

LC 425
2023 Regular Session
52500-001
9/30/22 (DRG/ps)

D R A F T

SUMMARY

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 monies 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
3 327.108, 341.522, 348.180, 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
6 Laws 2022, is amended to read:

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

10 (2) Subject to subsections (7) to (10) of this section, the [*office*] **commis-**

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

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

6 (a) Is enrolled in courses that are:

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

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

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

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

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

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

17 (b) Except as provided in subsection (5) of this section, has been a resi-
18 dent of this state for at least 12 months prior to enrolling in the courses
19 described in paragraph (a) of this subsection;

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

22 (A) Receiving a diploma under ORS 329.451;

23 (B) Receiving a certificate for passing an approved high school equiv-
24 alency test such as the General Educational Development (GED) test as
25 provided by ORS 350.175;

26 (C) Completing grade 12 in compliance with the requirements of ORS
27 339.035; or

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

30 (d) Except as provided in subsections (4) and (5) of this section, attained
31 the person's highest level of education as described in paragraph (c) of this

1 subsection within six months from the date that the person first enrolls in
2 courses described in paragraph (a) of this subsection for the purpose of re-
3 ceiving a grant under this section;

4 [(e) *Earned a cumulative grade point average of 2.0 or better in high school*
5 *or otherwise demonstrated an equivalent academic ability, as determined by the*
6 *office according to rules adopted by the commission;*]

7 [(f)] (e) Completed and submitted the Free Application for Federal Stu-
8 dent Aid, **or an equivalent form designated by the commission by rule,**
9 for each academic year and accepted all state and federal aid grants avail-
10 able to the person, if eligible to file the application; and

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

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

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

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

28 (b) In addition to the situation described in paragraph (a) of this sub-
29 section, the commission may waive the requirement set forth in subsection
30 (3)(d) of this section for a person who shows that the person was unable to
31 timely enroll in courses described in subsection (3)(a) of this section due to

1 a significant hardship. The commission may adopt rules to implement this
2 paragraph.

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

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

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

22 (C) As used in this paragraph:

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

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

28 a:

29 (I) Youth correction facility;

30 (II) Detention facility;

31 (III) Department of Corrections institution;

1 (IV) Local correctional facility; or

2 (V) State hospital or a secure intensive community inpatient facility, with
3 respect to persons detained therein who are youths or adjudicated youths,
4 who are charged with or convicted of a crime or who are detained therein
5 after having been found guilty except for insanity of a crime under ORS
6 161.290 to 161.373 or having been found responsible except for insanity under
7 ORS 419C.411.

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

10 (iv) “Local correctional facility” has the meaning given that term in ORS
11 169.005.

12 (v) “Youth correction facility” has the meaning given that term in ORS
13 420.005.

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

15 (i) The person shall be treated as meeting the residency criteria for el-
16 igibility under subsection (3)(b) of this section if, but for the person’s place-
17 ment in out-of-state foster care, the person otherwise meets the requirements
18 of subsection (3)(b) of this section.

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

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

31 (B) Upon request from the commission, the Department of Human Ser-

1 vices shall provide documentation of the placement status of a person de-
2 scribed in paragraph (c)(A) of this subsection.

3 (C) As used in this paragraph:

4 (i) "Foster care" means substitute care for children placed by the De-
5 partment of Human Services or a tribal child welfare agency away from the
6 child's parents and for whom the department or agency has placement and
7 care responsibility, including placements in foster family homes, foster homes
8 of relatives, group homes, emergency shelters, residential facilities, child
9 care institutions and preadoptive homes.

10 (ii) "Foster child" means a child over whom the Department of Human
11 Services retained jurisdiction under ORS 417.200 for the duration of the
12 child's placement in foster care outside the State of Oregon.

