

# House Bill 3521

Sponsored by Representatives DEMBROW, WHISNANT; Representatives BARKER, DOHERTY, GELSER, HUFFMAN, JENSON, JOHNSON, KOMP, READ, Senator MONROE

## 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**.

Requires community college, when determining whether to award associate degree, to take into consideration credits earned by student at other institutions of higher education before and after student enrolled at community college. Prohibits community college from requiring student to apply for associate degree or to provide evidence of completion of certain credits.

Establishes requirements for state institutions of higher education to implement to improve ability of student to transfer from community college to institution.

Imposes reporting requirements related to transfer students.

Declares emergency, effective July 1, 2011.

## A BILL FOR AN ACT

1  
2 Relating to courses of study at community colleges; creating new provisions; amending ORS 341.465  
3 and 351.070; and declaring an emergency.

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

5 **SECTION 1.** ORS 341.465 is amended to read:

6 341.465. (1) The [*board of a district operating a community college*] **board of education of a**  
7 **community college district**, upon approval of the State Board of Education, may award certificates  
8 and associate degrees indicating satisfactory completion of a course of study offered by the com-  
9 munity college.

10 (2) **When determining if a student meets the requirements for an associate degree, a**  
11 **community college shall take into consideration any credits earned by the student at other**  
12 **institutions of higher education, whether the credits were earned before or after the student**  
13 **enrolled at the community college.**

14 (3)(a) **A community college shall award an associate degree to a student who meets the**  
15 **requirements for the degree without requiring the student to:**

16 (A) **Apply to receive the degree; or**

17 (B) **Provide evidence of credits completed at another community college in this state or**  
18 **at an institution of higher education within the Oregon University System.**

19 (b) **Nothing in paragraph (a) of this subsection prevents a community college from re-**  
20 **quiring a student to provide evidence of credits completed at another institution of higher**  
21 **education prior to awarding an associate degree if the institution is not a community college**  
22 **in this state or an institution of higher education within the Oregon University System.**

23 **SECTION 2.** ORS 341.465, as amended by section 1 of this 2011 Act, is amended to read:

24 341.465. (1) The board of education of a community college district, upon approval of the State  
25 Board of Education, may award certificates and associate degrees indicating satisfactory completion  
26 of a course of study offered by the community college. **The board of education of a community**  
27 **college district shall consult with the Oregon University System to ensure that the require-**

**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 **ments for an associate degree satisfy the provisions of this section and ORS 351.070 (3)(f) and**  
 2 **(g).**

3 (2) When determining if a student meets the requirements for an associate degree, a community  
 4 college shall take into consideration any credits earned by the student at other institutions of higher  
 5 education, whether the credits were earned before or after the student enrolled at the community  
 6 college.

7 (3)(a) A community college shall award an associate degree to a student who meets the re-  
 8 quirements for the degree without requiring the student to:

9 (A) Apply to receive the degree; or

10 (B) Provide evidence of credits completed at another community college in this state or at an  
 11 institution of higher education within the Oregon University System.

12 (b) Nothing in paragraph (a) of this subsection prevents a community college from requiring a  
 13 student to provide evidence of credits completed at another institution of higher education prior to  
 14 awarding an associate degree if the institution is not a community college in this state or an insti-  
 15 tution of higher education within the Oregon University System.

16 **SECTION 3.** ORS 351.070 is amended to read:

17 351.070. (1) The Oregon University System, in accordance with rules adopted by the State Board  
 18 of Higher Education, shall implement a personnel system and may engage in collective bargaining  
 19 with its employees. All collective bargaining with any certified or recognized exclusive employee  
 20 representative shall be under the direction and supervision of the Chancellor of the Oregon Uni-  
 21 versity System. The Oregon University System shall have payroll authority pursuant to ORS 292.043  
 22 to 292.180.

23 (2)(a) The board shall establish competitive procedures for the purchasing, procurement and  
 24 contracting of goods, services and information technology, for the benefit of the Oregon University  
 25 System and all the institutions, departments and activities therein. The board may also establish  
 26 exemptions from the competitive procedures when appropriate.

27 (b) The board shall ensure that the hourly rate of wage paid by any contractor upon all public  
 28 improvements contracts undertaken for the board shall not be less than the same rate of wage as  
 29 determined by the Bureau of Labor and Industries for an hour's work in the same trade or occupa-  
 30 tion in the locality where such labor is performed. Claims or disputes arising under this subsection  
 31 shall be decided by the Commissioner of the Bureau of Labor and Industries.

32 (c) The board shall adopt policies and procedures that achieve results equal to or better than  
 33 the standards existing on July 17, 1995, regarding affirmative action, pay equity for comparable  
 34 work, recycling, the provision of workers' compensation insurance to workers on contract and the  
 35 participation of emerging small businesses and businesses owned by minorities and women.

36 (3) The board may, for each institution under its control:

37 (a) Appoint and employ a president and the requisite number of professors, teachers and em-  
 38 ployees, and prescribe their compensation and tenure of office or employment.

39 (b) Demand and receive the interest mentioned in ORS 352.510 and all sums due and accruing  
 40 to the institutions of higher education for admission and tuition therein, and apply the same, or so  
 41 much thereof as is necessary, to the payment of the compensation referred to in paragraph (a) of this  
 42 subsection and the other current expenses of the institutions.

