

# A-Engrossed House Bill 3564

Ordered by the House March 31  
Including House Amendments dated March 31

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.

Increases number of members of Higher Education Coordinating Commission representing congressional districts from five to six and decreases number of members of commission representing general public from four to three.

Changes state agency required to be notified when mass layoffs occur from Office of Community Colleges and Workforce Development to commission.

Includes federally recognized tribes as eligible organizations for receiving grants under Oregon Conservation Corps Program.

**Expands ASPIRE programs to include career pathway options.**

**Requires ASPIRE programs to work directly with community-based organizations and other entities with experience serving historically underserved communities. Permits programs to award grants or other support to these organizations and entities.**

**Expands list of schools and entities included in definition of "diploma mill."**

**Defines "post-secondary accrediting agency" to comply with current federal regulations recommending ending concept of regional accreditation.**

**Expands tuition waiver for foster children to current or former foster children who are not authorized to fill out federal FAFSA form.**

## A BILL FOR AN ACT

1  
2 Relating to higher education; creating new provisions; and amending ORS 285A.516, 285A.519,  
3 348.500, 348.594, 348.597, 348.601, 348.603, 348.604, 348.605, 348.608, 350.050, 350.300, 476.696 and  
4 659A.318.

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

6 **SECTION 1.** ORS 350.050 is amended to read:

7 350.050. (1) There is established a Higher Education Coordinating Commission, consisting of 15  
8 voting members appointed by the Governor.

9 (2) The Governor shall appoint:

10 (a) One undergraduate student at a public university listed in ORS 352.002;

11 (b) One graduate student at a public university listed in ORS 352.002;

12 (c) One faculty member at a public university listed in ORS 352.002;

13 (d) One student at a community college in this state;

14 (e) One faculty member at a community college in this state;

15 (f) One nonfaculty member of the staff from either a public university listed in ORS 352.002 or  
16 a community college;

17 (g) One member from each of the [*five*] **six** congressional districts in this state; and

18 (h) [*Four*] **Three** members of the general public.

19 (3) The Governor shall elicit recommendations for appointments made under subsection (2)(a) to

**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 (f) of this section from official student, faculty and nonfaculty staff organizations at community col-  
2 leges and public universities listed in ORS 352.002.

3 (4) The term of office of each member appointed under subsection (2)(g) and (h) of this section  
4 is four years and the term of office for each member appointed under subsection (2)(a) to (f) of this  
5 section is two years. A member serves at the pleasure of the Governor. Before the expiration of the  
6 term of a member, the Governor shall appoint a successor whose term begins on July 1 next fol-  
7 lowing. A member is eligible for reappointment. If there is a vacancy for any cause, the Governor  
8 shall make an appointment to become immediately effective for the unexpired term.

9 (5) The Governor may at any time, for cause, remove any member of the board that the Gover-  
10 nor has appointed, after notice and public hearing, but not more than three members shall be re-  
11 moved within a period of four years, unless it is for corrupt conduct in office.

12 (6) The appointment of members of the commission is subject to confirmation by the Senate in  
13 the manner prescribed in ORS 171.562 and 171.565.

14 (7) A member of the commission is entitled to compensation and expenses as provided in ORS  
15 292.495.

16 **SECTION 2. The amendments to ORS 350.050 by section 1 of this 2023 Act:**

17 **(1) Apply to appointments of members representing congressional districts in this state**  
18 **and the general public that are made on or after the effective date of this 2023 Act; and**

19 **(2) Do not require the removal of a member of the general public appointed under ORS**  
20 **350.050 (2)(h) before the member's term of office is complete.**

21 **SECTION 3.** ORS 285A.516 is amended to read:

22 285A.516. The [*Office of Community Colleges and Workforce Development*] **Higher Education**  
23 **Coordinating Commission** is the state agency that shall be notified when an employer is required  
24 to provide written notice of a plant closing or mass layoff under section 3 of the Worker Adjustment  
25 and Retraining Notification Act (P.L. 100-379).

26 **SECTION 4.** ORS 285A.519 is amended to read:

27 285A.519. (1) The [*Office of Community Colleges and Workforce Development*] **Higher Education**  
28 **Coordinating Commission** shall notify employers subject to the Worker Adjustment and Retraining  
29 Notification Act (P.L. 100-379) that the [*Office of Community Colleges and Workforce Development*]  
30 **commission** is the state agency that must be notified when the employers are required to provide  
31 notice of a plant closing or mass layoff under the Worker Adjustment and Retraining Notification  
32 Act (P.L. 100-379).

