

**Enrolled**  
**House Bill 3565**

Sponsored by COMMITTEE ON HIGHER EDUCATION (at the request of Higher Education Coordinating Commission)

CHAPTER .....

AN ACT

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

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

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

**SECTION 2. (1) The Oregon Tribal Student Grant program is established within the Higher Education Coordinating Commission.**

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

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

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

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

**(ii) For an aggregate total of more than three years of full-time enrollment in eligible programs that do not lead to an associate degree, bachelor’s degree, master’s degree, professional degree or doctoral degree; or**

**(iii) For an aggregate total of more than three years of full-time enrollment at eligible programs that lead to a master’s degree, professional degree or doctoral degree.**

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

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

**(ii) If the qualified tribal student is a graduate student, may not be reduced or restricted based on the student’s eligibility or participation in the program at the undergraduate level.**

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

**(A) For a qualified tribal student attending a community college operated under ORS chapter 341, the amount of the cost of education at community college, as determined by the**

community college, reduced by the amount of state and federal aid grants and scholarships available to the qualified tribal student;

(B) For a qualified tribal student attending a public university listed in ORS 352.002, the amount of the cost of education at the public university, as determined by the public university, reduced by the amount of state and federal aid grants and scholarships available to the qualified tribal student; and

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

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

(A) For a qualified tribal student enrolled in a two-year eligible program at an eligible post-secondary institution that is not public, the amount of the cost of education at the community college operated under ORS chapter 341 that has the highest cost of education, as determined by the commission, reduced by the amount of state and federal aid grants and scholarships available to the qualified tribal student; and

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

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

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

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

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

(A) The undergraduate cost of education at the public university listed in ORS 352.002 that has the highest cost of education, as determined by the commission; or

(B) The cost of education for the eligible program at the eligible post-secondary institution in which the qualified tribal student is enrolled.

(5)(a) If sufficient moneys are available to the commission after awarding grants in the manner described in subsections (3) and (4) of this section, the commission may choose to award full or partial initial grants, or full or partial renewal grants, to qualified tribal students enrolled in an eligible program leading to a professional degree, doctoral degree or other eligible program identified by the commission by rule.

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

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

(A) The undergraduate cost of education at the public university listed in ORS 352.002 that has the highest cost of education, as determined by the commission; or

(B) The cost of education for the eligible program at the eligible post-secondary institution in which the qualified tribal student is enrolled.

(6) When awarding grants under this section:

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

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

(A) Grants or scholarships awarded by a tribe;

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

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

or

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

(7) Prior to the start of the fall term of each academic year, the commission shall determine whether moneys available to the commission are sufficient to award a grant under this section to each qualified tribal student in the manner set forth in subsections (3) and (4) of this section. If the commission determines that there are not sufficient moneys available to award a grant to each qualified tribal student in the manner set forth in subsections (3) and (4) of this section, the commission may:

(a) Establish by rule a method for prioritizing qualified tribal students; or

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

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

(a) Decrease the total award amounts of grants awarded to qualified tribal students, if the commission determines that the moneys available to the commission are insufficient to provide a grant under this section to each qualified tribal student in the manner set forth in subsections (3) and (4) of this section.

(b) Reduce or eliminate any limitation on eligibility previously imposed by the commission under subsection (7) of this section.

(9) The commission shall report on the status of the implementation of the program to the Commission on Indian Services and to the Government-to-Government Tribal Education Cluster:

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

(b) Each time the Higher Education Coordinating Commission seeks to alter the calculation of a grant award amount as determined under this section.

(10) The commission may adopt rules necessary to effectively implement this section.

(11) As used in this section:

(a) "Cost of education" and "eligible post-secondary institution" have the meanings given those terms in ORS 348.180.

(b) "Eligible program" means a program or curriculum designed to lead to a certificate of completion or degree identified by the commission by rule, including but not limited to an associate degree, a bachelor's degree, a master's degree, a professional degree and a doctoral degree.

(c) "Qualified tribal student" means a student who:

(A) Is an enrolled member of a tribe;

(B) Has completed and submitted to the commission the Free Application for Federal Student Aid, or an equivalent Oregon application established by the commission by rule;

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

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

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

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

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

**SECTION 3.** This 2023 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect on its passage.

**Passed by House June 14, 2023**

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Timothy G. Sekerak, Chief Clerk of House

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Dan Rayfield, Speaker of House

**Passed by Senate June 24, 2023**

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Rob Wagner, President of Senate

**Received by Governor:**

.....M,....., 2023

**Approved:**

.....M,....., 2023

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Tina Kotek, Governor

**Filed in Office of Secretary of State:**

.....M,....., 2023

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Secretary of State