43 (c) Prescribe fees for enrollment into the institutions. Such enrollment fees shall include tuition  
 44 for education and general services and such other charges found by the board to be necessary to  
 45 carry out its educational programs. The board may award student aid from any fund other than the

1 General Fund.

2 (d) Prescribe incidental fees for programs under the supervision or control of the board found  
3 by the board, upon its own motion or upon recommendation of the recognized student government  
4 of the institution concerned, to be advantageous to the cultural or physical development of students.  
5 Fees realized in excess of amounts allocated and exceeding required reserves shall be considered  
6 surplus incidental fees and shall be allocated for programs under the control of the board and found  
7 to be advantageous to the cultural or physical development of students by the institution president  
8 upon the recommendation of the recognized student government at the institution concerned.

9 (e) Upon recommendation of the recognized student government, collect optional fees authorized  
10 by the institution executive, for student activities not included in paragraph (c) or (d) of this sub-  
11 section. The payment of such optional fees shall be at the option and selection of the student and  
12 shall not be a prerequisite of enrollment.

13 (f) Confer, on the recommendation of the faculty of any such institution, such degrees as usually  
14 are conferred by such institutions, or as they deem appropriate. **The requirements for a**  
15 **baccalaureate degree may not require a student to complete more than 90 quarter credits,**  
16 **or the equivalent, to receive the degree if the student has an associate degree from a com-**  
17 **munity college of this state or require a student to complete more than 135 quarter credits,**  
18 **or the equivalent, to receive the degree if the student completed at a community college of**  
19 **this state a one-year program designed for students to transfer the credits from the program**  
20 **towards a higher degree. The requirements of this paragraph do not apply to programs of**  
21 **study identified by the Joint Boards of Education as being ineligible for limitations on the**  
22 **number of required credits as provided by this paragraph.**

23 (g) Prescribe the qualifications for admission into such institutions. **The qualifications must**  
24 **guarantee admission, to the extent that space is available and an applicant meets other ad-**  
25 **mission qualifications of an institution, for an applicant who has received an associate degree**  
26 **from a community college of this state.**

27 (4) Subject to such delegation as the board may decide to make to the institutions, divisions and  
28 departments under its control, the board, for each institution, division and department under its  
29 control:

30 (a) Shall supervise the general course of instruction therein, and the research, extension, edu-  
31 cational and other activities thereof.

32 (b) Shall adopt rules and bylaws for the government thereof, including the faculty, teachers,  
33 students and employees therein.

34 (c) Shall maintain cultural and physical development services and facilities therefor and, in  
35 connection therewith, may cooperate and enter into agreements with any person or governmental  
36 agency.

37 (d) May contract to provide health services at student health centers.

38 (e) Shall provide health services at student health centers to students.

39 (f) May provide health services at student health centers to any of the following:

40 (A) Dependents of students.

41 (B) Staff.

42 (C) Faculty.

43 (g) Shall prescribe and collect charges.

44 (h) Shall adopt rules relating to the creation, use, custody and disclosure, including access, of  
45 student education records of the institutions that are consistent with the requirements of applicable

1 state and federal law. Whenever a student has attained 18 years of age or is attending an institution  
 2 of post-secondary education, the permission or consent required of and the rights accorded to a  
 3 parent of the student regarding education records shall thereafter be required of and accorded to  
 4 only the student.

5 (5) For each institution under its jurisdiction, the board shall provide opportunities for part-time  
 6 students to obtain complete undergraduate degrees at unconventional times, which include but are  
 7 not limited to early morning and noon hours, evenings and weekends. In administering these degree  
 8 programs, the institution may use any educational facility available for the use of the institution.

9 (6) For all institutions of higher education listed in ORS 352.002, the board shall, no later than  
 10 October 1, 2010, and to the extent feasible and cost beneficial, develop and begin implementation  
 11 of a common admissions process that permits applicants to be considered for admission to more than  
 12 one institution.

13 **SECTION 4. (1) The amendments to ORS 341.465 and 351.070 by sections 2 and 3 of this**  
 14 **2011 Act take effect July 1, 2013.**

15 **(2) The amendments to ORS 341.465 and 351.070 by sections 2 and 3 of this 2011 Act first**  
 16 **apply to the 2013-2014 school year.**

17 **SECTION 5. The Joint Boards of Education shall annually submit to the House and Sen-**  
 18 **ate committees relating to education or the interim committees relating to education, as**  
 19 **appropriate, a report related to the ability of students to transfer between community col-**  
 20 **leges of this state and state institutions of higher education. The report shall include:**

21 **(1) The number of students who transferred between a community college and a state**  
 22 **institution of higher education, in relation to each community college or institution.**

23 **(2) The number of students who transferred to a state institution of higher education**  
 24 **from a community college who had an associate degree or who had completed a one-year**  
 25 **program designed for students to transfer the credits from the program towards a higher**  
 26 **degree.**

27 **(3) The average number of credits a student transferred from a community college to a**  
 28 **state institution of higher education.**

29 **(4) The average number of credits students receiving an associate degree had earned at**  
 30 **a community college.**

31 **(5) The average number of total credits a transfer student needed to complete a**  
 32 **baccalaureate degree, as compared to the average number of total credits a student who had**  
 33 **not transferred needed.**

34 **SECTION 6. The report required to be submitted as provided by section 5 of this 2011**  
 35 **Act must first be submitted by October 1, 2012.**

36 **SECTION 7. This 2011 Act being necessary for the immediate preservation of the public**  
 37 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**  
 38 **July 1, 2011.**