

Senate Bill 215

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 Education Investment Board)

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**.

Removes sunset on Oregon Education Investment Board.
Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to the Oregon Education Investment Board; amending ORS 326.021, 326.300, 326.425,
3 326.500, 327.380, 327.800, 327.810, 327.815, 327.820, 342.208, 342.443, 342.950, 351.075, 351.663,
4 351.725, 351.735, 351.762, 417.796 and 417.847 and section 10, chapter 519, Oregon Laws 2011,
5 sections 13 and 22c, chapter 36, Oregon Laws 2012, sections 9 and 24, chapter 37, Oregon Laws
6 2012, section 3, chapter 85, Oregon Laws 2014, and section 3, chapter 113, Oregon Laws 2014;
7 repealing sections 7, 8, 9 and 10, chapter 85, Oregon Laws 2014; and declaring an emergency.

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

8
9 **SECTION 1.** Section 10, chapter 519, Oregon Laws 2011, as amended by section 1, chapter 37,
10 Oregon Laws 2012, section 5, chapter 286, Oregon Laws 2013, section 89, chapter 624, Oregon Laws
11 2013, section 9, chapter 660, Oregon Laws 2013, section 3, chapter 661, Oregon Laws 2013, section
12 5, chapter 739, Oregon Laws 2013, section 194, chapter 747, Oregon Laws 2013, and section 6,
13 chapter 778, Oregon Laws 2013, is amended to read:

14 **Sec. 10.** (1) Sections [1, 2, 3, 5 and 7] **5, 6, 7, 11 and 12**, chapter 519, Oregon Laws 2011, are
15 repealed [on March 15, 2016].

16 (2) The amendments to [section 2 of this 2013 Act] **ORS 342.208** by section 4, **chapter 286,**
17 **Oregon Laws 2013**, [of this 2013 Act] become operative on [March 15, 2016] **the effective date of**
18 **this 2015 Act.**

19 (3) The amendments to ORS 326.021 by section 88, **chapter 624, Oregon Laws 2013**, [of this 2013
20 Act] become operative on [March 15, 2016] **the effective date of this 2015 Act.**

21 (4) The amendments to [sections 1, 2, 3 and 4 of this 2013 Act] **ORS 327.800, 327.810, 327.815**
22 **and 327.820** by sections 5, 6, 7 and 8, **chapter 660, Oregon Laws 2013**, [of this 2013 Act] become
23 operative on [March 15, 2016] **the effective date of this 2015 Act.**

24 (5) The amendments to [section 1 of this 2013 Act] **ORS 342.950** by section 2, **chapter 661,**
25 **Oregon Laws 2013**, [of this 2013 Act] become operative on [March 15, 2016] **the effective date of**
26 **this 2015 Act.**

27 (6) The amendments to [section 1 of this 2013 Act] **ORS 326.500** by section 4, **chapter 739,**
28 **Oregon Laws 2013**, [of this 2013 Act] become operative on [March 15, 2016] **the effective date of**
29 **this 2015 Act.**

30 (7) The amendments to [section 7 of this 2013 Act] **ORS 327.380** by section 8, **chapter 739,**

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 **Oregon Laws 2013**, [of this 2013 Act] become operative on [March 15, 2016] **the effective date of**
 2 **this 2015 Act.**

3 (8) The amendments to ORS 342.443 by section 5, **chapter 778, Oregon Laws 2013**, [of this 2013
 4 Act] become operative on [March 15, 2016] **the effective date of this 2015 Act.**

5 (9) The amendments to [section 1 of this 2013 Act] **ORS 326.500** by section 6, **chapter 739,**
 6 **Oregon Laws 2013**, [of this 2013 Act] become operative on July 1, 2025.

7 **SECTION 2.** ORS 342.208, as amended by section 4, chapter 286, Oregon Laws 2013, is amended
 8 to read:

9 342.208. (1) The [State Board of Education] **Oregon Education Investment Board** shall develop
 10 model career pathways for educational assistants, as defined in ORS 342.120, to become licensed
 11 teachers. The model career pathways must take into consideration the skills and experience attained
 12 by an educational assistant.

13 (2) The model career pathways must identify:

14 (a) The minimum requirements for an educational assistant to participate in a career pathway,
 15 including the requirement that the educational assistant have attained at least an associate degree
 16 and be currently employed by a school district or an education service district.

17 (b) Guidelines for school districts, education service districts and institutions of higher educa-
 18 tion to collaborate to assist an educational assistant who is participating in a career pathway.