33 (2) When notifying employers as provided in subsection (1) of this section, the [*office*] **commis-**  
34 **sion** shall provide employers with a statement of the programs, projects, expenditures and other  
35 forms of assistance the [*office*] **commission** and other state agencies can provide to communities,  
36 employers and workers affected by a plant closing or mass layoff.

37 **SECTION 5.** ORS 476.696 is amended to read:

38 476.696. (1) As used in this section[,]:

39 **(a)** "Eligible organization" includes Oregon-based nonprofit youth development organizations,  
40 **tribes** and public entities that provide programs of job training, skill development and forest-related  
41 or rangeland-related career path training.

42 **(b)** "Tribe" means a federally recognized Indian tribe in Oregon.

43 (2) The Oregon Conservation Corps Advisory Committee is established within the Higher Edu-  
44 cation Coordinating Commission for the purpose of managing the Oregon Conservation Corps Pro-  
45 gram.

1 (3) The Governor shall determine the number of members on the committee and appoint the  
2 members.

3 (4) The committee shall, in collaboration with a qualified nonprofit foundation, actively seek and  
4 source private donations to support the Oregon Conservation Corps Program.

5 (5) The committee may direct the expenditure of moneys from the Oregon Conservation Corps  
6 Fund for a promotional website and materials to solicit private funds.

7 (6) Members may not receive compensation for service on the committee, but, subject to any  
8 applicable laws regulating travel and other expenses of state officers and employees, may be reim-  
9 bursed for actual and necessary travel and other expenses incurred in the performance of committee  
10 duties with moneys available to the commission for the purpose of reimbursing the members.

11 (7) The committee shall administer a grant process that:

12 (a) Provides funding to support the work conducted by the Oregon Conservation Corps Program.

13 (b) Defines and uses an equity lens in awarding grants by identifying and supporting populations  
14 with greater vulnerability including communities of color, indigenous communities, communities with  
15 members who have limited proficiency in English and communities with lower-income members.

16 (c) Awards grants to eligible organizations.

17 (d) Ensures that grant awards support activities described in ORS 476.694 (1) and subsection (8)  
18 of this section.

19 (e) Establishes guidelines for prioritizing grant-supported projects to reduce community fire  
20 risks, promote youth and young adult workforce development and educational experiences and re-  
21 duce hazardous fuels.

22 (8) The committee shall consult with the State Forestry Department to ensure that the grant  
23 process awards funds to proposals that:

24 (a) Protect at-risk communities and infrastructure within the wildland-urban interface, as de-  
25 scribed in ORS 477.503.

26 (b) Meet standards for fuel treatment established by the department.

27 (9) The committee shall biennially submit a report, on the timeline described in ORS 293.640, to  
28 an appropriate committee or interim committee of the Legislative Assembly, as described in ORS  
29 192.245, and to the State Wildfire Programs Director and Wildfire Programs Advisory Council, re-  
30 garding the expenditure of moneys deposited in the Oregon Conservation Corps Fund.

31 **SECTION 6.** ORS 348.500 is amended to read:

32 348.500. (1) The Higher Education Coordinating Commission may establish Access to Student  
33 Assistance Programs in Reach of Everyone (ASPIRE) to provide information about financial aid,  
34 [and] education, [and] training **and career pathway** options beyond high school to students in  
35 Oregon schools and colleges. The goals of the programs are to:

36 (a) Provide mentoring and resources to help students access education and training beyond high  
37 school;

38 (b) Help Oregon schools build a sustainable community of volunteer mentors; [and]

39 (c) Educate students and families about the scholarship application process and other options  
40 for paying for post-secondary education[.]; **and**

41 **(d) Encourage the completion of a college or career pathway.**

42 (2) The programs shall bring together students, school staff, community volunteers and parents  
43 to help students overcome obstacles to their continuing education. The programs may provide  
44 training, technical assistance and other resources to Oregon middle schools, high schools and col-  
45 leges on how to establish a volunteer-based program. Adult volunteers who are trained through the

1 program may provide mentoring, training and encouragement to students about post-secondary  
2 options and financial aid.

