

SB 1563 A STAFF MEASURE SUMMARY

Carrier: Rep. Clem

House Committee On Higher Education and Workforce Development

Action Date: 02/27/18

Action: Do Pass the A-Eng bill.

Vote: 5-4-0-0

Yeas: 5 - Alonso Leon, Bynum, Clem, Reardon, Sollman

Nays: 4 - Heard, Noble, Reschke, Whisnant

Fiscal: No fiscal impact

Revenue: No revenue impact

Prepared By: Laura Kentnesse, LPRO Analyst

WHAT THE MEASURE DOES:

Removes the requirement that undocumented students apply for an official federal identification document in order to be eligible for resident tuition at public universities. Allows Oregon Health and Science University (OHSU) board to exempt undocumented students from nonresident tuition rates. Extends eligibility for scholarships and other financial aid from public universities and OHSU to undocumented students. Allows students who are not citizens or lawful permanent residents to receive scholarships, grants, and other financial aid from the Higher Education Coordinating Commission. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Legislative history regarding undocumented student access to resident tuition rates
- Undocumented student eligibility for scholarships, grants, and other financial aid
- Residency requirements
- Demonstration of intention to become a citizen or lawful permanent resident

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

In June 2012, then-Secretary of Homeland Security Janet Napolitano issued a memo outlining the United States Department of Homeland Security (DHS)'s prosecutorial discretion with respect to young people brought to the United States as children. Secretary Napolitano directed DHS to defer action against individuals who:

- came to the U.S. under the age of 16;
- had continuously resided in the U.S. for the past five years;
- were students, GED recipients, or honorably discharged veterans;
- did not pose a threat to national security or public safety; and
- were under the age of 30.

DHS began accepting applications from individuals in this category for the purpose of determining whether these individuals qualified for work authorization.

In 2013, the Oregon Legislature enacted House Bill 2787, extending resident tuition rates to students who had applied for the federal program and completed their high school diploma within certain time constraints. In 2015, the legislature removed those time constraints, and in 2017, extended the program to recipients of the state's modified diploma. The DHS deferred action program was terminated in September 2017, and the department is no longer accepting applications.

Senate Bill 1563 A would remove the state requirement that students file a federal application for an identification document in order to be eligible for resident tuition rates, and would extend eligibility for scholarships, grants, and other financial aid to undocumented students.

This Summary has not been adopted or officially endorsed by action of the committee.