13 (6)(a) A person continues to remain eligible to receive a grant under this
14 section if the person, in addition to satisfying the criteria specified in sub-
15 section (3) of this section, meets the following criteria:

16 (A) Maintains at least the minimum cumulative grade point average pre-
17 scribed by the commission based on federal aid grant requirements;

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

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

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

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

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

31 (7)(a) The total amount of a grant awarded under this section shall be

1 based on each term that a person is enrolled in courses described in sub-
2 section (3)(a) of this section. Except as provided in subsections (9) and (10)
3 of this section, after the amount of tuition for the person for the term is
4 reduced by any amounts received by the person in state and federal aid
5 grants, the person shall be eligible for a grant under this section in an
6 amount that equals:

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

9 (i) \$2,000, adjusted for inflation based on the increase of the average cost
10 of tuition at a community college operated under ORS chapter 341 in a
11 manner determined by the commission by rule; and

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

13 (B) Not more than the lesser of:

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

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

17 (b)(A) If the [office] **commission** determines both that the person's actual
18 cost for tuition exceeds the amount set forth in paragraph (a)(A)(i) of this
19 subsection and that the person's actual cost for tuition exceeds the average
20 cost of tuition at a community college in this state, the person shall be eli-
21 gible for a grant in an amount that equals the average cost of tuition at a
22 community college in this state.

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

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

1 (d) The commission may prescribe by rule whether to include fees, and
2 any limitations related to the inclusion of fees, when determining the actual
3 cost of tuition or the average cost of tuition under this subsection.

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

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

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

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

21 (10)(a) If at any time the commission determines that there are insuffi-
22 cient moneys to provide a grant to each person who has been awarded a
23 grant under this section, the commission may decrease the total amount of
24 the grant awarded.

25 (b) If at any time the commission determines that the amount of moneys
26 available to operate the Oregon Promise program exceeds the amount deter-
27 mined under subsection (9) of this section, the commission may reduce or
28 eliminate any limitation on eligibility to receive a grant under this section
29 that was previously imposed by the commission under subsection (9)(a) of
30 this section.

31 (c) The commission shall promptly notify the interim committees of the

1 Legislative Assembly responsible for higher education each time the com-
2 mission takes any action under paragraph (a) or (b) of this subsection.

3 (11) The commission shall adopt any rules necessary for the adminis-
4 tration of this section, including any requirements related to:

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

7 (b) Determining whether a person is eligible for a grant under this sec-
8 tion, including whether the person shall be given priority as allowed under
9 subsection (8) of this section;

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

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

14 (e) Evaluating the impact of the program established under this section,
15 including any requirements for reporting data needed for evaluations.

16 (12) No later than December 31 of each even-numbered year, the commis-
17 sion shall submit to an interim legislative committee related to education a
18 report that summarizes the commission's findings on the impact of the pro-
19 gram established under this section. The report shall include:

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

22 (b) The amount of federal aid grants received by persons who received a
23 grant under this section;

24 (c) The financial impact of the program on school districts that had stu-
25 dents receive a grant under this section;

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

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

31 **SECTION 2. Section 3 of this 2023 Act is added to and made a part**

1 of ORS chapter 348.

2 **SECTION 3.** (1) In addition to any other form of student financial
3 aid authorized by law, the Higher Education Coordinating Commission
4 may award moneys from the Oregon Promise program to students who
5 qualify to receive grants under the program to reward student per-
6 sistence and encourage completion of degree programs at eligible
7 post-secondary institutions.

8 (2) Awards made under this section are not subject to the minimum
9 or maximum Oregon Promise program grant amounts established un-
10 der ORS 341.522.

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

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

17 (b) In determining the size of awards made under this section, the
18 commission shall consider basing the size of the awards on a percent-
19 age of the maximum Oregon Promise program grant amount author-
20 ized under ORS 341.522.

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

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

24 348.180. As used in this section and ORS 348.205, 348.250, 348.260 and
25 348.263:

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

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

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

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

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

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

3 (3) “Qualified student” means any [*resident*] student [, *or student exempted*
4 *from paying nonresident tuition under ORS 352.287, who plans to attend*] **who**
5 **has been a resident of this state for at least 12 months prior to en-**
6 **rolling at** an eligible post-secondary institution and who:

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

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

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

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

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

16 348.205. (1) The Oregon Opportunity Grant program is established within
17 the Higher Education Coordinating Commission.

18 (2) Under the program, the cost of education of a qualified student shall
19 be shared by the student, the family of the student, the federal government
20 and the state.

