

HOUSE AMENDMENTS TO HOUSE BILL 2870

By COMMITTEE ON HIGHER EDUCATION, INNOVATION, AND WORKFORCE
DEVELOPMENT

April 23

1 In line 2 of the printed bill, delete “and declaring an emergency” and insert “amending ORS
2 351.735”.

3 Delete lines 4 through 11 and insert:

4 “**SECTION 1.** ORS 351.735, as amended by section 2, chapter 83, Oregon Laws 2014, and section
5 1, chapter 113, Oregon Laws 2014, is amended to read:

6 “351.735. (1) As used in this section, ‘student access programs’ means scholarship, loan, grant
7 and access programs described in ORS chapter 348.

8 “(2) The Higher Education Coordinating Commission shall be guided by the legislative findings
9 in ORS 341.009, 351.001 and 351.003 and the goals and mission of post-secondary education set forth
10 in ORS 351.006 and 351.009.

11 “(3) The Higher Education Coordinating Commission shall:

12 “(a) Advise and assist the Oregon Education Investment Board on:

13 “(A) State goals and associated achievement compacts for the state post-secondary education
14 system, including community colleges and public universities listed in ORS 352.002, and for student
15 access programs.

16 “(B) Strategic investments in the state’s community colleges, public universities and student
17 access programs necessary to achieve state post-secondary education goals.

18 “(C) Coordination of the post-secondary elements of data collection and structure, with the ad-
19 vice and recommendation of the state’s independent institutions, community colleges and public
20 universities, as appropriate, in order to assist the Oregon Education Investment Board in the con-
21 struction of a state longitudinal data system, as authorized by law.

22 “(b) Adopt a strategic plan for achieving state post-secondary education goals, taking into con-
23 sideration the contributions of this state’s independent institutions, philanthropic organizations and
24 other organizations dedicated to helping Oregonians reach state goals. State post-secondary educa-
25 tion goals as described in this section should include, but need not be limited to:

26 “(A) Increasing the educational attainment of the population;

27 “(B) Increasing this state’s global economic competitiveness and the quality of life of its resi-
28 dents;

29 “(C) Ensuring affordable access for qualified Oregon students at each college or public univer-
30 sity;

31 “(D) Removing barriers to on-time completion; and

32 “(E) Tracking progress toward meeting the state’s post-secondary education goals established in
33 the strategic plan described in this paragraph.

34 “(c)(A) Each biennium, after receiving funding requests from the state’s community colleges and
35 public universities as authorized by law, recommend to the Governor and the Oregon Education

1 Investment Board a consolidated higher education budget request aligned with the strategic plan
2 described in subsection (3)(b) of this section, including appropriations for:

3 “(i) Student access programs;

4 “(ii) Public universities listed in ORS 352.002, including but not limited to education and general
5 operations, statewide public services and state-funded debt service;

6 “(iii) Community colleges, including but not limited to education and general operations and
7 state-funded debt service;

8 “(iv) New facilities or programs;

9 “(v) Capital improvements and deferred maintenance; and

10 “(vi) Special initiatives and investments.

11 “(B) In the development of the consolidated higher education budget request:

12 “(i) Determine the costs necessary to provide quality post-secondary education;

13 “(ii) Solicit input from educators, education policy experts, appropriate legislative committees,
14 students and other persons interested in the development of the funding model; and

15 “(iii) Solicit public input regarding educational priorities.

16 “(d) Adopt rules governing the distribution of appropriations from the Legislative Assembly to
17 community colleges, public universities listed in ORS 352.002 and student access programs. These
18 rules must be based on allocation formulas developed in consultation with the state’s community
19 colleges and public universities, as appropriate.

20 “(e) Approve or disapprove any significant change to the academic program of a community
21 college or a public university listed in ORS 352.002. In reaching a decision under this paragraph, the
22 commission shall consider the recommendation from the community college or public university
23 seeking to make the change to an academic program that is issued pursuant to the obligation of the
24 governing board of a community college or public university to review and approve academic pro-
25 grams. The commission shall ensure that approved programs:

26 “(A) Are consistent with the mission statement of the community college or public university;

27 “(B) Do not unnecessarily duplicate academic programs offered by Oregon’s other community
28 colleges or public universities;

29 “(C) Are not located in a geographic area that will cause undue hardship to Oregon’s other
30 community colleges or public universities; and

31 “(D) Are allocated among Oregon’s community colleges and public universities to maximize the
32 achievement of statewide needs and requirements.

33 “(f) For public universities listed in ORS 352.002:

34 “(A) Approve the mission statement adopted by a governing board of a public university or by
35 the State Board of Higher Education.

36 “(B) Review and determine whether a proposed annual increase of resident undergraduate en-
37 rollment fees, as described in ORS 351.063, of greater than five percent is appropriate.

38 “(C) Advise the Governor and the Legislative Assembly on issues of university governance.

39 “(D) Approve and authorize degrees.

40 “(g) Authorize degrees to be offered by independent post-secondary institutions in this state
41 under ORS 348.594 to 348.615.

42 “(h) Oversee the licensing of career schools under ORS 345.010 to 345.450.

