 Coordinating Commission.

44 (2) Under the program, the cost of education of a qualified student shall be shared by the stu-  
 45 dent, the family of the student, the federal government and the state.

1 (3) The [*Director of the Office of Student Access and Completion*] **commission** shall determine the  
 2 cost of education of a qualified student based on the type of eligible post-secondary institution the  
 3 student is attending. The cost of education equals:

4 (a) For a student attending a community college, the average cost of education of attending a  
 5 community college in this state;

6 (b) For a student attending a public university listed in ORS 352.002, the average cost of edu-  
 7 cation of attending a public university;

8 (c) For a student attending a two-year Oregon-based, generally accredited, not-for-profit institu-  
 9 tion of higher education, the average cost of education of attending a community college in this  
 10 state; and

11 (d) For a student attending the Oregon Health and Science University or a four-year Oregon-  
 12 based, generally accredited, not-for-profit institution of higher education, the average cost of edu-  
 13 cation of attending a public university listed in ORS 352.002.

14 (4)(a) The [*director*] **commission** shall determine the amount of the student share. The student  
 15 share shall be based on:

16 (A) The type of eligible post-secondary institution the student is attending;

17 (B) The number of hours of work that the [*director*] **commission** determines may be reasonably  
 18 expected from the student; and

19 (C) The amount of loans that the [*director*] **commission** determines would constitute a manage-  
 20 able debt burden for the student.

21 (b) The student shall determine how to cover the student share through income from work,  
 22 loans, savings and scholarships.

23 (c) The student share for a student who attends a community college may not exceed the amount  
 24 that the [*director*] **commission** determines a student may earn based on the number of hours of work  
 25 reasonably expected from the student under paragraph (a) of this subsection.

26 (d) The student share for a student who attends an eligible post-secondary institution that is not  
 27 a community college may not exceed the sum of the amount that the [*director*] **commission** deter-  
 28 mines a student may receive as loans plus the amount a student may earn based on the number of  
 29 hours of work reasonably expected from the student under paragraph (a) of this subsection.

30 (5) The [*director*] **commission** shall determine the amount of the family share. The family share  
 31 shall be based on the resources of the family.

32 (6) The [*director*] **commission** shall determine the amount of the federal share based on how  
 33 much the student or the student's family is expected to receive from the federal government.

34 (7)(a) The [*director*] **commission** shall determine the amount of the state share. The state share  
 35 shall be equal to the cost of education reduced by the student share, family share and amount re-  
 36 ceived by the student from the federal government.

37 (b) The [*director*] **commission** shall establish a minimum amount that a student may receive as  
 38 a state share. If the [*director*] **commission** determines that the amount of the state share of a stu-  
 39 dent is below the minimum amount, the student may not receive the state share.

40 (c) The [*director*] **commission** may not reduce the amount of the state share of a student based  
 41 on amounts available to the student by virtue of being the designated beneficiary of a college  
 42 savings network account established under ORS 178.300 to 178.360.

43 (8) Subject to subsection (9) of this section, if the [*director*] **commission** determines that there  
 44 are insufficient moneys to award the state share to all qualified students, the [*director*]  
 45 **commission**:

1 (a) May establish the maximum amount that a student may receive as a state share. This amount  
 2 may vary based on whether the student is attending an eligible post-secondary institution on a  
 3 [*half-time or*] full-time **or less than full-time** basis.

4 (b) May establish procedures that prioritize awarding Oregon Opportunity Grants to qualified  
 5 students with the greatest financial need or whose circumstances would enhance the promotion of  
 6 equity guidelines published by the [*Higher Education Coordinating*] commission.

7 (c) May not reduce the amount of the state share awarded to students in the low income range  
 8 in a greater proportion than the amount that the state share for students in other income ranges  
 9 is reduced.

10 (9)(a) The [*Higher Education Coordinating*] commission shall adopt rules that prioritize current  
 11 foster children and former foster children for receiving Oregon Opportunity Grants when the Oregon  
 12 Opportunity Grant program does not have sufficient funding to serve all eligible Oregon students.

13 (b) For the purposes of this subsection, “former foster child” has the meaning given that term  
 14 in ORS 350.300.

15 **SECTION 6.** ORS 348.250 is amended to read:

16 348.250. (1) Grants established under ORS 348.260 shall be awarded by the Higher Education  
 17 Coordinating Commission in the manner provided in this section.

18 (2) Persons interested in obtaining a grant established under ORS 348.260 may apply to the  
 19 [*Director of the Office of Student Access and Completion*] **commission** for a grant.

