

B-Engrossed
House Bill 3341

Ordered by the Senate May 16
Including House Amendments dated April 19 and Senate Amendments
dated May 16

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

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.

[Exempts public universities and] **Repeals requirement that** community colleges *[from requirement to]* enter into agreement with for-profit institutions of higher education before implementing potentially duplicative new post-secondary programs.

[Directs Higher Education Coordinating Commission to report to Seventy-eighth Legislative Assembly on methods to avoid duplication of facilities and to leverage public and private education facilities and faculty resources in state post-secondary education system.]

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to authorizing new courses in higher education; amending ORS 348.603; repealing ORS
3 348.611; and declaring an emergency.

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

5 **SECTION 1. ORS 348.611 is repealed.**

6 **SECTION 2.** ORS 348.603 is amended to read:

7 348.603. (1) The Higher Education Coordinating Commission shall:

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

9 (b) Authorize approved degree-granting schools to offer nondegree programs leading to a certifi-
10 cate or diploma;

11 (c) Validate claims of degree possession;

12 (d) Terminate substandard or fraudulent degree activities;

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

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

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

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

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

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

25 (b) If the boards do not resolve the issue raised under paragraph (a) of this subsection within

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

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

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

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

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

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