

# Senate Bill 243

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## 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**.

Requires state institution of higher education, community college or Oregon Health and Science University to waive tuition and fees for current or former foster child under 25 years of age. Expands college scholarship program to include current foster children.

## A BILL FOR AN ACT

1  
2 Relating to higher education; creating new provisions; and amending ORS 348.270 and 348.570.

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

4       **SECTION 1. (1) Notwithstanding ORS 341.290, 351.070 (3) or 353.050, a current foster child**  
5 **or former foster child under 25 years of age who enrolls in an institution of higher education**  
6 **as an undergraduate student not later than three years after the date the student was re-**  
7 **moved from the care of the Department of Human Services, the date the student graduated**  
8 **from high school or the date the student received the equivalent of a high school diploma,**  
9 **whichever date is earliest, shall have the amount of tuition and all fees levied against the**  
10 **student waived if attending an institution of higher education listed in ORS 352.002, a com-**  
11 **munity college operated under ORS chapter 341 or Oregon Health and Science University for**  
12 **purposes of pursuing an initial undergraduate degree.**

13       **(2) A student who is a current foster child or former foster child is entitled to waiver**  
14 **of tuition and all fees under subsection (1) of this section until the student has received the**  
15 **equivalent of four years of undergraduate education.**

16       **(3) As used in this section, "former foster child" means an individual who, for a total of**  
17 **12 or more months while between 16 and 21 years of age, was a ward of the court pursuant**  
18 **to ORS 419B.100 (1)(b) to (e) and in the legal custody of the Department of Human Services**  
19 **for out-of-home placement.**

20       **SECTION 2. ORS 348.270 is amended to read:**

21       348.270. (1) In addition to any other scholarships provided by law, the Oregon Student Assist-  
22       ance Commission shall award scholarships in any state institution under the State Board of Higher  
23       Education, in the Oregon Health and Science University, in any community college operated under  
24       ORS chapter 341, or in any Oregon-based regionally accredited independent institution, to any stu-  
25       dent applying for enrollment or who is enrolled therein, who is:

26       (a) The natural child, adopted child or stepchild of any public safety officer who, in the line of  
27       duty, was killed or so disabled, as determined by the Oregon Student Assistance Commission, that  
28       the income of the public safety officer is less than that earned by public safety officers performing  
29       duties comparable to those performed at the highest rank or grade attained by the public safety of-  
30       ficer; or

**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 (b) A **current foster child or** former foster child who enrolls in an institution of higher edu-  
 2 cation as an undergraduate student not later than three years from the date the student was re-  
 3 moved from the care of the Department of Human Services, the date the student graduated from  
 4 high school or the date the student received the equivalent of a high school diploma, whichever date  
 5 is earliest.

6 (2) Scholarships awarded under this section to students who are dependents of public safety of-  
 7 ficers or who are **current foster children or** former foster children shall equal the amount of tui-  
 8 tion and all fees levied by the institution against the recipient of the scholarship. However,  
 9 scholarships awarded to students who attend independent institutions shall not exceed the amount  
 10 of tuition and all fees levied by the University of Oregon.

11 (3) If the student who is the dependent of a deceased public safety officer continues to remain  
 12 enrolled in a state institution of higher education or a community college or an independent insti-  
 13 tution within the State of Oregon, the student shall be entitled to renewal of the scholarship until  
 14 the student has received the equivalent of four years of undergraduate education and four years of  
 15 post-graduate education.

16 (4) If the student who is a **current foster child or** former foster child or who is the dependent  
 17 of a public safety officer with a disability continues to remain enrolled in a state institution of  
 18 higher education or a community college or an independent institution within the State of Oregon,  
 19 the student shall be entitled to renewal of the scholarship until the student has received the equiv-  
 20 alent of four years of undergraduate education.

21 (5) The Oregon Student Assistance Commission may require proof of the student's relationship  
 22 to a public safety officer described in subsection (1) of this section or proof that the student is a  
 23 **current foster child or** former foster child.