3 (3) Each year, the programs shall provide financial aid instruction to middle school, high school  
4 and college students and make the instruction available to the students' families. The instruction  
5 should focus on areas of academic interest or career opportunities identified as particularly relevant  
6 to the students and provide information on apprenticeships or technical and occupational career  
7 pathways, with a focus on local apprenticeships or local technical and occupational career path-  
8 ways.

9 (4) The financial aid instruction required under subsection (3) of this section must outline:

10 (a) The different types of student loans that are available to students attending post-secondary  
11 institutions of education;

12 (b) The potential use of individual development accounts established under ORS 458.675 to  
13 458.700 to pay for post-secondary education; and

14 (c) The short-term and long-term economic impacts of each type of student loan or individual  
15 development account.

16 **(5)(a) The programs shall work directly with community-based organizations and other**  
17 **entities with experience serving historically underserved communities in order to provide**  
18 **these communities with information and resources designed to encourage college and career**  
19 **readiness and to increase the participation of students from these communities in college**  
20 **and career training.**

21 **(b) The programs may provide grants or other support to organizations and entities de-**  
22 **scribed in paragraph (a) of this subsection for the purpose of delivering culturally competent,**  
23 **multilingual programming and training opportunities.**

24 **SECTION 7.** ORS 348.594 is amended to read:

25 348.594. As used in ORS 348.594 to 348.615:

26 (1)(a) "Diploma mill" means:

27 (A) A school against which a court or public body, as defined in ORS 174.109, has issued a ruling  
28 or finding, after due process procedures, that the school has engaged in dishonest, fraudulent or  
29 deceptive practices related to the award of degrees, academic standards or student learning re-  
30 quirements; *[or]*

31 (B) An entity without legal authority as a school to issue degrees valid as credentials in the  
32 jurisdiction that authorizes issuance of degrees[.]; **or**

33 **(C) A school or entity that:**

34 **(i) Offers fee-based degrees, diplomas or certificates that may be used to represent to the**  
35 **general public that the individual possessing the degree, diploma or certificate has completed**  
36 **a program of post-secondary education or training;**

37 **(ii) Requires an individual to complete little or no education or coursework to obtain the**  
38 **degree, diploma or certificate; and**

39 **(iii) Has not been accredited by a post-secondary accrediting agency.**

40 (b) "Diploma mill" does not include:

41 (A) A school operating legally under ORS 348.604; or

42 (B) A school that is actively seeking and able to show evidence of reasonable progress toward  
43 *[regional]* **institutional** accreditation with *[one of the regional]* **a post-secondary accrediting agency**  
44 *[bodies recognized by the United States Department of Education].*

45 **(2) "Post-secondary accrediting agency" means a legal entity, or part of a legal entity,**

1 **that:**

2 (a) **Conducts accrediting activities through voluntary peer review;**

3 (b) **Makes decisions concerning the accreditation or pre-accreditation status of insti-**  
4 **tutions and programs; and**

5 (c) **Is recognized by the United States Department of Education as an entity that con-**  
6 **ducts the activities and makes the decisions described in this subsection.**

7 [(2)(a)] (3)(a) "School" means a person, organization, school or institution of learning that con-  
8 fers or offers to confer an academic degree upon a person or to provide academic credit applicable  
9 to a degree.

10 (b) "School" does not include:

11 (A) An Oregon community college;

12 (B) A public university listed in ORS 352.002; or

13 (C) The Oregon Health and Science University.

14 **SECTION 8.** ORS 348.597 is amended to read:

15 348.597. (1) Except as provided in subsection (2) of this section, ORS 348.594 to 348.615 apply to  
16 all schools that operate in this state.

17 (2) ORS 348.594 to 348.615 do not apply to:

18 (a) A school, or a separately accredited campus of a school, if the school:

19 (A) Is a nonprofit school that is exempt from federal income tax under section 501(c)(3) of the  
20 Internal Revenue Code;

21 (B) **Prior to July 14, 2005**, conferred degrees in this state under the same control for at least  
22 10 consecutive years; and

23 (C) **Has received institutional accreditation from a post-secondary accrediting agency as**  
24 **defined in ORS 348.594** [*Is accredited by a regional accrediting association or its national*  
25 *successor*];

26 (b) A school that, on July 14, 2005, was a school that met the criteria and followed procedures  
27 to obtain [*a religious*] **an** exemption adopted by rule by the Oregon Student Access Commission [*and*  
28 *that offered only degrees with approved titles in theology or religious occupations*]; or

29 (c) A school that **received a religious exemption** [*is exempt from ORS 348.594 to 348.615*] under  
30 ORS 348.604.

