

# House Bill 3117

Sponsored by Representative DEMBROW; Representatives BOONE, CLEM, KOTEK, ROBLAN, J SMITH, Senator ROSENBAUM

## 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**.

Exempts certain programs from mediation and negotiated resolution requirements for proposed publicly funded post-secondary programs that would have significant adverse impact.

## A BILL FOR AN ACT

1  
2 Relating to post-secondary education programs; amending ORS 348.603.

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

4 **SECTION 1.** ORS 348.603 is amended to read:

5 348.603. (1) The Oregon Student Assistance Commission, through the Office of Degree Authori-  
6 zation, shall:

7 (a) Authorize approved schools to offer academic degree programs;

8 (b) Authorize approved degree-granting schools to offer nondegree programs leading to a certif-  
9 icate or diploma;

10 (c) Validate claims of degree possession;

11 (d) Terminate substandard or fraudulent degree activities;

12 (e) Terminate activities of diploma mills operating in or from Oregon;

13 (f) Except as provided in subsection (4) of this section, terminate the operation in or from  
14 Oregon of post-secondary accrediting bodies that are not recognized by the United States Depart-  
15 ment of Education or by the commission; and

16 (g) Review proposed new publicly funded post-secondary programs and locations.

17 (2)(a) Following review of a proposed new publicly funded post-secondary program or location,  
18 the commission shall recommend resolution to the appropriate governing boards and mediate be-  
19 tween the boards to seek a negotiated resolution if:

20 (A) There is a detrimental duplication of programs; or

21 (B) The program or location would have a significantly adverse impact on one or more other  
22 segments of education.

23 **(b) The requirement for resolution and mediation as a result of a significant adverse  
24 impact, as described in paragraph (a)(B) of this subsection, does not apply to:**

25 **(A) A program offered by a community college to provide a certificate for a contained  
26 grouping of credits within an associate degree program or a similar certification program;  
27 or**

28 **(B) A program that provides skills or training for an occupation that the Employment  
29 Department has identified as having greater than the median number of total openings for  
30 the state or a region.**

31 *[(b)]* (c) If the boards do not resolve the issue raised under paragraph (a) of this subsection

**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 within 90 days of the date when the issue was recommended to the boards for mediation, the com-  
 2 mission shall have final authority for approval or disapproval of the program or location. If the  
 3 boards do not resolve the issue, the commission shall approve or disapprove the program or location  
 4 within 180 days of the date when the review began.

5 [(c)] (d) If the boards do not resolve the issue, the commission shall approve the program or  
 6 location if the commission finds that the program or location meets an unmet workforce need in the  
 7 state.

8 [(d)] (e) The commission shall establish by rule a fair and neutral decision-making process in  
 9 consultation with representatives designated by the State Board of Education, the State Board of  
 10 Higher Education, associations representing Oregon independent colleges, associations representing  
 11 Oregon career colleges, and the governing boards of otherwise unrepresented post-secondary  
 12 schools.

13 (3) The commission, by rule, may impose a fee on any school or person requesting information  
 14 from the commission. The amount of the fee shall be established to recover designated expenses in-  
 15 curred by the commission in carrying out the administration of ORS 348.594 to 348.615. Any fees  
 16 collected under this subsection shall be deposited in the Office of Degree Authorization Account  
 17 established under ORS 348.601.

18 (4) Subsection (1)(f) of this section does not apply to a body the role of which is to accredit  
 19 schools that offer only associate, bachelor's or master's degrees with titles in theology or religious  
 20 occupations or, if the schools also offer doctoral degrees, offer doctoral degrees only in theology or  
 21 religious occupations that have been approved by a federally recognized accrediting organization.

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