21 (3) The [*Director of the Office of Student Access and Completion*] **com-**
22 **mission** shall determine the cost of education of a qualified student based
23 on the type of eligible post-secondary institution the student is attending.
24 The cost of education equals:

25 (a) For a student attending a community college, the average cost of ed-
26 ucation of attending a community college in this state;

27 (b) For a student attending a public university listed in ORS 352.002, the
28 average cost of education of attending a public university;

29 (c) For a student attending a two-year Oregon-based, generally accredited,
30 not-for-profit institution of higher education, the average cost of education
31 of attending a community college in this state; and

1 (d) For a student attending the Oregon Health and Science University or
2 a four-year Oregon-based, generally accredited, not-for-profit institution of
3 higher education, the average cost of education of attending a public uni-
4 versity listed in ORS 352.002.

5 (4)(a) The [*director*] **commission** shall determine the amount of the stu-
6 dent share. The student share shall be based on:

7 (A) The type of eligible post-secondary institution the student is attend-
8 ing;

9 (B) The number of hours of work that the [*director*] **commission** deter-
10 mines may be reasonably expected from the student; and

11 (C) The amount of loans that the [*director*] **commission** determines would
12 constitute a manageable debt burden for the student.

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

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

19 (d) The student share for a student who attends an eligible post-secondary
20 institution that is not a community college may not exceed the sum of the
21 amount that the [*director*] **commission** determines a student may receive as
22 loans plus the amount a student may earn based on the number of hours of
23 work reasonably expected from the student under paragraph (a) of this sub-
24 section.

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

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

30 (7)(a) The [*director*] **commission** shall determine the amount of the state
31 share. The state share shall be equal to the cost of education reduced by the

1 student share, family share and amount received by the student from the
2 federal government.

3 (b) The [*director*] **commission** shall establish a minimum amount that a
4 student may receive as a state share. If the [*director*] **commission** deter-
5 mines that the amount of the state share of a student is below the minimum
6 amount, the student may not receive the state share.

7 (c) The [*director*] **commission** may not reduce the amount of the state
8 share of a student based on amounts available to the student by virtue of
9 being the designated beneficiary of a college savings network account es-
10 tablished under ORS 178.300 to 178.360.

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

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

18 (b) May establish procedures that prioritize awarding Oregon Opportunity
19 Grants to qualified students with the greatest financial need or whose cir-
20 cumstances would enhance the promotion of equity guidelines published by
21 the [*Higher Education Coordinating*] commission.

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

25 (9)(a) The [*Higher Education Coordinating*] commission shall adopt rules
26 that prioritize current foster children and former foster children for receiv-
27 ing Oregon Opportunity Grants when the Oregon Opportunity Grant program
28 does not have sufficient funding to serve all eligible Oregon students.

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

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

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

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

7 (3) The [*director*] **commission** shall screen or cause to be screened the
8 applications and shall determine for each available grant the person best
9 qualified to receive that grant. A qualified applicant is eligible to receive a
10 grant established under ORS 348.260 if:

11 (a) The applicant's financial need is such that in the opinion of the [*di-*
12 *rector*] **commission** financial aid is warranted; and

13 (b) The applicant plans to be a student at the eligible post-secondary in-
14 stitution where the grant is to be used.

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

17 (5) Nothing in this section or ORS 348.260, 348.505 to 348.615, 348.696 or
18 348.992 shall be construed to require any institution to admit a grant recip-
19 ient or to attempt to control or influence the policies of the institution.

20 (6) Whenever funds are not available to award grants to all qualified
21 students, the [*director*] **commission** may give priority to applicants who are
22 or plan to be full-time students at the eligible post-secondary institution
23 where the grant is to be used. A student shall be considered to be a full-time
24 student if the combination of credit hours at more than one eligible post-
25 secondary institution equals full-time attendance, according to the institu-
26 tion disbursing the grant funds.

27 (7) As used in this section, "discriminate" has the meaning given "dis-
28 crimination" in ORS 659.850.

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

30 348.260. (1) In addition to any other form of student financial aid au-
31 thorized by law, the Higher Education Coordinating Commission may award

1 Oregon Opportunity Grants to qualified students.

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

6 (3) Grant funds necessary to meet matching requirements for federal funds
7 may also be used to award grants to qualified students in any eligible post-
8 secondary institution approved by the commission.