31 (3) The Higher Education Coordinating Commission shall issue a separate license to issue de-  
32 grees to each school that meets the requirements for exemption from evaluation by the commission  
33 set forth in subsection (2)(a) of this section. The license shall remain in effect if the school continues  
34 to meet the requirements of subsection (2)(a) of this section.

35 **SECTION 9.** ORS 348.601 is amended to read:

36 348.601. The Degree Authorization Account is established separate and distinct from the General  
37 Fund. All moneys received by the Higher Education Coordinating Commission under ORS 348.603,  
38 348.606 and 348.609 shall be deposited into the account and are continuously appropriated to the  
39 [*Higher Education Coordinating*] commission to carry out the duties, functions and powers of the  
40 commission under ORS 348.594 to 348.615.

41 **SECTION 10.** ORS 348.603 is amended to read:

42 348.603. (1) The Higher Education Coordinating Commission shall:

43 (a) Authorize approved schools to offer academic degree programs;

44 (b) Authorize approved degree-granting schools to offer nondegree programs leading to a certifi-  
45 cate or diploma;

1 (c) Validate claims of degree possession;

2 (d) Terminate substandard or fraudulent degree activities;

3 (e) Terminate activities, **including the enrollment of Oregon students**, of diploma mills op-  
4 erating in or from Oregon;

5 (f) Except as provided in subsection (3) of this section, terminate the operation in or from  
6 Oregon of post-secondary accrediting [*bodies*] **organizations that do not qualify as post-secondary**  
7 **accrediting agencies** [*are not recognized by the United States Department of Education or by the*  
8 *commission*]; and

9 (g) Review proposed new publicly funded post-secondary programs and locations.

10 (2) The commission, by rule, may impose a fee on any school or person requesting information  
11 from the commission. The amount of the fee shall be established to recover designated expenses in-  
12 curred by the commission in carrying out the administration of ORS 348.594 to 348.615. Any fees  
13 collected under this subsection shall be deposited in the Degree Authorization Account established  
14 under ORS 348.601.

15 (3) Subsection (1)(f) of this section does not apply to [*a body*] **an organization** the role of which  
16 is to accredit schools that offer only associate, bachelor's or master's degrees [*with titles*] **leading**  
17 **to occupations** in theology or religious occupations or, if the schools also offer doctoral degrees,  
18 offer doctoral degrees only in theology or religious occupations that have been approved by a  
19 [*federally recognized accrediting organization*] **post-secondary accrediting agency**.

20 **SECTION 11.** ORS 348.604 is amended to read:

21 348.604. Upon application from a school, as defined in ORS 348.594, the Higher Education Co-  
22 ordinating Commission shall grant an exemption from ORS 348.594 to 348.615 to the school if the  
23 school:

24 (1) Is, or is operated by, a nonprofit corporation;

25 (2) Offers only associate, bachelor's or master's degrees [*with titles*] **leading to occupations** in  
26 theology or religious occupations, or, if the school also offers doctoral degrees, offers doctoral de-  
27 grees in theology or religious occupations that have been approved by a [*federally recognized ac-*  
28 *crediting organization*] **post-secondary accrediting agency as defined in ORS 348.594**;

29 (3) Teaches students with faculty members who:

30 (a) Hold degrees:

31 (A) From a school that, at the time of the conferral of the degrees, was accredited by a **post-**  
32 **secondary accrediting agency as defined in ORS 348.594** [*federally recognized accrediting organ-*  
33 *ization*], held an exemption under this section, or was a school that, on July 14, 2005, met the  
34 criteria and followed procedures to obtain a religious exemption adopted by rule by the Oregon  
35 Student Access Commission and that offered only degrees [*with approved titles*] **leading to occupa-**  
36 **tions** in theology or religious occupations;

37 (B) That are at least one level above the degree level of the program in which the faculty  
38 members teach or that are the terminal degrees in the field in which the faculty members teach; and

