

**A-Engrossed**  
**Senate Bill 473**

Ordered by the Senate April 8  
Including Senate Amendments dated April 8

Sponsored by Senator GELSER, Representative NOSSE (Presession filed.)

**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.

Requires each public university[, *community college or other institution of higher education*] to allow students, faculty and staff to identify sexual orientation on forms used to collect demographic data.

Requires each public university [*or community college*] to make demographic data available to Higher Education Coordinating Commission.

Requires commission to establish format and time frame for collection and reporting of demographic data, to evaluate public university [*and community college*] compliance with collecting and providing demographic data and to report to each regular session of Legislative Assembly on status of collecting and providing demographic data.

Requires each public university [*or community college*] to permit enrolled students to use name other than legal first name on all [*campus records*] **course and grade rosters, directory listings, advisor lists, identification cards and diplomas.**

[*Requires commission to assist public universities and community colleges in implementing preferred first name policy.*]

**Requires commission to work with community colleges to determine best method for collecting voluntarily provided sexual orientation data and permitting enrolled students to use preferred names on certain college documents.**

**A BILL FOR AN ACT**

1  
2 Relating to identifying information at higher education institutions.

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

4 **SECTION 1. (1) Each public university listed in ORS 352.002 shall allow all students, fac-**  
5 **ulty and staff to identify the person's sexual orientation on any forms used to collect demo-**  
6 **graphic data that includes gender, race or ethnicity.**

7 **(2) Each public university listed in ORS 352.002 shall make the demographic data collected**  
8 **under subsection (1) of this section available to the Higher Education Coordinating Commis-**  
9 **sion in the format determined by the commission under subsection (3) of this section.**

10 **(3) The commission shall:**

11 **(a) By rule establish a common format and time frame for the collection and reporting**  
12 **of the demographic data specified in subsection (1) of this section;**

13 **(b) Evaluate the degree to which public universities are complying with the requirements**  
14 **set forth in subsections (1) and (2) of this section; and**

15 **(c) During each regular session of the Legislative Assembly, submit a report in the**  
16 **manner provided by ORS 192.245 to the committees related to higher education that:**

17 **(A) Sets forth the progress public universities have made toward implementing the re-**  
18 **quirements set forth in subsections (1) and (2) of this section; and**

19 **(B) Summarizes the demographic data collected by the commission under this section.**

**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       **SECTION 2.** (1) Except as provided in subsection (2) of this section, to the extent allowed  
2 by federal law, each public university listed in ORS 352.002:

3       (a) Shall permit enrolled students to use a preferred first name other than the student's  
4 legal first name on course and grade rosters, directory listings, advisor lists, identification  
5 cards and diplomas; and

6       (b) May permit enrolled students to use a preferred first name other than the student's  
7 legal first name on campus records not listed in paragraph (a) of this subsection.

8       (2) Public universities listed in ORS 352.002 must use the legal first name of enrolled  
9 students on official transcripts and enrollment verification documents.

10       **SECTION 3.** (1) Except as provided in subsection (2) of this section, sections 1 and 2 of  
11 this 2015 Act apply to all forms or campus records that are created or updated for the  
12 2016-2017 academic year.

13       (2)(a) A public university is not required to update existing forms in order to comply with  
14 the requirements of section 1 of this 2015 Act.

15       (b) A public university must permit an enrolled student to update the student's campus  
16 records in order to implement the preferred first name policy set forth in section 2 of this  
17 2015 Act.

18       **SECTION 4.** (1) The Higher Education Coordinating Commission shall work with repre-  
19 sentatives from community colleges to:

20       (a) Determine the best method for community colleges to administer the collection of  
21 sexual orientation identification data that is voluntarily provided by students, faculty and  
22 staff;

23       (b) Determine the best method for community colleges to implement policies permitting  
24 enrolled students to use preferred names on certain college documents; and

25       (c) Identify potential barriers to carrying out the activities described in paragraphs (a)  
26 and (b) of this subsection, including legal issues, cost issues and data system limitations.

27       (2) The commission shall report its conclusions on the most cost effective and least  
28 burdensome methods of carrying out the activities described in subsection (1)(a) and (b) of  
29 this section to the interim committees of the Legislative Assembly related to higher educa-  
30 tion no later than May 31, 2016.

31       **SECTION 5.** Section 4 of this 2015 Act is repealed on July 1, 2016.

32       **SECTION 6.** (1) The requirements set forth in sections 1 to 3 of this 2015 Act first apply  
33 to the 2016-2017 academic year.

34       (2) The Higher Education Coordinating Commission and public universities listed in ORS  
35 352.002 may take any action before the 2016-2017 academic year that is necessary to enable  
36 the commission and universities to exercise, during and after the 2016-2017 academic year,  
37 all of the duties, functions and powers conferred on the commission and universities by  
38 sections 1 to 3 of this 2015 Act.

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