

Senate Bill 932

Sponsored by Senators DEMBROW, COURTNEY

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**.

Extends eligibility for receiving Oregon financial aid scholarships and grants to certain students who qualify for exemption from paying nonresident tuition.

Removes requirements that certain students must enroll at public university within three years of graduating high school or graduate from public university within five years of initial enrollment to be entitled to exemption from nonresident tuition and fees at public universities.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to cost of attending public universities; creating new provisions; amending ORS 348.180,
3 348.210, 348.265, 348.283, 348.303; 348.320 and 351.641; and declaring an emergency.

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

5 **SECTION 1.** ORS 348.180 is amended to read:

6 348.180. As used in this section and ORS 348.186, 348.205, 348.230, 348.250, 348.260 and 348.285:

7 (1) "Cost of education" includes but is not limited to, tuition, fees and living expenses.

8 (2) "Eligible post-secondary institution" means:

9 (a) A public university listed in ORS 352.002;

10 (b) A community college operated under ORS chapter 341;

11 (c) The Oregon Health and Science University; or

12 (d) An Oregon-based, generally accredited, not-for-profit institution of higher education.

13 (3) "Qualified student" means any resident student, **or student exempted from paying non-**
14 **resident tuition under ORS 351.641**, who plans to attend an eligible post-secondary institution and
15 who:

16 (a) Has not achieved a baccalaureate or higher degree from any post-secondary institution;

17 (b) Is enrolled in an eligible program as defined by rule of the Higher Education Coordinating
18 Commission; and

19 (c) Is making satisfactory academic progress as defined by rule of the commission.

20 **SECTION 2.** ORS 348.210 is amended to read:

21 348.210. (1) In addition to any other scholarships provided by law, the Higher Education Coor-
22 dinating Commission may award scholarships at Eastern Oregon University to resident undergrad-
23 uate students, **or undergraduate students exempted from paying nonresident tuition under**
24 **ORS 351.641**, applying for enrollment in the university or who are pursuing courses therein. The
25 number of students who receive scholarships under this subsection may not exceed two and one-half
26 percent of the number of students who are enrolled at the university. The scholarships shall be
27 awarded upon the basis of a record of high intellectual standing and deportment in the school or
28 institution where the applicant has received or is receiving preparatory training, the necessity for
29 financial assistance and other qualifications of such nature that the awarding of scholarships will

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 operate not only to the advantage of the applicant but to the people of Oregon. A scholarship
2 awarded under this subsection may not exceed in value the amount of the tuition and other fees,
3 including the fees that are levied against the recipient of the scholarship by the university.

4 (2)(a) The commission may award tuition and fee-exempting scholarships to students from for-
5 eign nations who are enrolled in public universities listed in ORS 352.002. A student may not receive
6 a scholarship under this subsection that exceeds the amount of tuition and fees owed by the student.

7 **(b) For purposes of this section, a student exempted from paying nonresident tuition**
8 **under ORS 351.641 is not considered a student from a foreign nation.**

9 (3) The value of scholarships awarded each year under subsection (2) of this section may not
10 exceed in aggregate an amount equal to 10 percent of the amount of tuition and fees paid in the
11 preceding year by students enrolled in public universities listed in ORS 352.002 who were not
12 Oregon residents.

13 **SECTION 3.** ORS 348.265 is amended to read:

14 348.265. (1) In addition to any other form of student financial aid authorized by law, the Higher
15 Education Coordinating Commission may award grants to qualified [*residents of this state*] **appli-**
16 **cants** who are enrolled in the professional medical, nursing or dental programs at the Oregon
17 Health and Science University.

18 (2) A qualified applicant for a grant under this section is one who:

19 **(a) Is a resident of this state or is exempted from paying nonresident tuition under ORS**
20 **351.641; and**

21 **(b) Plans to attend the Oregon Health and Science University but whose financial capacity and**
22 **that of the applicant's family to contribute to the educational costs are not adequate to meet such**
23 **costs, as determined by the Executive Director of the Office of Student Access and Completion.**

24 (3) Grants may be received by a student each year of attendance depending on the continuing
25 need of the student for the grant.

