

Enrolled
House Bill 3341

Sponsored by Representatives DEMBROW, MCKEOWN, VEGA PEDERSON; Senator STEINER HAYWARD

CHAPTER

AN ACT

Relating to authorizing new courses in higher education; amending ORS 348.603; repealing ORS 348.611; and declaring an emergency.

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

SECTION 1. ORS 348.611 is repealed.

SECTION 2. ORS 348.603 is amended to read:

348.603. (1) The Higher Education Coordinating Commission shall:

- (a) Authorize approved schools to offer academic degree programs;
- (b) Authorize approved degree-granting schools to offer nondegree programs leading to a certificate or diploma;
- (c) Validate claims of degree possession;
- (d) Terminate substandard or fraudulent degree activities;
- (e) Terminate activities of diploma mills operating in or from Oregon;
- (f) Except as provided in subsection (4) of this section, terminate the operation in or from Oregon of post-secondary accrediting bodies that are not recognized by the United States Department of Education or by the commission; and
- (g) Review proposed new publicly funded post-secondary programs and locations.

(2)(a) Following review of a proposed new publicly funded post-secondary program or location [*that is not a career pathways certificate of completion program described in ORS 348.611*], the commission shall recommend resolution to the appropriate governing boards and mediate between the boards to seek a negotiated resolution if:

- (A) There is a detrimental duplication of programs; or
 - (B) The program or location would have a significantly adverse impact on one or more other segments of education.
- (b) If the boards do not resolve the issue raised under paragraph (a) of this subsection within 90 days of the date when the issue was recommended to the boards for mediation, the commission shall have final authority for approval or disapproval of the program or location. If the boards do not resolve the issue, the commission shall approve or disapprove the program or location within 180 days of the date when the review began.

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

(d) The commission shall establish by rule a fair and neutral decision-making process in consultation with representatives designated by the State Board of Education, the State Board of Higher Education, associations representing Oregon independent colleges, associations representing

Oregon career colleges, and the governing boards of otherwise unrepresented post-secondary schools.

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

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

SECTION 3. This 2013 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect on its passage.

Passed by House April 25, 2013

Received by Governor:

Repassed by House May 23, 2013

.....M.,....., 2013

Approved:

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Ramona J. Line, Chief Clerk of House

.....M.,....., 2013

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Tina Kotek, Speaker of House

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John Kitzhaber, Governor

Passed by Senate May 21, 2013

Filed in Office of Secretary of State:

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Peter Courtney, President of Senate

.....M.,....., 2013

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Kate Brown, Secretary of State