19 **SECTION 3.** ORS 326.021, as amended by section 88, chapter 624, Oregon Laws 2013, is
 20 amended to read:

21 326.021. (1) The State Board of Education shall consist of:

22 (a) The State Treasurer, or the designee of the State Treasurer;

23 (b) The Secretary of State, or the designee of the Secretary of State; [and]

24 (c) **One member of the Oregon Education Investment Board; and**

25 [(c)] (d) [Seven] **Six** members, appointed by the Governor for a term of four years beginning July
 26 1 of the year of appointment, subject to confirmation by the Senate in the manner provided in ORS
 27 171.562 and 171.565. A person appointed under this paragraph may not be appointed to serve con-
 28 secutively more than two full terms as a board member.

29 (2) In making appointments under subsection (1) of this section, the Governor shall select from
 30 residents of Oregon one member from each congressional district and [two members] **one member**
 31 from the state at large. An appointed member may not be engaged in teaching or participate in the
 32 administration or operation of any school.

33 (3) The Governor may remove appointed members of the State Board of Education for cause at
 34 any time after notice and public hearing.

35 (4) The State Treasurer and the Secretary of State, or the designee of the State Treasurer or
 36 Secretary of State, are nonvoting, ex officio members of the board.

37 **SECTION 4.** ORS 327.800, as amended by section 5, chapter 660, Oregon Laws 2013, is amended
 38 to read:

39 327.800. (1) The [State Board of Education] **Oregon Education Investment Board** shall design
 40 and implement programs that make strategic investments to:

41 (a) Advance the educational goals of this state, as described in ORS 351.009;

42 (b) Improve the employability of graduates from Oregon public schools;

43 (c) Close the achievement gap that exists between historically underserved student groups, as
 44 defined by the board by rule;

45 (d) Assist public education in all regions of this state;

1 (e) Promote collaboration and alignment among early childhood service providers, school dis-
2 tricts, community colleges, public universities and employers;

3 (f) Leverage private, public and community resources;

4 (g) Engage parents and child care providers, support families and motivate students;

5 (h) Develop and disseminate evidence-based models and best practices that are likely to improve
6 student outcomes;

7 (i) Collect data to monitor student progress; and

8 (j) Establish networks that allow for the replication of successful practices across this state.

9 (2) The distribution and administration of all moneys that are used for strategic investments
10 made as provided by this section and ORS 327.810, 327.815 and 327.820 must be guided by the pur-
11 poses described in subsection (1) of this section.

12 (3) Any recipient of moneys distributed as a strategic investment must provide separate ac-
13 counting for the moneys and may use the moneys only for the purpose for which the moneys are
14 provided.

15 (4)(a) The board shall establish requirements for the programs implemented under this section
16 that are consistent with this section and with ORS 327.810, 327.815 and 327.820.

17 (b) The board shall develop timelines, performance measures and other requirements related to
18 the accumulation and evaluation of data collected in relation to a program that receives moneys as
19 a strategic investment. The performance measures shall include progress toward the goals estab-
20 lished in ORS 351.009 and other key student education outcomes established by the board.

21 (5) The State Board of Education, the Oregon Student Access Commission, [*and*] the Oregon
22 Arts Commission **and the Oregon Education Investment Board** may adopt any rules necessary
23 for the agencies they oversee to perform any of the duties assigned to them under this section. Any
24 rules adopted by **the State Board of Education**, the Oregon Student Access Commission or the
25 Oregon Arts Commission must be consistent with this section and actions taken by the [*State Board*
26 *of Education*] **Oregon Education Investment Board** to implement this section.

27 **SECTION 5.** ORS 327.810, as amended by section 6, chapter 660, Oregon Laws 2013, is amended
28 to read:

29 327.810. (1) The [*State Board of Education*] **Oregon Education Investment Board** shall estab-
30 lish the Oregon Early Reading Program to:

31 (a) Improve the readiness of children preparing to enter into kindergarten; and

32 (b) Improve the reading proficiency of students by the time the students complete the third
33 grade.

34 (2) To accomplish the purposes of the Oregon Early Reading Program, moneys shall be distrib-
35 uted for strategic investments that advance at least one of the following missions:

36 (a) Encouraging early reading and involving parents, child care providers and the community in
37 ensuring that children have an early start at reading.

38 (b) Expanding the amount of time spent reading, adult support, the availability of reading ma-
39 terials, cultural relevance and the level of enjoyment that literacy brings.

40 (c) Providing differentiated instruction to assist students with reading in early grades.