20 (3) The [*director*] **commission** shall screen or cause to be screened the applications and shall  
 21 determine for each available grant the person best qualified to receive that grant. A qualified ap-  
 22 plicant is eligible to receive a grant established under ORS 348.260 if:

23 (a) The applicant’s financial need is such that in the opinion of the [*director*] **commission** fi-  
 24 nancial aid is warranted; and

25 (b) The applicant plans to be a student at the eligible post-secondary institution where the grant  
 26 is to be used.

27 (4) The [*director*] **commission** shall not discriminate for or against any applicant for a grant.

28 (5) Nothing in this section or ORS 348.260, 348.505 to 348.615, 348.696 or 348.992 shall be con-  
 29 strued to require any institution to admit a grant recipient or to attempt to control or influence the  
 30 policies of the institution.

31 (6) Whenever funds are not available to award grants to all qualified students, the [*director*]  
 32 **commission** may give priority to applicants who are or plan to be full-time students at the eligible  
 33 post-secondary institution where the grant is to be used. A student shall be considered to be a  
 34 full-time student if the combination of credit hours at more than one eligible post-secondary insti-  
 35 tution equals full-time attendance, according to the institution disbursing the grant funds.

36 (7) As used in this section, “discriminate” has the meaning given “discrimination” in ORS  
 37 659.850.

38 **SECTION 7.** ORS 348.260 is amended to read:

39 348.260. (1) In addition to any other form of student financial aid authorized by law, the Higher  
 40 Education Coordinating Commission may award Oregon Opportunity Grants to qualified students.

41 (2) The amount of a grant shall equal the state share of a qualified student’s cost of education  
 42 as determined by the [*Director of the Office of Student Access and Completion*] **commission** and  
 43 comply with applicable rules and procedures described in ORS 348.205.

44 (3) Grant funds necessary to meet matching requirements for federal funds may also be used to  
 45 award grants to qualified students in any eligible post-secondary institution approved by the com-



1 mission.

2 (4) Grants may be awarded under this section to qualified students enrolled for any term, in-  
 3 cluding summer term. The commission may prescribe the method and date or dates by which a stu-  
 4 dent must apply to the commission to qualify for a grant.

5 (5)(a) A qualified student who receives a grant under this section may apply for renewal of the  
 6 grant on an annual basis. The commission may not renew the grant if the qualified student has not  
 7 made a timely application for renewal of the grant.

8 (b) The commission shall by rule establish academic standards and benchmarks that a qualified  
 9 student must meet to have the student's grant renewed.

10 (c) If a qualified student who receives a grant under this section makes a timely application for  
 11 renewal of the grant, meets the academic standards and benchmarks established by the commission  
 12 under this subsection and continues to meet all other grant eligibility criteria, the grant shall be  
 13 renewed for a second year of attendance at an eligible post-secondary institution.

14 (d) Upon timely application by a qualified student who meets the academic standards and  
 15 benchmarks established by the commission under this subsection and who continues to meet all  
 16 other grant eligibility criteria, the commission may continue to renew the grant until the qualified  
 17 student has received the equivalent of four full-time undergraduate years of grant funding for an  
 18 eligible program as defined by the commission.

19 (6)(a) The [*Director of the Office of Student Access and Completion*] **commission** shall inform el-  
 20 igible post-secondary institutions of the identity of qualified students who attend the institution and  
 21 who receive a grant under this section for more than one academic year.

22 (b) To the extent possible, eligible post-secondary institutions shall ensure that qualified stu-  
 23 dents identified under this subsection are made aware of the academic guidance and counseling  
 24 services available at the institution.

25 (7) A qualified student who receives a grant under this section must attend the eligible post-  
 26 secondary institution upon which the grant application is based unless the [*Director of the Office of*  
 27 *Student Access and Completion*] **commission** authorizes the grant to be used at a different eligible  
 28 post-secondary institution. A qualified student who receives a grant under this section may attend  
 29 more than one eligible post-secondary institution if the grant application was based on the qualified  
 30 student attending more than one eligible post-secondary institution.

31 (8) The commission may not make a grant award to any qualified student enrolled in a course  
 32 of study required for and leading to a degree in theology, divinity or religious education.

33 (9)(a) The commission shall report annually on or before February 1 to committees of the Leg-  
 34 islative Assembly related to higher education regarding the academic success and performance of  
 35 qualified students who receive grants under this section.