26 (4) No grant awarded under this section shall exceed the amount of the difference between the
27 award year tuition and fees assessed and the tuition and fees assessed for that program in the aca-
28 demic year 1976-1977.

29 **SECTION 4.** ORS 348.283 is amended to read:

30 348.283. (1) There is established within the Higher Education Coordinating Commission the
31 Oregon Troops to Teachers program. Through the program, the commission shall pay for all of the
32 resident tuition charges of a veteran imposed by a public post-secondary institution, provided the
33 veteran:

34 (a) Was discharged from the Armed Forces of the United States;

35 (b) Is a resident of Oregon **or is exempted from paying nonresident tuition under ORS**
36 **351.641; and**

37 (c) Agrees to teach:

38 (A) In an Oregon school district or public charter school classified as serving a high poverty
39 area for not less than three years; or

40 (B) In the area of mathematics, science or special education for not less than four years.

41 (2) An award under subsection (1) of this section shall be used for the purpose of paying resident
42 tuition. The commission may not award funds under subsection (1) of this section for the purpose
43 of paying for books, supplies, housing, food or any other costs associated with attending a public
44 post-secondary institution.

45 (3) The commission shall adopt rules necessary for the implementation and administration of this

1 section in consultation with the Department of Education, the Oregon University System and the
2 public universities with governing boards listed in ORS 352.054.

3 **SECTION 5.** ORS 348.303 is amended to read:

4 348.303. (1) As used in this section:

5 (a) "Designated service site" means a rural health clinic as defined in 42 U.S.C. 1395x(aa)(2), a
6 rural critical access hospital as defined in ORS 315.613, a federally qualified health center as defined
7 in 42 U.S.C. 1396d(l)(2) or any geographic area, population group or facility that is located in Oregon
8 and has been designated by the Health Resources and Services Administration of the United States
9 Department of Health and Human Services as a health professional shortage area, a medically
10 underserved area or a medically underserved population.

11 (b) "Health care practitioner" means a:

12 (A) Physician licensed under ORS chapter 677;

13 (B) Dentist licensed under ORS chapter 679;

14 (C) Nurse practitioner licensed under ORS 678.375 to 678.390;

15 (D) Physician assistant licensed under ORS 677.505 to 677.525; or

16 (E) Certified registered nurse anesthetist licensed under ORS chapter 678.

17 (c) "Participant" means a person who has been selected by the Oregon Health and Science
18 University to receive a scholarship under subsection (5) of this section.

19 (d) "Prospective health care practitioner" means a person who has been accepted into, but has
20 not yet started, a health care program at the Oregon Health and Science University that meets the
21 educational requirements for licensure as a physician, dentist, nurse practitioner, physician assistant
22 or certified registered nurse anesthetist.

23 (e) "Service agreement" means the agreement executed by a prospective health care practitioner
24 under subsection (3) of this section.

25 (2) There is created the Scholars for a Healthy Oregon Initiative, to be administered by the
26 Oregon Health and Science University pursuant to rules adopted by the university.

27 (3) A prospective health care practitioner who wishes to participate in the initiative shall submit
28 an application to the Oregon Health and Science University in accordance with rules adopted by the
29 university. To be eligible to be a participant in the initiative, a prospective health care practitioner
30 must:

31 (a) Have been accepted into, but not yet started, the first year of the prospective health care
32 practitioner's health care education at the Oregon Health and Science University;

33 (b) Be considered a resident of Oregon under the university's admission guidelines **or qualify**
34 **as a student exempted from paying nonresident tuition under ORS 351.641;**

35 (c) Execute a service agreement stating that:

36 (A) Immediately upon the prospective health care practitioner's completion of the health care
37 education degree, residency or training, as established for each degree by the Oregon Health and
38 Science University by rule, the participant will practice as a health care practitioner in a designated
39 service site in this state approved by the university for one year longer than the number of years
40 the participant spent in the health care program for which the participant received a scholarship;
41 and

42 (B) While practicing as a health care practitioner in a designated service site, the participant
43 must see all patients, regardless of any patient's ability to pay for services; and

44 (d) Meet other requirements established by the university by rule.