41 (3) Strategic investment moneys distributed as provided by this section shall be as follows:

42 (a) To the Early Learning Council for the purposes of:

43 (A) Creating materials and curriculum that promote early literacy; and

44 (B) Distributing moneys to libraries, providers of early childhood services, nonprofit organiza-
45 tions, school districts and public schools to provide families and child care providers with the re-

1 sources necessary to encourage reading at home or to expand access to libraries.

2 (b) To the Department of Education for the purposes of:

3 (A) Extending or expanding reading opportunities in public schools that meet criteria estab-
4 lished by the **Oregon Education Investment Board** by providing adult support, programs offered
5 during nonschool hours or increased access to technology; and

6 (B) Increasing the number of school districts that participate in a network in this state that is
7 designed to support school districts in implementing high-quality reading instruction and protocols
8 that identify, support and serve students who are at risk for not reading at grade level early and
9 effectively.

10 (c) To the [*State Board of Education*] **Oregon Education Investment Board** to develop a
11 statewide approach to early reading awareness.

12 (d) To the State Library to expand the Ready to Read program.

13 **SECTION 6.** ORS 327.815, as amended by section 7, chapter 660, Oregon Laws 2013, is amended
14 to read:

15 327.815. (1) The [*State Board of Education*] **Oregon Education Investment Board** shall estab-
16 lish the Guidance and Support for Post-Secondary Aspirations Program to:

17 (a) Increase the number of students in the ninth grade who are making satisfactory progress
18 toward a high school diploma, a modified diploma or an extended diploma; and

19 (b) Increase the number of students who earn a high school diploma, a modified diploma or an
20 extended diploma and who enroll in a post-secondary institution of higher education.

21 (2) To accomplish the purposes of the Guidance and Support for Post-Secondary Aspirations
22 Program, moneys shall be distributed for strategic investments that advance at least one of the fol-
23 lowing missions:

24 (a) Supporting comprehensive systems of monitoring and support for struggling students.

25 (b) Ensuring that middle and high school students who had not considered enrolling in post-
26 secondary education are directed toward, and able to access, post-secondary education opportunities
27 that match their interests and abilities.

28 (3) Strategic investment moneys distributed as provided by this section shall be as follows:

29 (a) To the Oregon Student Access Commission for the purposes of supporting an expansion of
30 Access to Student Assistance Programs in Reach of Everyone (ASPIRE) in public middle schools,
31 public high schools and community-based sites across this state.

32 (b) To the Department of Education for the purposes of:

33 (A) Distributing moneys to school districts and nonprofit organizations to implement compre-
34 hensive systems for monitoring progress and providing individualized planning, mentoring, tutoring
35 or other support services to students in grades 6 through 10 who are not making satisfactory
36 progress toward a high school diploma, a modified diploma or an extended diploma.

37 (B) Creating a scholarship fund aimed at increasing access for underserved students to post-
38 secondary institutions by paying for first-year college courses or accelerated college credit pro-
39 grams.

40 (c) To the Department of Community Colleges and Workforce Development for the purpose of
41 distributing moneys to school districts, public schools, post-secondary institutions and nonprofit or-
42 ganizations to educate and engage underserved or first-generation college-bound students and their
43 families through counseling programs, parent advocacy, parent education, college visits, college ini-
44 tiatives and assistance with obtaining financial aid.

45 **SECTION 7.** ORS 327.820, as amended by section 8, chapter 660, Oregon Laws 2013, is amended

1 to read:

2 327.820. (1) The [*State Board of Education*] **Oregon Education Investment Board** shall estab-
3 lish the Connecting to the World of Work Program to:

- 4 (a) Increase students' proficiency in science, technology, engineering and mathematics; and
5 (b) Connect students to the world of work.

6 (2) To accomplish the purposes of the Connecting to the World of Work Program, moneys shall
7 be distributed for strategic investments that advance the following missions:

8 (a) Collaborating with other public entities to develop and implement a long-term strategy that
9 advances state educational goals related to science, technology, engineering and mathematics.

10 (b) Providing investments in programs that engage underserved students in science, technology,
11 engineering or mathematics or in career and technical education.

12 (c) Developing consortiums of school districts and post-secondary institutions of higher educa-
13 tion committed to developing innovative and flexible pathways for students in grades 6 through 12
14 and in community colleges.

15 (3) Strategic investment moneys distributed as provided by this section shall be as follows:

16 (a) To the Department of Education for the purposes of:

17 (A) Distributing moneys to school districts, post-secondary institutions and nonprofit organiza-
18 tions to create regional networks, or expand upon existing regional networks, to support science,
19 technology, engineering and mathematics and career and technical education.

20 (B) Distributing moneys to school districts, public schools, post-secondary institutions and
21 nonprofit organizations to develop public schools focused on science, technology, engineering and
22 mathematics and arts-related industries to serve middle school, high school and community college
23 students.

