

Enrolled Senate Bill 102

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor John A. Kitzhaber, M.D., for Oregon Student Access Commission)

CHAPTER

AN ACT

Relating to education fees; amending ORS 348.606 and 348.607; and declaring an emergency.

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

SECTION 1. ORS 348.606 is amended to read:

348.606. (1) A school may not confer or offer to confer any academic degree upon a person, or provide services purporting to lead to a degree in whole or in part, without first obtaining approval from the Higher Education Coordinating Commission. The commission shall adopt by rule standards and procedures for the approval of schools.

(2)(a) The commission, by rule, may impose [a fee] **fees** on any school applying for approval to confer or offer to confer a degree upon a person or to provide academic credit applicable to a degree. [The] **Any fee imposed under this section** is nonrefundable.

(b) The amount of [the fee shall be] **each fee in this section** is established to recover designated expenses incurred by the commission in carrying out the administration of ORS 348.594 to 348.615, and may not exceed the [following] amounts **specified in this section** adjusted for inflation annually, beginning on July 1, [2007] **2012**, pursuant to the increase, if any, from the preceding year in the U.S. City Average Consumer Price Index for All Urban Consumers (All Items) as published by the Bureau of Labor Statistics of the United States Department of Labor[:].

[A] For a doctoral degree, \$5,500.]

[B] For a master's degree, \$4,150.]

[C] For a bachelor's degree, \$4,150.]

[D] For an associate degree, \$2,750.]

[E] For a certificate or for any partial degree program, \$1,000.]

(3) For periodic review of a school's general administrative and academic operations, and continued oversight and support of the school, the commission may impose the following fee on each school, to be paid biennially:

(a) \$2,000 for a full review and oversight of a school with a complex organizational structure.

(b) \$1,000 for a full review and oversight of a school wholly administered and governed at a single campus in this state.

(4) For periodic evaluation of academic programs offered by schools subject to continued oversight, the commission may impose the following fees per program for the following degrees or certificates:

- (a) \$2,000 for a nondegree certificate.
- (b) \$3,000 for an associate degree.
- (c) \$4,000 for a bachelor's degree, master's degree or doctoral degree.
- (5) In addition to the base fees described in subsections (3) and (4) of this section:
 - (a) The commission may impose a fee of not more than \$500 for a change in program, based on the scope and complexity of the proposed program change.
 - (b) For review of qualifications of staff prior to hiring, the commission may impose a fee of:
 - (A) Not more than \$50 for each new instructor.
 - (B) Not more than \$100 for each new administrator or senior academic staff person.
- [(c)] (6) In addition to the [base fee] fees described in [paragraph (b) of this subsection] subsections (3) to (5) of this section, the commission may assess:
 - (a) The actual costs related to the use of experts to evaluate programs leading to professional licensure by the state, if such costs exceed 10 percent of the base [fee] fees.
 - (b) Costs associated with travel expenses for:
 - (A) Schools subject to review and oversight under subsection (3) of this section; or
 - (B) Schools located outside this state that seek authorization to offer degrees without accreditation to residents of this state.
- [(d)] (7) Any fees collected under this [subsection] section shall be deposited in the Degree Authorization Account established under ORS 348.601.

SECTION 2. ORS 348.607 is amended to read:

348.607. (1)(a) The Higher Education Coordinating Commission may[, by rule,] impose a fee on a school that applies for an exemption under ORS 348.604. [The amount of the fee may not exceed the lesser of:]

[(a)] (b) **The amount of the fee may not exceed** the actual cost to the commission of determining the school's compliance with the requirements for an exemption under ORS 348.604[; or], **and may not exceed \$1,000.**

[(b) Fifty percent of the fee that the commission would impose on the school under ORS 348.606 (2) if the school were applying for approval to offer a bachelor's degree.]

(2) Except as provided in ORS 348.604 or 348.608 or section 6, chapter 546, Oregon Laws 2005, the commission may not impose requirements for a religious exemption from ORS 348.594 to 348.615.

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 Senate June 19, 2013

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Robert Taylor, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House June 24, 2013

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Tina Kotek, Speaker of House

Received by Governor:

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

Approved:

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

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

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

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Kate Brown, Secretary of State