36 (b) In order to meet the reporting requirements set forth in paragraph (a) of this subsection:

37 (A) The commission shall by rule design a method for evaluating the academic success and  
 38 performance of students who receive a grant under this section; and

39 (B) Upon a request from the commission, eligible post-secondary institutions must provide the  
 40 commission with the data necessary for the commission to conduct its analysis.

41 **SECTION 8.** ORS 348.263 is amended to read:

42 348.263. (1) In addition to any other form of student financial aid authorized by law, the Higher  
 43 Education Coordinating Commission may award moneys from the Oregon Opportunity Grant pro-  
 44 gram to qualified students to reward student persistence and encourage completion of degree pro-  
 45 grams at eligible post-secondary institutions.

1 (2) Awards made under this section are not subject to the maximum Oregon Opportunity Grant  
2 amount established under ORS 348.205.

3 (3) The commission shall establish by rule eligibility criteria for awards made under this section.  
4 These criteria shall include, but not be limited to, whether the qualified student is attending an el-  
5 igible post-secondary institution on a full-time or [*half-time*] **less than full-time** basis.

6 (4)(a) The [*Director of the Office of Student Access and Completion*] **commission** shall administer,  
7 and determine the size of, awards made under this section.

8 (b) In determining the size of awards made under this section, the [*director*] **commission** shall  
9 consider basing the size of the awards on a percentage of the maximum Oregon Opportunity Grant  
10 amount established under ORS 348.205.

11 **SECTION 9.** ORS 327.108 is amended to read:

12 327.108. (1) As used in this section, “post-graduate scholar” means a student who:

13 (a) Has been in grades 9 through 12 for more than a total of four school years; and

14 (b) Has satisfied the requirements for a high school diploma or a modified diploma as provided  
15 in ORS 329.451.

16 (2) A school district may establish a program under this section to allow:

17 (a) A post-graduate scholar who satisfies the requirements of subsection (3) of this section to:

18 (A) Enroll in courses at a community college that are part of a course of study approved by the  
19 school district and that may lead to a certificate or diploma;

20 (B) Enroll in the courses described in subparagraph (A) of this paragraph for one school year  
21 after the post-graduate scholar has satisfied the requirements for a high school diploma or a modi-  
22 fied diploma as provided in ORS 329.451; and

23 (C) Have the school district pay the costs incurred for the courses described in subparagraph  
24 (A) of this paragraph, including tuition, fees and books.

25 (b) A school district that satisfies the requirements of subsection (4) of this section to receive  
26 and expend moneys distributed from the State School Fund under ORS 327.013 for the purpose of  
27 paying the costs described in paragraph (a)(C) of this subsection.

28 (3) A post-graduate scholar qualifies to participate in a program established under this section  
29 if the post-graduate scholar:

30 (a) Has completed and submitted the Free Application for Federal Student Aid, if eligible to file  
31 the application;

32 (b) [*Is not eligible for a grant under the Oregon Promise program described in ORS 341.522 be-*  
33 *cause of failure to earn the minimum cumulative grade point average, or*] Submitted a complete ap-  
34 plication for a grant under the Oregon Promise program by the established deadline but did not  
35 receive a grant;

36 (c) Is not eligible for a federal aid grant that is equal to or more than the average cost of tuition  
37 and fees at a community college, as determined by the Department of Education after consultation  
38 with the Director of the Office of Student Access and Completion; and

39 (d) Retains a legal residence within the boundaries of the school district through which the  
40 post-graduate scholar satisfied the requirements for a high school diploma or a modified diploma.

41 (4) A school district may receive and expend moneys distributed from the State School Fund  
42 under ORS 327.013 for a program established under this section if the school district meets all of  
43 the following criteria:

44 (a) Has a policy for the program that is adopted by the school district board and that describes:

45 (A) The goals of the program, including target high school graduation rates for underserved