39 (C) That are not honorary degrees; or

40 (b) Possess sufficient compensatory qualifications to substitute for academic degrees in the fields  
41 in which the faculty members teach;

42 (4) Offers a curriculum:

43 (a) Of a duration and level that is comparable to the curriculums offered by schools that are  
44 not exempt under this section; and

45 (b) That, with higher degrees, increases the difficulty of the work expected of students;

1 (5) Requires students to complete academic assignments and to demonstrate learning appropriate  
2 to the curriculum;

3 (6) Awards credit toward degrees proportionate to the work done by students;

4 (7) Offers admission:

5 (a) To a student:

6 (A) With a high school diploma or an equivalent credential; or

7 (B) Who completed the equivalent of a high school education through home study; and

8 (b) Based on evidence that the student can reasonably expect to complete a degree and benefit  
9 from the education offered;

10 (8) Provides or arranges for faculty members and students to have access to information that  
11 supports instruction and stimulates research or independent study in all areas of the curriculum;

12 (9) Provides accurate and appropriate credit transcripts to students of the school and accurate  
13 and appropriate diplomas to graduates of the school;

14 (10) Charges tuition by the credit hour or other fixed rate for instruction during an academic  
15 term and does not charge tuition or fees for the award of a degree or charge a single fee for an  
16 entire degree program;

17 (11) Provides the oversight required by the Higher Education Coordinating Commission over a  
18 faculty member or administrator who has:

19 (a) Been convicted of a felony; or

20 (b) Violated a state or federal law related to the operation of a school;

21 (12) Provides facilities that permit private communication between faculty members and stu-  
22 dents;

23 (13) Provides a number of faculty members that is adequate for the number of students enrolled;

24 (14) Provides clear and accurate information to students about the school's expectations of stu-  
25 dents in the school's courses;

26 (15) Ensures that a student who is pursuing a degree is making continuous progress toward the  
27 degree;

28 (16) Before a student enrolls in the school, informs the student that a school to which the stu-  
29 dent might transfer retains the discretion whether to accept the transfer of credits earned at the  
30 school;

31 (17) Provides official transcripts of faculty members to the **Higher Education Coordinating**  
32 **Commission**; and

33 (18) Pays the fee imposed by ORS 348.607.

34 **SECTION 12.** ORS 348.605 is amended to read:

35 348.605. (1) A school that obtains an exemption under ORS 348.604 or that, on July 14, 2005,  
36 met the criteria and followed procedures to obtain a religious exemption adopted by rule by the  
37 Oregon Student Access Commission and that offered only degrees [*with approved titles*] **leading to**  
38 **occupations** in theology or religious occupations may not:

39 (a) Award more than 25 percent of the credit toward a degree for noninstructional activities,  
40 such as challenge examinations and professional or life experiences;

41 (b) Represent that the school is:

42 (A) Approved by the State of Oregon; or

43 (B) Accredited by an organization unless the organization **qualifies as a post-secondary ac-**  
44 **crediting agency as defined in ORS 348.594** [*is recognized as an accreditor by the United States*  
45 *Department of Education*]; or

1 (c) Pay a faculty member a commission or otherwise base a faculty member's compensation on  
2 the faculty member's recruitment of students to the school.

3 (2) A school that obtains an exemption under ORS 348.604 or that, on July 14, 2005, met the  
4 criteria and followed procedures to obtain a religious exemption adopted by rule by the Oregon  
5 Student Access Commission and that offered only degrees [*with approved titles*] **leading to occupa-**  
6 **tions** in theology or religious occupations shall:

7 (a) Preserve official transcripts for all faculty members and students;

8 (b) Notify the Higher Education Coordinating Commission if a faculty member or administrator  
9 at the school has:

10 (A) Been convicted of a felony; or

11 (B) Violated a state or federal law related to the operation of a school;

12 (c) Place in any course catalog that is available to students or to the public a notice that states:  
13 "(Name of school) has been granted exempt status by the State of Oregon to offer theological and/or  
14 religious occupations degrees.";

15 (d) If the school closes, return to students tuition payments for the current term on a prorated  
16 basis;

17 (e) If the school provides placement services to a student, describe the placement services  
18 clearly and accurately to the student and avoid giving unrealistic expectations of placement to the  
19 student; and

20 (f) If an administrator claims to possess an academic degree:

21 (A) Ensure that the administrator possesses the academic degree that the administrator claims  
22 to possess; and

23 (B) Require that the degree is from a school that, at the time of the conferral of the degree,  
24 was accredited by a [*federally recognized accrediting organization*] **post-secondary accrediting**  
25 **agency as defined in ORS 348.594**, held an exemption under this section, or was a school that, on  
26 July 14, 2005, met the criteria and followed procedures to obtain a religious exemption adopted by  
27 rule by the Oregon Student Access Commission and offered only degrees [*with approved titles*]  
28 **leading to occupations** in theology or religious occupations.