9 (4) Grants may be awarded under this section to qualified students en-
10 rolled for any term, including summer term. The commission may prescribe
11 the method and date or dates by which a student must apply to the com-
12 mission to qualify for a grant.

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

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

20 (c) If a qualified student who receives a grant under this section makes
21 a timely application for renewal of the grant, meets the academic standards
22 and benchmarks established by the commission under this subsection and
23 continues to meet all other grant eligibility criteria, the grant shall be re-
24 newed for a second year of attendance at an eligible post-secondary institu-
25 tion.

26 (d) Upon timely application by a qualified student who meets the aca-
27 demic standards and benchmarks established by the commission under this
28 subsection and who continues to meet all other grant eligibility criteria, the
29 commission may continue to renew the grant until the qualified student has
30 received the equivalent of four full-time undergraduate years of grant fund-
31 ing for an eligible program as defined by the commission.

1 (6)(a) The [*Director of the Office of Student Access and Completion*] **com-**
2 **mission** shall inform eligible post-secondary institutions of the identity of
3 qualified students who attend the institution and who receive a grant under
4 this section for more than one academic year.

5 (b) To the extent possible, eligible post-secondary institutions shall ensure
6 that qualified students identified under this subsection are made aware of the
7 academic guidance and counseling services available at the institution.

8 (7) A qualified student who receives a grant under this section must at-
9 tend the eligible post-secondary institution upon which the grant application
10 is based unless the [*Director of the Office of Student Access and Completion*]
11 **commission** authorizes the grant to be used at a different eligible post-
12 secondary institution. A qualified student who receives a grant under this
13 section may attend more than one eligible post-secondary institution if the
14 grant application was based on the qualified student attending more than one
15 eligible post-secondary institution.

16 (8) The commission may not make a grant award to any qualified student
17 enrolled in a course of study required for and leading to a degree in theol-
18 ogy, divinity or religious education.

19 (9)(a) The commission shall report annually on or before February 1 to
20 committees of the Legislative Assembly related to higher education regarding
21 the academic success and performance of qualified students who receive
22 grants under this section.

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

25 (A) The commission shall by rule design a method for evaluating the ac-
26 ademic success and performance of students who receive a grant under this
27 section; and

28 (B) Upon a request from the commission, eligible post-secondary insti-
29 tutions must provide the commission with the data necessary for the com-
30 mission to conduct its analysis.

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

1 348.263. (1) In addition to any other form of student financial aid au-
2 thorized by law, the Higher Education Coordinating Commission may award
3 moneys from the Oregon Opportunity Grant program to qualified students
4 to reward student persistence and encourage completion of degree programs
5 at eligible post-secondary institutions.

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

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

12 (4)(a) The [*Director of the Office of Student Access and Completion*] **com-**
13 **mission** shall administer, and determine the size of, awards made under this
14 section.

15 (b) In determining the size of awards made under this section, the [*direc-*
16 *tor*] **commission** shall consider basing the size of the awards on a percent-
17 age of the maximum Oregon Opportunity Grant amount established under
18 ORS 348.205.

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

20 327.108. (1) As used in this section, “post-graduate scholar” means a stu-
21 dent who:

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

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

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

27 (a) A post-graduate scholar who satisfies the requirements of subsection

28 (3) of this section to:

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

1 (B) Enroll in the courses described in subparagraph (A) of this paragraph
2 for one school year after the post-graduate scholar has satisfied the re-
3 quirements for a high school diploma or a modified diploma as provided in
4 ORS 329.451; and

5 (C) Have the school district pay the costs incurred for the courses de-
6 scribed in subparagraph (A) of this paragraph, including tuition, fees and
7 books.

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

12 (3) A post-graduate scholar qualifies to participate in a program estab-
13 lished under this section if the post-graduate scholar:

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

16 (b) *[Is not eligible for a grant under the Oregon Promise program described*
17 *in ORS 341.522 because of failure to earn the minimum cumulative grade point*
18 *average, or]* Submitted a complete application for a grant under the Oregon
19 Promise program by the established deadline but did not receive a grant;

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

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

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

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

1 (A) The goals of the program, including target high school graduation
2 rates for underserved students;

3 (B) Minimum requirements for grade point average, attendance and par-
4 ticipation in regular in-person meetings with school district staff to monitor
5 student progress;

6 (C) The manner by which the results of the program will be measured and
7 monitored; and

8 (D) The courses of study that are approved by the school district for the
9 purpose of this section.