24 (6) As used in this section:

25 (a) "Former foster child" means an individual who, for a total of 12 or more months while be-  
 26 tween the ages of 16 and 21, was a ward of the court pursuant to ORS 419B.100 (1)(b) to (e) and in  
 27 the legal custody of the Department of Human Services for out-of-home placement.

28 (b) "Public safety officer" means:

29 (A) A firefighter or police officer as those terms are defined in ORS 237.610.

30 (B) A member of the Oregon State Police.

31 **SECTION 3.** ORS 348.570 is amended to read:

32 348.570. (1) There is established in the State Treasury a fund, separate and distinct from the  
 33 General Fund, to be known as the Oregon Student Assistance Fund for investment as provided by  
 34 ORS 293.701 to 293.820 and for the payment of the expenses of the Oregon Student Assistance  
 35 Commission in carrying out the purposes of ORS 348.210 to 348.250, 348.505 to 348.615, 348.696 and  
 36 348.992. Interest earned by the fund shall be credited to the fund.

37 (2) There is established in the State Treasury a fund, separate and distinct from the General  
 38 Fund, to be known as the Alternative Student Loan Program Fund for investment as provided by  
 39 ORS 293.701 to 293.820 and for the payment of expenses of the commission in carrying out the pur-  
 40 poses of ORS 348.625 to 348.695. This fund, including the interest earnings on the fund, if any, is  
 41 continuously appropriated to the commission for those purposes for which such funds were provided  
 42 to, received or collected by the commission.

43 (3)(a) There is established in the General Fund an account to be known as the Nursing Services  
 44 Account. Funds in the account shall be used for the payment of expenses of the Nursing Services  
 45 Program created in ORS 442.540.

(b) The account shall consist of:

(A) Funds appropriated to the Oregon Student Assistance Commission for deposit into the account;

(B) Collections and penalties received by the commission under ORS 442.545; and

(C) Any donations or grants received by the commission for purposes of the Nursing Services Program.

(c) Any funds in the account that are not expended in any biennium shall be retained in the account and may be expended in subsequent biennia.

(4) There is established in the State Treasury a fund, separate and distinct from the General Fund, to be known as the [Former] Foster Youth Scholarship Fund. Moneys received from appropriations, donations and grants shall be credited to the fund. Moneys in the fund are continuously appropriated to the Oregon Student Assistance Commission for the purposes of investment, as provided by ORS 293.701 to 293.820, and for carrying out the provisions of ORS 348.270 (1)(b). Interest earned by the fund shall be credited to the fund.

(5) There is established in the State Treasury a fund, separate and distinct from the General Fund, to be known as the ASPIRE Program Fund. Moneys received from donations and grants shall be credited to the ASPIRE Program Fund. Moneys in the fund are continuously appropriated to the Oregon Student Assistance Commission for the purposes of investment, as provided by ORS 293.701 to 293.820, and for carrying out the provisions of ORS 348.500. Interest earned by the fund shall be credited to the fund.

(6)(a) There is established in the State Treasury the Nursing Faculty Loan Repayment Fund, separate and distinct from the General Fund. Interest earned on the Nursing Faculty Loan Repayment Fund shall be credited to the fund. Moneys in the fund are continuously appropriated to the Oregon Student Assistance Commission for carrying out ORS 348.440 to 348.448. The Nursing Faculty Loan Repayment Fund consists of:

(A) Moneys appropriated to the commission for the Nursing Faculty Loan Repayment Program created in ORS 348.444; and

(B) Grants, gifts or donations received by the commission for the program.

(b) Any unexpended funds in the fund at the end of a biennium shall be retained in the fund and may be expended in subsequent biennia.

**SECTION 4. Section 1 of this 2011 Act and the amendments to ORS 348.270 and 348.570 by sections 2 and 3 of this 2011 Act first apply to the 2012-2013 school year.**