29 **SECTION 13.** ORS 348.608 is amended to read:

30 348.608. (1) Each year, on a date prescribed by the Higher Education Coordinating Commission,  
31 a school that obtains an exemption under ORS 348.604 or a school that, on July 14, 2005, met the  
32 criteria and followed procedures to obtain a religious exemption adopted by rule by the Oregon  
33 Student Access Commission and that offered only degrees [*with approved titles*] **leading to occupa-**  
34 **tions** in theology or religious occupations, shall submit to the Higher Education Coordinating  
35 Commission a statement that reads: "(Name of School) hereby certifies that the school remains in  
36 compliance with all conditions for a religious exemption from ORS 348.594 to 348.615."

37 (2) A school that obtains an exemption under ORS 348.604 or a school that, on July 14, 2005,  
38 met the criteria and followed procedures to obtain a religious exemption adopted by rule by the  
39 Oregon Student Access Commission and that offered only degrees [*with approved titles*] **leading to**  
40 **occupations** in theology or religious occupations remains exempt unless the Higher Education Co-  
41 ordinating Commission suspends or revokes the exemption.

42 (3) The Higher Education Coordinating Commission may suspend or revoke an exemption if:

43 (a) After the notice and opportunity to cure provided in subsection (4) of this section, a school  
44 fails to provide the statement required by subsection (1) of this section;

45 (b) The commission has received a complaint from a student or former student of the school that



1 the school is failing to comply with a condition for exemption under ORS 348.604, the commission  
2 determines that the complaint is valid, the school has been provided with notice and opportunity to  
3 cure as required by subsection (4) of this section and the school fails to comply with the condition  
4 listed in the notice; or

5 (c) After the notice and opportunity to cure provided in subsection (4) of this section, a school  
6 is in violation of ORS 348.605.

7 (4) The Higher Education Coordinating Commission shall provide notice of and 90 days to cure  
8 a school's:

9 (a) Failure to provide the statement required by subsection (1) of this section;

10 (b) Failure to maintain compliance with a condition for exemption under ORS 348.604 if the  
11 commission has received a complaint from a student or former student of the school that the school  
12 is failing to comply with a condition for exemption under ORS 348.604 and the commission has de-  
13 termined the complaint is valid; or

14 (c) Violation of ORS 348.605.

15 (5) A school may appeal the denial, suspension or revocation of an exemption to the Higher  
16 Education Coordinating Commission.

17 (6) A school may appeal the Higher Education Coordinating Commission's decision that a faculty  
18 member does not possess sufficient compensatory qualifications to substitute for an academic degree  
19 in the field in which the faculty member teaches.

20 (7) The Higher Education Coordinating Commission shall conduct an appeal under this section  
21 as a contested case under ORS chapter 183.

22 (8)(a) If a school appeals the denial, suspension or revocation of an exemption and the Higher  
23 Education Coordinating Commission upholds the denial, suspension or revocation, the commission  
24 shall provide the school 90 days to cure the grounds for the denial, suspension or revocation. If the  
25 school does not cure the grounds for the denial, suspension or revocation within 90 days after the  
26 commission upholds the denial, suspension or revocation, then the denial, suspension or revocation  
27 becomes effective 90 days after the issuance of the decision on the appeal by the commission.

28 (b) If a school does not appeal the denial, suspension or revocation of an exemption to the  
29 commission and the school does not cure the grounds for the denial, suspension or revocation within  
30 the period of time to appeal the decision to the commission, then the denial, suspension or revoca-  
31 tion becomes effective upon the expiration of the period of time to appeal.

