

Senate Bill 1045

Sponsored by Senator SMITH DB

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 **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act permits a student at a career school to receive an Oregon Promise grant. (Flesch Readability Score: 67.5).

Provides that a student enrolled at a career school licensed in this state may receive an Oregon Promise grant.

A BILL FOR AN ACT

1
2 Relating to Oregon Promise program eligibility for career school students; amending ORS 341.522.

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

4 **SECTION 1.** ORS 341.522 is amended to read:

5 341.522. (1) The Office of Student Access and Completion shall administer the Oregon Promise
6 program as provided by this section.

7 (2) Subject to subsections (7) to (10) of this section, the office shall provide a grant for **courses**
8 **offered by a** community college [*courses*] **or a career school licensed under ORS 345.010 to**
9 **345.340** to a person who meets the criteria described in subsections (3) to (6) of this section. The
10 grant shall be limited as provided by subsections (7) to (10) of this section.

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

12 (a) Is enrolled in courses that are:

13 (A) Offered at a community college in this state **or a career school licensed under ORS**
14 **345.010 to 345.340**; and

15 (B) Determined by the office, in accordance with rules adopted by the Higher Education Coor-
16 dinating Commission, to be required for completion of:

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

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

20 (iii) A program in career and technical education; **or**

21 **(iv) For a career school, a training and certificate program through the career school;**

22 (b) Except as provided in subsection (5) of this section, has been a resident of this state for at
23 least 12 months prior to enrolling in the courses described in paragraph (a) of this subsection;

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

26 (A) Receiving a diploma under ORS 329.451;

27 (B) Receiving a certificate for passing an approved high school equivalency test such as the
28 General Educational Development (GED) test as provided by ORS 350.175;

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

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

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 (d) Except as provided in subsections (4) and (5) of this section, attained the person's highest
2 level of education as described in paragraph (c) of this subsection within six months from the date
3 that the person first enrolls in courses described in paragraph (a) of this subsection for the purpose
4 of receiving a grant under this section;

5 (e) Earned a cumulative grade point average of 2.0 or better in high school or otherwise dem-
6 onstrated an equivalent academic ability, as determined by the office according to rules adopted by
7 the commission;

8 (f) Completed and submitted the Free Application for Federal Student Aid for each academic
9 year and accepted all state and federal aid grants available to the person, if eligible to file the ap-
10 plication; and

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

12 (A) More than a total of 90 credit hours, or the equivalent, at a post-secondary institution of
13 education; or

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

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

22 (b) In addition to the situation described in paragraph (a) of this subsection, the commission may
23 waive the requirement set forth in subsection (3)(d) of this section for a person who shows that the
24 person was unable to timely enroll in courses described in subsection (3)(a) of this section due to a
25 significant hardship. The commission may adopt rules to implement this paragraph.

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

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

38 (B) The eligibility requirements described in subsection (6)(a)(C) of this section may be waived
39 by the office according to rules adopted by the commission for a person who receives a grant under
40 this section in the manner described in subparagraph (A) of this paragraph.

41 (C) As used in this paragraph:

42 (i) "Adjudicated youth," "detention facility," "young person" and "youth" have the meanings
43 given those terms in ORS 419A.004.

44 (ii) "Correctional facility" means any place used for the confinement of young persons, youths
45 or adjudicated youths or persons charged with or convicted of a crime or otherwise confined under

1 a court order, including a:

2 (I) Youth correction facility;

3 (II) Detention facility;

4 (III) Department of Corrections institution;

5 (IV) Local correctional facility; or

6 (V) State hospital or a secure intensive community inpatient facility, with respect to persons
 7 detained therein who are youths or adjudicated youths, who are charged with or convicted of a
 8 crime or who are detained therein after having been found guilty except for insanity of a crime
 9 under ORS 161.290 to 161.373 or having been found responsible except for insanity under ORS
 10 419C.411.

11 (iii) "Department of Corrections institution" has the meaning given that term in ORS 421.005.

12 (iv) "Local correctional facility" has the meaning given that term in ORS 169.005.

13 (v) "Youth correction facility" has the meaning given that term in ORS 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 eligibility under subsection
 16 (3)(b) of this section if, but for the person's placement in out-of-state foster care, the person other-
 17 wise meets the requirements of subsection (3)(b) of this section.

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

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

27 (B) Upon request from the commission, the Department of Human Services shall provide doc-
 28 umentation of the placement status of a person described in paragraph (c)(A) of this subsection.

29 (C) As used in this paragraph:

30 (i) "Foster care" means substitute care for children placed by the Department of Human Ser-
 31 vices or a tribal child welfare agency away from the child's parents and for whom the department
 32 or agency has placement and care responsibility, including placements in foster family homes, foster
 33 homes of relatives, group homes, emergency shelters, residential facilities, child care institutions and
 34 preadoptive homes.

