

SB 713 B STAFF MEASURE SUMMARY

Carrier: Rep. Sollman

House Committee On Education**Action Date:** 05/20/21**Action:** Do pass with amendments. (Printed B-Eng.)**Vote:** 6-3-1-0**Yeas:** 6 - Alonso Leon, Hudson, Neron, Reardon, Ruiz, Sollman**Nays:** 3 - Owens, Smith DB, Weber**Exc:** 1 - Wright**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Matt Perreault, LPRO Analyst**Meeting Dates:** 5/11, 5/20**WHAT THE MEASURE DOES:**

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, apprenticeships, programs, majors, or degree pathways that are likely to lead to professional licensure requirements that exclude individuals with criminal convictions. Provides exemption from prohibition for applications to direct-entry academic programs and programs determined by institutions to be likely to impose restrictions on individuals with criminal backgrounds. Requires institutions to notify applicants upon denial of application due to criminal background and to implement process to allow applicants to appeal decision. Applies to 2022-2023 academic year. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Importance of education for reintegration for post-release individuals
- Relationship with similar prohibitions for employment applications
- Deterrent effect for applicants with criminal backgrounds
- Higher education institutions that are already in compliance
- Recidivism rates for individuals with access to education
- Features of proposed amendment

EFFECT OF AMENDMENT:

Applies prohibition to applications to apprenticeship programs. Provides exemption from prohibition for applications to direct-entry academic programs and programs determined by institutions that are likely to impose restrictions on individuals with criminal backgrounds. Requires institutions to notify applicants upon denial of application due to criminal background and to implement process to allow applicants to appeal decision.

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 been impacted by 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

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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 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 B prohibits institutions of higher education in Oregon from requiring prospective students to disclose prior criminal convictions before the institutions make admission decisions, with certain exceptions, and requires institutions to notify prospective students on any courses, apprenticeships, programs, majors, or degree pathways that are likely to lead to professional licensure requirements that exclude individuals with criminal convictions.