24 (C) Distributing moneys to school districts, public schools, post-secondary institutions and
25 nonprofit organizations to increase learning opportunities in science, technology, engineering and
26 mathematics, the arts and career and technical education.

27 (D) Distributing moneys to consortiums that include at least three school districts, at least one
28 education service district, at least one community college and at least one public or private post-
29 secondary institution to design and deliver individualized, innovative and flexible ways of delivering
30 content, awarding high school and college credit and providing development education for students
31 in high school or in the first two years of post-secondary education.

32 (b) To the Oregon Arts Commission for the purpose of distributing moneys to school districts,
33 public schools, post-secondary institutions and nonprofit organizations to increase opportunities for
34 students to connect with the arts and arts-related industries.

35 **SECTION 8.** ORS 342.950, as amended by section 2, chapter 661, Oregon Laws 2013, is amended
36 to read:

37 342.950. (1) The Network of Quality Teaching and Learning is established. The network consists
38 of **the Oregon Education Investment Board**, the Department of Education and public and private
39 entities that receive funding as provided by this section to accomplish the purposes of the network
40 described in subsection (2) of this section.

41 (2) The purposes of the network are the following:

42 (a) To enhance a culture of leadership and collaborative responsibility for advancing the pro-
43 fession of teaching among providers of early learning services, teachers and administrators in
44 kindergarten through grade 12, education service districts and teacher education institutions.

45 (b) To strengthen and enhance existing evidence-based practices that improve student achieve-

1 ment, including practices advanced by or described in ORS 329.788 to 329.820, 329.822, 329.824,
2 329.838, 342.433 to 342.449 and 342.805 to 342.937.

3 (c) To improve recruitment, preparation, induction, career advancement opportunities and sup-
4 port of educators.

5 (3) To accomplish the purposes of the network described in subsection (2) of this section, the
6 Department of Education, subject to the direction and control of the [*Superintendent of Public In-*
7 *struction*] **Chief Education Officer**, shall distribute funding as follows:

8 (a) To school districts, schools, nonprofit organizations, post-secondary institutions and consor-
9 tiums that are any combination of those entities for the purpose of supporting the implementation
10 of common core state standards.

11 (b) To school districts and nonprofit organizations for the purposes of complying with the core
12 teaching standards adopted as provided by ORS 342.856 and complying with related standards pre-
13 scribed by federal law.

14 (c) To school districts and nonprofit organizations for the purpose of providing teachers with
15 opportunities for professional collaboration and professional development and for the pursuit of ca-
16 reer pathways in a manner that is consistent with the School District Collaboration Grant Program
17 described in ORS 329.838.

18 (d) To school districts and nonprofit organizations for the purpose of providing beginning
19 teachers and administrators with mentors in a manner that is consistent with the beginning teacher
20 and administrator mentorship program described in ORS 329.788 to 329.820.

21 (e) To school districts for the purposes of obtaining assessments and developing professional
22 development plans to meet school improvement objectives and educator needs.

23 (f) To school districts, nonprofit organizations and post-secondary institutions for the purpose
24 of closing achievement gaps by providing and improving the effectiveness of professional develop-
25 ment, implementing data-driven decision making, supporting practice communities and implementing
26 culturally competent practices.

27 (g) To school districts and nonprofit organizations for the purposes of developing and engaging
28 in proficiency-based or student-centered learning practices and assessments.

29 (h) To school districts, nonprofit organizations and post-secondary institutions for the purposes
30 of strengthening educator preparation programs and supporting the development and sustainability
31 of partnerships between providers of early learning services, public schools with any grades from
32 kindergarten through grade 12 and post-secondary institutions.

33 (i) To providers of early learning services, nonprofit organizations and post-secondary insti-
34 tutions for the purposes of providing professional development and supporting providers of early
35 learning services with opportunities for professional collaboration and advancement.

36 (4) The [*Department of Education*] **Oregon Education Investment Board** shall support the
37 network by:

38 (a) Conducting and coordinating research to determine best practices and evidence-based mod-
39 els.

40 (b) Working with educator preparation programs to ensure ongoing collaboration with education
41 providers.

42 (c) Supporting programs that help to achieve the goal of the Minority Teacher Act of 1991 as
43 described in ORS 342.437.

44 (d) Creating and supporting a statewide plan for increasing the successful recruitment of high-
45 ability and culturally diverse candidates to work in high-need communities and fields.

1 **(5) The Department of Education shall support the network by:**

2 [(e)] (a) Developing a system that ensures statewide dissemination of best practices and
3 evidence-based models.

