

CHAPTER 75

AN ACT

HB 4076

Relating to enabling students to be successful in the Oregon Promise program; creating new provisions; amending ORS 341.522; and declaring an emergency.

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

SECTION 1. ORS 341.522 is amended to read:

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

(2) Subject to subsections (5) and (6) of this section, the office shall provide a waiver of tuition for community college courses to a person who meets the criteria described in subsections (3) and (4) of this section. The waiver shall be a grant and limited as provided by subsections (5) and (6) of this section.

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

(a) Is enrolled in courses that are:

(A) Offered at a community college in this state; and

(B) Determined by the office, in accordance with rules adopted by the Higher Education Coordinating Commission, to be required for completion of:

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

(ii) An associate degree; or

(iii) A program in career and technical education;

(b) Has been a resident of this state for at least 12 months prior to enrolling in the courses described in paragraph (a) of this subsection;

(c) Attained the person's highest level of education in this state prior to:

(A) Receiving a diploma under ORS 329.451;

(B) Receiving a General Educational Development (GED) certificate as provided by ORS 350.175; [or]

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

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

(d) Attained the person's highest level of education as described in paragraph (c) of this subsection within six months from the date that the person first enrolls in courses described in paragraph (a) of this subsection for the purpose of receiving a grant under this section;

(e) Earned a cumulative grade point average of 2.5 or better in high school or otherwise demonstrated an equivalent academic ability, as determined by the office according to rules adopted by the commission;

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

(g) Has not completed either of the following:

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

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

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

(A) Maintains [a] **at least the minimum** cumulative grade point average [of 2.5 or better during each term for which the person has received a grant under this section] **prescribed by the commission based on federal aid grant requirements;**

(B) Makes satisfactory **academic** progress toward a curriculum, degree or program, as described in subsection (3)(a)(B) of this section, as [determined by the office according to rules adopted] **prescribed by the commission based on federal aid grant requirements;** [and]

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

(D) Completes a first-year experience, as identified by the community college and reported by the community college to the commission.

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

(5)(a) The total amount of a grant awarded under this section shall be based on each term that a person is enrolled in courses described in subsection (3)(a) of this section. After the amount of tuition for the person for the term is reduced by \$50, to be paid by the person, and reduced by any amounts received by the person in state and federal aid grants, the person shall be eligible for a grant under this section in an amount that equals:

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

(i) \$1,000; and

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

(B) Not more than the lesser of:

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

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

(b) The minimum amount of a grant, as calculated under paragraph (a) of this subsection, may be prorated for a person who is enrolled in courses described in subsection (3)(a) of this section for a suf-

ficient number of credit hours to be considered at least a half-time student but not a full-time student.

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

(6) The total amount in grants awarded under this section by the office may not exceed \$10 million per fiscal year, or any lesser amount available to the office for the purpose of this section. The commission may adopt by rule the priority by which grants are awarded, which may allow for preference to be given to persons enrolled in school districts or high schools that meet specified criteria.

(7) The commission shall adopt any rules necessary for the administration of this section, including any requirements related to:

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

(b) Determining whether a person is eligible for a grant under this section, including whether the person shall be given priority as allowed under subsection (6) of this section;

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

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

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

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

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

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

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

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

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

SECTION 2. Notwithstanding ORS 341.522 (3)(d), for the 2016-2017 academic year only, a person who attained the person's highest level of education as described in ORS 341.522 (3)(c) between September 1, 2015, and August 31, 2016, is eligible to receive a grant under ORS 341.522 if the person otherwise meets the criteria described in ORS 341.522 and first enrolls in courses described in ORS 341.522 (3)(a) no later

than the fall term of the 2016-2017 academic year.

SECTION 3. Section 2 of this 2016 Act and the amendments to ORS 341.522 by section 1 of this 2016 Act become operative on July 1, 2016.

SECTION 4. (1) The Higher Education Coordinating Commission shall distribute moneys as a grant to every community college for the purpose of providing support services for persons who enroll in courses offered at a community college in this state within one year of attaining the highest level of education described in ORS 341.522 (3)(c) or who receive a grant under ORS 341.522.

(2) A community college must use moneys received under this section to provide support services at each campus of the community college. The support services must implement proven multiyear strategies that incorporate elements of student services and faculty and staff development to improve academic success or completion rates, and must provide at least all of the following:

(a) A first-year experience for persons described in subsection (1) of this section that is provided through a series of intentional, strategic interventions.

(b) A student success team to serve persons described in subsection (1) of this section.

(c) Professional development for community college faculty and staff to enable the faculty and staff to provide intentional, strategic interventions to persons described in subsection (1) of this section.

(3)(a) No later than November 30, 2016, and April 7, 2017, each community college shall report to the commission regarding the use of the moneys received under this section.

(b) No later than December 31, 2016, and April 30, 2017, the commission shall submit to the interim legislative committees related to education a report that summarizes the distributions made under this section and the information received under paragraph (a) of this subsection.

SECTION 5. Section 4 of this 2016 Act is repealed on June 30, 2017.

SECTION 6. Notwithstanding any other provision of law, the General Fund appropriation made to the Higher Education Coordinating Commission by section 1 (5), chapter 642, Oregon Laws 2015, for the biennium beginning July 1, 2015, for the Community College Support Fund for distribution to community colleges and community college service districts, is increased by \$1,659,800 for the distributions described in section 4 of this 2016 Act.

SECTION 7. This 2016 Act being necessary for the immediate preservation of the public

peace, health and safety, an emergency is declared to exist, and this 2016 Act takes effect on its passage.

Approved by the Governor March 29, 2016
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