43 “(i) Have the authority to enter into and administer interstate agreements regarding the pro-
44 vision of post-secondary distance education. The participation by an educational institution that is
45 not based in this state in distance learning courses or programs that are part of an interstate

1 agreement entered into and administered under this paragraph does not constitute operating in this
2 state for purposes of ORS 348.594 to 348.615. The commission, by rule, may impose a fee on any
3 educational institution that seeks to operate under or participate in such interstate agreements. The
4 fee amount shall be established to recover designated expenses incurred by the commission in par-
5 ticipating in such agreements.

6 **“(j) With respect to independent nonprofit post-secondary institutions of education that
7 are exempt from ORS 348.594 to 348.615 under ORS 348.604:**

8 **“(A) Have the authority to enter into a contract with the institution to review and act
9 on complaints filed against the institution; and**

10 **“(B) Adopt rules governing the resolution of complaints filed against the institution.**

11 **“(4) In addition to the duties described in subsections (2) and (3) of this section, the Higher
12 Education Coordinating Commission shall advise the Legislative Assembly, the Governor, community
13 colleges, public universities and other state boards and commissions on policies in order to:**

14 **“(a) Ensure or improve access to higher education by diverse and underserved populations.**

15 **“(b) Encourage student success and completion initiatives.**

16 **“(c) Improve the coordination of the provision of educational services, including:**

17 **“(A) Transfers and coenrollment throughout the higher education system;**

18 **“(B) Accelerated college credit programs for high school students;**

19 **“(C) Applied baccalaureate and other transfer degrees;**

20 **“(D) Programs and grants that span multiple institutions; and**

21 **“(E) Reciprocity agreements with other states.**

22 **“(d) In coordination with the State Board of Education, enhance the use and quality of dual
23 credit, career and technical pathways and efforts to create a culture of college attendance in this
24 state.**

25 **“(e) In coordination with the State Workforce Investment Board, local workforce investment
26 boards, the Oregon Health and Science University and independent institutions, ensure that the
27 state’s colleges and universities offer programs in high-demand occupations that meet Oregon’s
28 workforce needs.**

29 **“(f) Improve economies of scale by encouraging and facilitating the use of the shared services
30 among post-secondary institutions in this state.**

31 **“(5) The Higher Education Coordinating Commission, in a manner consistent with ORS chapter
32 183, may adopt administrative rules.**

33 **“(6) With the exception of the rulemaking authority granted in subsection (5) of this section, the
34 Higher Education Coordinating Commission may delegate any of its powers, duties or functions to
35 a committee of the commission or to the executive director of the commission.**

36 **“(7) The Higher Education Coordinating Commission may establish technical or advisory com-
37 mittees to assist the commission in exercising its powers, duties and functions.**

38 **“(8) The Higher Education Coordinating Commission may exercise only powers, duties and
39 functions expressly granted by the Legislative Assembly. Except as otherwise expressly provided by
40 law, all other authorities reside at the institutional level with the respective boards of the post-
41 secondary institutions.**

42 **“SECTION 2. ORS 351.735, as amended by section 2, chapter 83, Oregon Laws 2014, and
43 sections 1 and 2, chapter 113, Oregon Laws 2014, is amended to read:**

44 **“351.735. (1) As used in this section, ‘student access programs’ means scholarship, loan, grant
45 and access programs described in ORS chapter 348.**

1 “(2) The Higher Education Coordinating Commission shall be guided by the legislative findings
2 in ORS 341.009, 351.001 and 351.003 and the goals and mission of post-secondary education set forth
3 in ORS 351.006 and 351.009.

4 “(3) The Higher Education Coordinating Commission shall:

5 “(a) Develop state goals and associated achievement compacts for the state post-secondary edu-
6 cation system, including community colleges and public universities listed in ORS 352.002, and for
7 student access programs.

8 “(b) Determine strategic investments in the state’s community colleges, public universities and
9 student access programs necessary to achieve state post-secondary education goals.

10 “(c) Coordinate the post-secondary elements of data collection and structure, with the advice
11 and recommendation of the state’s independent institutions, community colleges and public univer-
12 sities, as appropriate, in order to construct a state longitudinal data system.

13 “(d) Adopt a strategic plan for achieving state post-secondary education goals, taking into con-
14 sideration the contributions of this state’s independent institutions, philanthropic organizations and
15 other organizations dedicated to helping Oregonians reach state goals. State post-secondary educa-
16 tion goals as described in this section should include, but need not be limited to:

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19 dents;

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21 sity;

22 “(D) Removing barriers to on-time completion; and

23 “(E) Tracking progress toward meeting the state’s post-secondary education goals established in
24 the strategic plan described in this paragraph.

25 “(e)(A) Each biennium, after receiving funding requests from the state’s community colleges and
26 public universities as authorized by law, recommend to the Governor a consolidated higher educa-
27 tion budget request aligned with the strategic plan described in subsection (3)(d) of this section, in-
28 cluding appropriations for:

29 “(i) Student access programs;

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31 operations, statewide public services and state-funded debt service;

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33 state-funded debt service;

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44 rules must be based on allocation formulas developed in consultation with the state’s community
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2 college or a public university listed in ORS 352.002. In reaching a decision under this paragraph, the
3 commission shall consider the recommendation from the community college or public university
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30 fee amount shall be established to recover designated expenses incurred by the commission in par-
31 ticipating in such agreements.

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