10 (b) Enters into a written agreement with the community college that has
11 a service area within which the school district is located.

12 (c) Has dedicated staff to provide support services to post-graduate
13 scholars, including regular in-person meetings to monitor student progress
14 that occur at least twice each month.

15 (d) Ensures that a majority of students from the school district who are
16 enrolled in courses at a community college meet at least one of the criteria
17 identified in this paragraph. The student:

18 (A) Is not a post-graduate scholar;

19 (B) Has received an extended diploma or a certificate for passing an ap-
20 proved high school equivalency test such as the General Educational Devel-
21 opment (GED) test;

22 (C) Was enrolled in an alternative high school program within the pre-
23 ceding 12 months;

24 (D) Is, or will be, a first-generation graduate of high school;

25 (E) Is, or has been, a child in a foster home;

26 (F) Is, or has been, placed in a facility or an education program by a
27 court;

28 (G) Is homeless;

29 (H) Is a parent; or

30 (I) Was identified as eligible for free or reduced price lunches within the
31 preceding 12 months.

1 (5) Notwithstanding ORS 327.013, the weighted average daily membership
2 assigned for each post-graduate scholar shall be adjusted as follows:

3 (a) By subtracting 0.25 from the average daily membership assigned for
4 each post-graduate scholar participating in the program established under
5 this section; and

6 (b) Without adding any amounts identified in ORS 327.013 (1)(c)(A).

7 (6) For purposes of this section, a school district may not counsel or as-
8 sist a student to delay receiving a high school diploma or a modified diploma
9 for the purpose of participating in a school-sponsored, post-secondary educa-
10 tion program.

11 (7) Nothing in this section:

12 (a) Prohibits a school district from receiving or expending moneys related
13 to the education of post-graduate scholars that are not received or expended
14 for purposes of this section, as long as the school district does not receive
15 or expend State School Fund distributions under ORS 327.013 for those pur-
16 poses.

17 (b) Requires a post-graduate scholar to accept or use any federal grant
18 moneys to offset costs of tuition, fees or books incurred by a post-graduate
19 scholar at a community college.

20 (c) Requires a school district to add or extend existing bus routes or other
21 transportation services for post-graduate scholars. Any transportation costs
22 incurred by a school district to add or extend existing bus routes or other
23 transportation services are not considered approved transportation costs for
24 the purposes of ORS 327.013. Nothing in this paragraph prohibits post-
25 graduate scholars from using existing bus routes or transportation services
26 provided by the school district.

27 (8) Notwithstanding subsection (3) of this section, a post-graduate scholar
28 may not accept or use any federal grant moneys to offset costs of tuition,
29 fees or books incurred by a post-graduate scholar at a community college.

30 (9) A school district may receive or expend moneys distributed from the
31 State School Fund under ORS 327.013 for post-graduate scholars who enroll

1 in courses at a community college only if the post-graduate scholars are en-
2 rolled in the courses as part of a program established under this section.

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

4 348.520. The Director of the Office of Student Access and Completion
5 shall:

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

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

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

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

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

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

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

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

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

26 [(8)] **(7)** Collect and disseminate information pertaining to all types of
27 available financial aid.

28 [(9)] **(8)** Review the administrative practices and evaluate the effective-
29 ness of all public and private post-secondary financial aid programs in
30 Oregon.

31 [(10)] **(9)** Disburse state appropriations for financial aid in such a manner

1 as to maximize its role in cooperative coordination of financial aid programs.
2 **SECTION 11. Section 3 of this 2023 Act and the amendments to ORS**
3 **327.108, 341.522, 348.180, 348.205, 348.250, 348.260 and 348.263 by sections**
4 **1 and 4 to 9 of this 2023 Act first apply to grants, awards and other**
5 **financial aid for the 2024-2025 academic year.**

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