45 (4) The Oregon Health and Science University may select participants from among the pro-

1 spective health care practitioners who submit applications as provided in subsection (3) of this sec-
 2 tion. The university shall give preference to prospective health care practitioners who are:

3 (a) Individuals admitted to the Oregon Health and Science University as a student from rural
 4 heritage, as defined by the university's admission policy;

5 (b) First generation college students; or

6 (c) Individuals from a diverse or underrepresented community.

7 (5) The Oregon Health and Science University shall provide a scholarship covering the entire
 8 cost of tuition and fees for the participant's health care education at the university.

9 (6) A participant receiving a scholarship under subsection (5) of this section who fails to com-
 10 plete the terms of the service agreement shall repay the amount received plus an additional penalty
 11 of 25 percent of the amount received to the Oregon Health and Science University. The total amount
 12 to be paid to the university under this subsection shall be reduced for every full year that the par-
 13 ticipant complied with the service agreement on a pro rata basis, as computed by the total number
 14 of years agreed to in the service agreement.

15 (7) A participant receiving a scholarship under subsection (5) of this section who fails to com-
 16 plete the health care degree for which the scholarship was awarded shall repay the amount received
 17 to the Oregon Health and Science University.

18 (8) In the event that a participant is required to repay the Oregon Health and Science Univer-
 19 sity under subsection (6) or (7) of this section, the university may:

20 (a) Collect any amounts due;

21 (b) Have any amounts due be collected by the Collections Unit in the Department of Revenue
 22 under ORS 293.250; or

23 (c) Contract with a collections agency to collect any amounts due.

24 (9) Any moneys received or collected by the Oregon Health and Science University under sub-
 25 sections (6) to (8) of this section shall be deposited into a separate fund held by the university for
 26 the purpose of carrying out the provisions of this section. The university may not use the moneys
 27 in these funds for any other purpose.

28 (10) The Oregon Health and Science University may accept funds from any public or private
 29 source for the purposes of carrying out the provisions of this section.

30 (11) Not later than December 1 of each even-numbered year, the Oregon Health and Science
 31 University shall report to the Legislative Assembly on the status of the Scholars for a Healthy
 32 Oregon Initiative. The report shall include, for the previous biennium:

33 (a) The total number of active participants in the initiative; and

34 (b) A breakdown of active participants in the initiative by health care practitioner category.

35 **SECTION 6.** ORS 348.320 is amended to read:

36 348.320. (1) A person shall be eligible for a loan under ORS 348.310 to 348.390 if the person is:

37 (a) A bona fide resident of this state **or is exempted from paying nonresident tuition under**
 38 **ORS 351.641;**

39 (b) Accepted for enrollment, or is a student in good standing in the professional medical program
 40 at an accredited medical school located in the United States or in an accredited school of
 41 osteopathic medicine;

42 (c) As a result of personal financial resources, unable to pursue a program of study in the ab-
 43 sence of a loan or would be unable to do so without great hardship; and

44 (d) Desirous of practicing medicine in a rural community in this state, and in an area which
 45 meets the qualifications of a medical shortage area.

1 (2) The person desiring consideration for a loan under ORS 348.310 to 348.390 shall apply to the
2 Executive Director of the Office of Student Access and Completion.

3 (3) The person desiring consideration for a loan under ORS 348.310 to 348.390 shall agree in
4 writing to practice medicine in a medical shortage area as defined by the Oregon Health Authority,
5 for a period equal to the period covered by the loan, but no less than two years.