- 1 students;
- 2 (B) Minimum requirements for grade point average, attendance and participation in regular in-
- 3 person meetings with school district staff to monitor student progress;
- 4 (C) The manner by which the results of the program will be measured and monitored; and
- 5 (D) The courses of study that are approved by the school district for the purpose of this section.
- 6 (b) Enters into a written agreement with the community college that has a service area within
- 7 which the school district is located.
- 8 (c) Has dedicated staff to provide support services to post-graduate scholars, including regular
- 9 in-person meetings to monitor student progress that occur at least twice each month.
- 10 (d) Ensures that a majority of students from the school district who are enrolled in courses at
- 11 a community college meet at least one of the criteria identified in this paragraph. The student:
- 12 (A) Is not a post-graduate scholar;
- 13 (B) Has received an extended diploma or a certificate for passing an approved high school
- 14 equivalency test such as the General Educational Development (GED) test;
- 15 (C) Was enrolled in an alternative high school program within the preceding 12 months;
- 16 (D) Is, or will be, a first-generation graduate of high school;
- 17 (E) Is, or has been, a child in a foster home;
- 18 (F) Is, or has been, placed in a facility or an education program by a court;
- 19 (G) Is homeless;
- 20 (H) Is a parent; or
- 21 (I) Was identified as eligible for free or reduced price lunches within the preceding 12 months.
- 22 (5) Notwithstanding ORS 327.013, the weighted average daily membership assigned for each
- 23 post-graduate scholar shall be adjusted as follows:
- 24 (a) By subtracting 0.25 from the average daily membership assigned for each post-graduate
- 25 scholar participating in the program established under this section; and
- 26 (b) Without adding any amounts identified in ORS 327.013 (1)(c)(A).
- 27 (6) For purposes of this section, a school district may not counsel or assist a student to delay
- 28 receiving a high school diploma or a modified diploma for the purpose of participating in a school-
- 29 sponsored, post-secondary education program.
- 30 (7) Nothing in this section:
- 31 (a) Prohibits a school district from receiving or expending moneys related to the education of
- 32 post-graduate scholars that are not received or expended for purposes of this section, as long as the
- 33 school district does not receive or expend State School Fund distributions under ORS 327.013 for
- 34 those purposes.
- 35 (b) Requires a post-graduate scholar to accept or use any federal grant moneys to offset costs
- 36 of tuition, fees or books incurred by a post-graduate scholar at a community college.
- 37 (c) Requires a school district to add or extend existing bus routes or other transportation ser-
- 38 vices for post-graduate scholars. Any transportation costs incurred by a school district to add or
- 39 extend existing bus routes or other transportation services are not considered approved transpor-
- 40 tation costs for the purposes of ORS 327.013. Nothing in this paragraph prohibits post-graduate
- 41 scholars from using existing bus routes or transportation services provided by the school district.
- 42 (8) Notwithstanding subsection (3) of this section, a post-graduate scholar may not accept or use
- 43 any federal grant moneys to offset costs of tuition, fees or books incurred by a post-graduate scholar
- 44 at a community college.
- 45 (9) A school district may receive or expend moneys distributed from the State School Fund un-

1 der ORS 327.013 for post-graduate scholars who enroll in courses at a community college only if the  
2 post-graduate scholars are enrolled in the courses as part of a program established under this sec-  
3 tion.

4 **SECTION 10.** ORS 348.520 is amended to read:

5 348.520. The Director of the Office of Student Access and Completion shall:

6 (1) Make available to qualified persons financial aid from financial sources available to the di-  
7 rector.

8 (2) Determine qualifications of persons to receive financial aid.

9 (3) Maintain reports and records on persons applying for and receiving financial aid from the  
10 director.

11 (4) Withhold any financial aid if the recipient thereof fails to maintain the standards established  
12 for receipt of that aid.

13 (5) Recommend to the Legislative Assembly not less than once every biennium matters relating  
14 to the establishment, administration, modification, transfer, reduction or cancellation of financial  
15 aid.

16 *[(6) Prior to implementing changes to the Oregon Opportunity Grant program, report to the Higher  
17 Education Coordinating Commission and the Legislative Assembly or the Emergency Board any pro-  
18 posed change:]*

19 *[(a) That increases or decreases the total amount awarded as Oregon Opportunity Grants that was  
20 approved as part of the budget enacted by the Legislative Assembly for the Higher Education Coordi-  
21 nating Commission; and]*

22 *[(b) To the methodology used to determine the student share, family share or state share under  
23 ORS 348.205.]*

24 [(7)] (6) Encourage the establishment of financial aid programs by private agencies.

25 [(8)] (7) Collect and disseminate information pertaining to all types of available financial aid.

26 [(9)] (8) Review the administrative practices and evaluate the effectiveness of all public and  
27 private post-secondary financial aid programs in Oregon.

28 [(10)] (9) Disburse state appropriations for financial aid in such a manner as to maximize its role  
29 in cooperative coordination of financial aid programs.

30 **SECTION 11.** Section 3 of this 2023 Act and the amendments to ORS 327.108, 341.522,  
31 348.180, 348.205, 348.250, 348.260 and 348.263 by sections 1 and 4 to 9 of this 2023 Act first apply  
32 to grants, awards and other financial aid for the 2024-2025 academic year.  
33