

D R A F T

SUMMARY

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

Establishes Oregon Tribal Student Grant Fund.

Declares emergency, effective on passage.

A BILL FOR AN ACT

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

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

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

7 **SECTION 2. (1) The Oregon Tribal Student Grant program is es-**
8 **tablished within the Higher Education Coordinating Commission.**

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

14 **(b) Except as provided in paragraph (c) of this subsection, each**
15 **qualified tribal student who receives an initial grant under this section**
16 **shall receive renewal grants in the manner provided in this section if**
17 **the student is continuing to make satisfactory academic progress in**
18 **an eligible program, as defined by the eligible post-secondary institu-**

1 **tion in which the student is enrolled.**

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

4 **(i) For an aggregate total of more than five years of full-time en-**
5 **rollment at the undergraduate level;**

6 **(ii) For an aggregate total of more than three years of full-time**
7 **enrollment in eligible programs that do not lead to an associate de-**
8 **gree, bachelor's degree, master's degree, professional degree or doc-**
9 **toral degree; or**

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

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

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

17 **(ii) If the qualified tribal student is a graduate student, may not**
18 **be reduced or restricted based on the student's eligibility or partic-**
19 **ipation in the program at the undergraduate level.**

20 **(3)(a) The amount of an initial grant or renewal grant awarded**
21 **under this section to a qualified tribal student who is enrolled in an**
22 **undergraduate degree program at an eligible post-secondary institu-**
23 **tion that is public shall equal:**

24 **(A) For a qualified tribal student attending a community college**
25 **operated under ORS chapter 341, the amount of the cost of education**
26 **at community college, as determined by the community college, re-**
27 **duced by the amount of state and federal aid grants and scholarships**
28 **available to the qualified tribal student;**

29 **(B) For a qualified tribal student attending a public university listed**
30 **in ORS 352.002, the amount of the cost of education at the public uni-**
31 **versity, as determined by the public university, reduced by the amount**

1 of state and federal aid grants and scholarships available to the qual-
2 ified tribal student; and

3 (C) For a qualified tribal student attending the Oregon Health and
4 Science University, the amount of the cost of education at the uni-
5 versity, as determined by the university, reduced by the amount of
6 state and federal aid grants and scholarships available to the qualified
7 tribal student.

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

12 (A) For a qualified tribal student enrolled in a two-year eligible
13 program at an eligible post-secondary institution that is not public,
14 the amount of the cost of education at the community college operated
15 under ORS chapter 341 that has the highest cost of education, as de-
16 termined by the commission, reduced by the amount of state and fed-
17 eral aid grants and scholarships available to the qualified tribal
18 student; and

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

25 (c) The total amount awarded under this subsection to a qualified
26 tribal student during an academic year may not exceed the cost of
27 education at the eligible post-secondary institution in which the stu-
28 dent is enrolled.

29 (4)(a) When awarding grants under this section to qualified tribal
30 students who have received a bachelor's degree, the commission shall
31 prioritize funding students enrolled in an eligible program that leads

1 to a master's degree.

2 (b) The amount of an initial grant or renewal grant awarded under
3 this section to a qualified tribal student who is enrolled in an eligible
4 program leading to a master's degree shall equal the average cost of
5 education for the eligible program at the eligible post-secondary in-
6 stitution in which the qualified tribal student is enrolled, reduced by
7 the amount of state and federal aid grants and scholarships and in-
8 stitutional aid available to the qualified tribal student.

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

11 (A) The undergraduate cost of education at the public university
12 listed in ORS 352.002 that has the highest cost of education, as deter-
13 mined by the commission; or

14 (B) The cost of education for the eligible program at the eligible
15 post-secondary institution in which the qualified tribal student is en-
16 rolled.

17 (5)(a) If sufficient moneys remain available in the Oregon Tribal
18 Student Grant Fund established in section 3 of this 2023 Act, after the
19 commission has awarded grants in the manner described in sub-
20 sections (3) and (4) of this section, the commission may choose to
21 award full or partial initial grants, or full or partial renewal grants,
22 to qualified tribal students enrolled in an eligible program leading to
23 a professional degree, doctoral degree or other eligible program iden-
24 tified by the commission by rule.