6 **SECTION 7.** ORS 351.641 is amended to read:

7 351.641. (1) The State Board of Higher Education shall exempt a student who is not a citizen
8 or a lawful permanent resident of the United States from paying nonresident tuition and fees for
9 enrollment in a public university listed in ORS 352.002 if the student:

10 (a) During each of the three years immediately prior to receiving a high school diploma or
11 leaving school before receiving a high school diploma, attended an elementary or a secondary school
12 in this state;

13 (b) During each of the five years immediately prior to receiving a high school diploma or leaving
14 school before receiving a high school diploma, attended an elementary or a secondary school in any
15 state or territory of the United States, the District of Columbia or the Commonwealth of Puerto
16 Rico; **and**

17 *[(c) No more than three years before initially enrolling in a public university listed in ORS 352.002,*
18 *received a high school diploma from a secondary school in this state or received the equivalent of a*
19 *high school diploma; and]*

20 *[(d)]* (c) Shows intention to become a citizen or a lawful permanent resident of the United States
21 by submitting to the public university the student attends or plans to attend:

22 (A) An official copy of the student's application to register with a federal immigration program
23 or federal deportation deferral program or a statement of intent that the student will seek to obtain
24 citizenship as permitted under federal law; and

25 (B) An affidavit stating that the student has applied for a federal individual taxpayer identifi-
26 cation number or other official federal identification document.

27 (2) The board shall exempt a student who is financially dependent upon a person who is not a
28 citizen or a lawful permanent resident of the United States from paying nonresident tuition and fees
29 for enrollment in a public university listed in ORS 352.002 if the student:

30 (a) During each of the three years immediately prior to receiving a high school diploma or
31 leaving school before receiving a high school diploma, attended an elementary or a secondary school
32 in this state and resided in this state with the person upon whom the student is dependent;

33 (b) During each of the five years immediately prior to receiving a high school diploma or leaving
34 school before receiving a high school diploma, attended an elementary or a secondary school in any
35 state or territory of the United States, the District of Columbia or the Commonwealth of Puerto Rico
36 and resided with the person upon whom the student is dependent; **and**

37 *[(c) No more than three years before initially enrolling in a public university listed in ORS 352.002,*
38 *received a high school diploma from a secondary school in this state or received the equivalent of a*
39 *high school diploma; and]*

40 *[(d)]* (c) For a student who is not already a citizen or lawful permanent resident of the United
41 States, shows intention to become a citizen or a lawful permanent resident of the United States by
42 submitting to the public university the student attends or plans to attend:

43 (A) An official copy of the student's application to register with a federal immigration program
44 or federal deportation deferral program or a statement of intent that the student will seek to obtain
45 citizenship as permitted under federal law; and

1 (B) An affidavit stating that the student has applied for a federal individual taxpayer identifi-
2 cation number or other official federal identification document.

3 [(3) *A student continues to qualify for exemption from nonresident tuition and fees under subsection*
4 *(1) or (2) of this section for five years after initial enrollment under the exemption in a public university*
5 *listed in ORS 352.002.*]

6 [(4)] (3) A student who is a citizen or a lawful permanent resident of the United States and who
7 has resided outside of Oregon for more than three years while serving in the Armed Forces of the
8 United States, but who otherwise meets the requirements of subsection (1) or (2) of this section, shall
9 qualify for exemption from nonresident tuition and fees for enrollment in a public university listed
10 in ORS 352.002 without having to reestablish residency in Oregon.

11 [(5)] (4) The board shall adopt rules to implement the provisions of this section.

12 [(6)] (5) Not later than July 1 of each year, the Oregon University System shall report to the
13 Speaker of the House of Representatives, the President of the Senate and the interim committees
14 of the Legislative Assembly with subject matter authority over higher education, for the preceding
15 academic year:

16 (a) The number of students that applied and were accepted into public universities under this
17 section; and

18 (b) The financial impact of this section on the Oregon University System.

19 **SECTION 8. The amendments to ORS 348.180, 348.210, 348.265, 348.283, 348.303, 348.320 and**
20 **351.641 by sections 1 to 7 of this 2015 Act first apply to grant and scholarship applications**
21 **submitted, and tuition charged, for the 2016-2017 academic year.**

22 **SECTION 9. This 2015 Act being necessary for the immediate preservation of the public**
23 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**
24 **on its passage.**

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