35 (ii) "Foster child" means a child over whom the Department of Human Services retained juris-
 36 diction under ORS 417.200 for the duration of the child's placement in foster care outside the State
 37 of Oregon.

38 (6)(a) A person continues to remain eligible to receive a grant under this section if the person,
 39 in addition to satisfying the criteria specified in subsection (3) of this section, meets the following
 40 criteria:

41 (A) Maintains at least the minimum cumulative grade point average prescribed by the commis-
 42 sion based on federal aid grant requirements;

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

1 (C) Enrolls in courses described in subsection (3)(a) of this section for a sufficient number of
2 credit hours to be considered at least a half-time student each term for at least three terms in each
3 consecutive academic year.

4 (b) A person who fails to meet an eligibility requirement described in paragraph (a) of this
5 subsection becomes ineligible to receive a grant under this section for the term after which the
6 person fails to meet the eligibility requirement, unless the eligibility requirement is waived by the
7 office according to rules adopted by the commission.

8 (7)(a) The total amount of a grant awarded under this section shall be based on each term that
9 a person is enrolled in courses described in subsection (3)(a) of this section. Except as provided in
10 subsections (9) and (10) of this section, after the amount of tuition for the person for the term is
11 reduced by any amounts received by the person in state and federal aid grants, the person shall be
12 eligible for a grant under this section in an amount that equals:

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

14 (i) \$2,000, adjusted for inflation based on the increase of the average cost of tuition at a com-
15 munity college operated under this chapter in a manner determined by the commission by rule; and

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

17 (B) Not more than the lesser of:

18 (i) The average cost of tuition at a community college in this state, as determined by the office;
19 and

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

21 (b)(A) If the office determines both that the person's actual cost for tuition exceeds the amount
22 set forth in paragraph (a)(A)(i) of this subsection and that the person's actual cost for tuition ex-
23 ceeds the average cost of tuition at a community college **or career school** in this state, the person
24 shall be eligible for a grant in an amount that equals the average cost of tuition at a community
25 college **or career school** in this state.

26 (B) If the office determines that the person's actual cost for tuition is less than the amount set
27 forth in paragraph (a)(A)(i) of this subsection, the person shall be eligible for a grant in an amount
28 that equals the amount set forth in paragraph (a)(A)(i) of this subsection.

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

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

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

39 (9) Prior to the start of the fall term of each academic year, the commission shall determine
40 whether there are sufficient moneys to award a grant under this section to each person who meets
41 the criteria described in subsections (3) to (6) of this section. When making a determination under
42 this subsection, the commission may consider both projected resources and statutory modifications
43 that will take effect during the current biennium. On the basis of this determination the commission
44 may:

45 (a) Limit eligibility to receive a grant under this section to a person whose financial resources,

1 as determined by the commission by rule, are at or below the level the commission determines is
2 necessary to allow the commission to operate the Oregon Promise program with available moneys;
3 or

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

6 (10)(a) If at any time the commission determines that there are insufficient moneys to provide
7 a grant to each person who has been awarded a grant under this section, the commission may de-
8 crease the total amount of the grant awarded.

9 (b) If at any time the commission determines that the amount of moneys available to operate the
10 Oregon Promise program exceeds the amount determined under subsection (9) of this section, the
11 commission may reduce or eliminate any limitation on eligibility to receive a grant under this sec-
12 tion that was previously imposed by the commission under subsection (9)(a) of this section.

13 (c) The commission shall promptly notify the interim committees of the Legislative Assembly
14 responsible for higher education each time the commission takes any action under paragraph (a) or
15 (b) of this subsection.

16 (11) The commission shall adopt any rules necessary for the administration of this section, in-
17 cluding any requirements related to:

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

19 (b) Determining whether a person is eligible for a grant under this section, including whether
20 the person shall be given priority as allowed under subsection (8) of this section;

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

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

25 (e) Evaluating the impact of the program established under this section, including any require-
26 ments for reporting data needed for evaluations.

27 (12) No later than December 31 of each even-numbered year, the commission shall submit to an
28 interim legislative committee related to education a report that summarizes the commission's
29 findings on the impact of the program established under this section. The report shall include:

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

32 (b) The amount of federal aid grants received by persons who received a grant under this sec-
33 tion;

34 (c) The financial impact of the program on school districts that had students receive a grant
35 under this section;

36 (d) The financial impact and the enrollment impact of the program on community colleges and
37 public universities in this state; and

38 (e) The overall success rate of the program and financial impact of the program.
39