25 (b) The amount of an initial grant or renewal grant awarded under
26 this section to a qualified tribal student who is enrolled in an eligible
27 program leading to a professional degree, doctoral degree or other el-
28 igible program identified by the commission by rule shall be the cost
29 of education for the eligible program at the eligible post-secondary
30 institution in which the qualified tribal student is enrolled, reduced
31 by the amount of state and federal aid grants and scholarships and

1 **institutional aid available to the qualified tribal student.**

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

4 **(A) The undergraduate cost of education at the public university**
5 **listed in ORS 352.002 that has the highest cost of education, as deter-**
6 **mined by the commission; or**

7 **(B) The cost of education for the eligible program at the eligible**
8 **post-secondary institution in which the qualified tribal student is en-**
9 **rolled.**

10 **(6) When awarding grants under this section:**

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

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

16 **(A) Grants or scholarships awarded by a tribe;**

17 **(B) Education benefits provided by the United States Department**
18 **of Veterans Affairs;**

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

21 **(D) Any other form of federal student financial assistance identified**
22 **by the commission by rule.**

23 **(7) Prior to the start of the fall term of each academic year, the**
24 **commission shall determine whether moneys available to the com-**
25 **mission are sufficient to award a grant under this section to each**
26 **qualified tribal student in the manner set forth in subsections (3) and**
27 **(4) of this section. If the commission determines that there are not**
28 **sufficient moneys available to award a grant to each qualified tribal**
29 **student in the manner set forth in subsections (3) and (4) of this sec-**
30 **tion, the commission may:**

31 **(a) Establish by rule a method for prioritizing qualified tribal stu-**

1 **dents; or**

2 **(b) Limit eligibility to receive a grant under this section based on**
3 **an alternate methodology established by the commission by rule.**

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

5 **(a) Decrease the total award amounts of grants awarded to qualified**
6 **tribal students, if the commission determines that the moneys avail-**
7 **able to the commission are insufficient to provide a grant under this**
8 **section to each qualified tribal student in the manner set forth in**
9 **subsections (3) and (4) of this section.**

10 **(b) Reduce or eliminate any limitation on eligibility previously im-**
11 **posed by the commission under subsection (7) of this section.**

12 **(9) The commission shall report on the status of the implementa-**
13 **tion of the program to the Legislative Commission on Indian Services**
14 **and to the Government-to-Government Tribal Education Cluster:**

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

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

18 **(10) The commission may adopt rules necessary to effectively im-**
19 **plement this section.**

20 **(11) As used in this section:**

21 **(a) “Cost of education” and “eligible post-secondary institution”**
22 **have the meanings given those terms in ORS 348.180.**

23 **(b) “Eligible program” means a program or curriculum designed to**
24 **lead to a certificate of completion or degree identified by the com-**
25 **mission by rule, including but not limited to an associate degree, a**
26 **bachelor’s degree, a master’s degree, a professional degree and a doc-**
27 **toral degree.**

28 **(c) “Qualified tribal student” means a student who:**

29 **(A) Is an enrolled member of a tribe;**

30 **(B) Has completed and submitted to the commission the Free Ap-**
31 **plication for Federal Student Aid, or an equivalent Oregon application**

1 established by the commission by rule;

2 (C) Has accepted all state and federal aid grants and scholarships
3 available to the student;

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

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

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

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

12 **SECTION 3. (1) The Oregon Tribal Student Grant Fund is estab-**
13 **lished in the State Treasury, separate and distinct from the General**
14 **Fund. Interest earned by the Oregon Tribal Student Grant Fund shall**
15 **be credited to the fund.**

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

18 (a) Amounts donated to the fund from individuals, private organ-
19 izations and organizations representing or affiliated with tribes as de-
20 fined in ORS 182.162;

21 (b) Amounts appropriated or otherwise transferred to the fund by
22 the Legislative Assembly; and

23 (c) Interest earned by the fund.

24 (3) Moneys in the fund are continuously appropriated to the Higher
25 Education Coordinating Commission for the purpose of providing
26 grants under the Oregon Tribal Student Grant program established
27 under section 2 of this 2023 Act, and for related administrative ex-
28 penses of the commission.

29 (4) The commission shall keep records of:

30 (a) All moneys credited to and deposited in the Oregon Tribal Stu-
31 dent Grant Fund; and

1 **(b) The use of any moneys withdrawn from the Oregon Tribal Stu-**
2 **dent Grant Fund.**

3 **SECTION 4.** **This 2023 Act being necessary for the immediate pres-**
4 **ervation of the public peace, health and safety, an emergency is de-**
5 **clared to exist, and this 2023 Act takes effect on its passage.**

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