32 **SECTION 14.** ORS 659A.318 is amended to read:

33 659A.318. (1) If an employer requires an applicant or employee to have an academic degree from  
34 a post-secondary institution to qualify for a position, but does not require a degree with a specific  
35 title, it is an unlawful employment practice for the employer to refuse to hire or promote or in any  
36 manner discriminate or retaliate against the applicant or employee only because the applicant or  
37 employee meets the educational requirements for the position by having a degree [*with a title*]  
38 **leading to occupations** in theology or religious occupations from a school that, when the degree  
39 was issued, was a school:

40 (a) That, on July 14, 2005, met the criteria and followed procedures to obtain a religious ex-  
41 emption adopted by rule by the Oregon Student Access Commission and that offered only degrees  
42 [*with approved titles*] **leading to occupations** in theology or religious occupations; or

43 (b) Exempt from ORS 348.594 to 348.615 under ORS 348.604.

44 (2) If an employer other than a public body, as defined in ORS 192.311, offers employees benefits  
45 of tuition reimbursement, educational debt reduction, educational incentive or educational contri-

1 bution or gift match for educational services provided by a post-secondary institution and the em-  
2 ployer does not restrict the program to specific institutions or degrees with specific titles, it is an  
3 unlawful employment practice for the employer to refuse to offer the benefit to or in any manner  
4 discriminate or retaliate against an employee because the employee attends or seeks to attend a  
5 school that is:

6 (a) A school that, on July 14, 2005, met the criteria and followed procedures to obtain a religious  
7 exemption adopted by rule by the Oregon Student Access Commission and that offered only degrees  
8 *[with approved titles]* **leading to occupations** in theology or religious occupations; or

9 (b) Exempt from ORS 348.594 to 348.615 under ORS 348.604.

10 **SECTION 15.** ORS 350.300, as amended by section 2, chapter 42, Oregon Laws 2022, is amended  
11 to read:

12 350.300. (1) Notwithstanding ORS 341.290, 352.105 or 353.050, a student who is a current foster  
13 child or former foster child or a current homeless youth or former homeless youth, under 25 years  
14 of age and enrolled in courses totaling one or more credit hours at an institution of higher education  
15 as an undergraduate student shall have the amount of tuition and all fees levied against the student  
16 waived if attending an institution of higher education for purposes of pursuing an initial under-  
17 graduate degree.

18 (2) A student is entitled to waiver of tuition and all fees under subsection (1) of this section until  
19 the student has received the equivalent of four years of undergraduate education.

20 (3) As a condition of receiving a tuition waiver for an academic year, **if the student is eligible**  
21 **to file** the *[student must complete and submit the]* Free Application for Federal Student Aid (FAFSA)  
22 *[for that academic year]*, **the student must complete and submit the application for that aca-**  
23 **demie year.**

24 (4) A waiver of tuition and all fees under subsection (1) of this section may be reduced by the  
25 amount of any federal aid scholarships or grants, an award from the Oregon Opportunity Grant  
26 program established under ORS 348.205 and any other aid received from the institution of higher  
27 education. For the purposes of this subsection, “federal aid scholarships or grants” does not include  
28 Chafee Educational and Training Voucher Program grants under 42 U.S.C. 677.

29 (5) As used in this section:

30 (a) “Former foster child” means an individual who, for a total of six or more months while be-  
31 tween 14 and 21 years of age, was:

32 (A) A ward of the court pursuant to ORS 419B.100 (1)(b) to (e), in the legal custody of the De-  
33 partment of Human Services for out-of-home placement and not dismissed from care before reaching  
34 16 years of age; or

35 (B) An Indian child subject to ORS 419B.600 to 419B.654, under the jurisdiction of a tribal court  
36 for out-of-home placement and not dismissed from care before reaching 16 years of age.

37 (b) “Homeless youth” means a person who:

38 (A) Experienced homelessness for a total of six or more months while between 14 and 24 years  
39 of age;

40 (B) While experiencing homelessness as described in subparagraph (A) of this paragraph, re-  
41 ceived services from an organization contracted by the Department of Human Services to provide  
42 services to homeless persons or from a host home, as defined by the department by rule; and

43 (C) Was at least 16 years of age when the person last received the services described in sub-  
44 paragraph (B) of this paragraph.

45 (c) “Institution of higher education” means:

- 1 (A) A public university listed in ORS 352.002;
- 2 (B) A community college operated under ORS chapter 341; or
- 3 (C) The Oregon Health and Science University.

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