4 [(f)] (b) Supporting the development and implementation of standards-based curriculum, high-
5 leverage practices and assessments that promote student learning and improve outcomes for stu-
6 dents learning English as a second language and for students with disabilities.

7 [(g)] (c) Administering the distribution of funding as described in subsection (3) of this section.

8 [(5)] (6) The [State Board of Education] **Oregon Education Investment Board** shall develop
9 processes to establish the network and ensure the accountability of the network. The processes must
10 ensure that the network:

11 (a) Gives preference to entities that have demonstrated success in improving student outcomes.

12 (b) Delivers services for the benefit of all regions of this state.

13 (c) Is accountable for improving education outcomes identified by the [State Board of
14 Education] **Oregon Education Investment Board**, contained in achievement compacts or set forth
15 in ORS 351.009.

16 (d) Includes and connects education providers and leaders from pre-kindergarten through post-
17 secondary education.

18 [(6)] (7) No more than two percent of all moneys received for the purposes of this section may
19 be expended by **the Oregon Education Investment Board or** the Department of Education for
20 administrative costs incurred under this section. For the purpose of this subsection, technical as-
21 sistance and direct program services provided to school districts and nonprofit organizations are not
22 considered administrative costs.

23 [(7)] (8) The State Board of Education may adopt any rules necessary for the Department of
24 Education to support the network and perform any duties assigned to the department under this
25 section **or assigned to the department by the Oregon Education Investment Board under this**
26 **section.** Any rules adopted by the State Board of Education must be consistent with this section
27 **and with actions taken by the Oregon Education Investment Board to implement this**
28 **section.**

29 **SECTION 9.** ORS 326.500, as amended by section 4, chapter 739, Oregon Laws 2013, is amended
30 to read:

31 326.500. (1) The STEM Investment Council is established. The council shall function under the
32 [joint] direction and control of the [State Board of Education and the State Board of Higher
33 Education] **Oregon Education Investment Board.**

34 (2)(a) The council is established for the purpose of assisting the [Superintendent of Public In-
35 struction, the Commissioner for Community College Services and the Chancellor of the Oregon Uni-
36 versity System in jointly] **Chief Education Officer in** developing and overseeing a long-term strategy
37 that advances the following educational goals related to science, technology, engineering and
38 mathematics:

39 (A) Double the percentage of students in 4th and 8th grades who are proficient or advanced in
40 mathematics and science, as determined using a nationally representative assessment of students'
41 knowledge in mathematics and science; and

42 (B) Double the number of students who earn a post-secondary degree requiring proficiency in
43 science, technology, engineering or mathematics.

44 (b) Achievement of the goals described in paragraph (a) of this subsection shall be determined
45 based on a comparison between the 2014-2015 school year or academic year and the 2024-2025 school

1 year or academic year.

2 (3) To advance the educational goals described in subsection (2) of this section, the council shall
3 make recommendations to **the Chief Education Officer regarding:**

4 (a) *[The Superintendent of Public Instruction regarding]* The administration of the STEM Invest-
5 ment Grant Program established in ORS 327.380; and

6 (b) *[The Superintendent of Public Instruction, the Commissioner for Community College Services
7 and the Chancellor of the Oregon University System regarding]* Other investments in science, tech-
8 nology, engineering and mathematics that are made or overseen by the *[State Board of Education
9 or the State Board of Higher Education]* **Oregon Education Investment Board.**

10 (4) The council consists of nine members from the private sector who are *[jointly appointed by
11 the Superintendent of Public Instruction, the Commissioner for Community College Services and the
12 Chancellor of the Oregon University System and serve at the pleasure of the superintendent, commis-
13 sioner and chancellor]* **appointed by the Chief Education Officer and serve at the pleasure of
14 the Chief Education Officer.**

15 (5) To aid and advise the council in the performance of the council's duties, the council:

16 (a) Shall recruit educators and administrators from kindergarten through grade 12 and from
17 post-secondary education to be nonvoting advisory members of the council;

18 (b) May recruit nonvoting advisory members to the council who are in addition to the members
19 identified in paragraph (a) of this subsection; and

20 (c) May establish advisory and technical committees that the council considers necessary.

21 (6)(a) The *[Superintendent of Public Instruction, the Commissioner for Community College Services
22 and the Chancellor of the Oregon University System shall jointly]* **Chief Education Officer shall**
23 appoint a council director. The council director shall serve at the pleasure of the *[superintendent,
24 commissioner and chancellor]* **Chief Education Officer.**

25 (b) Except as otherwise directed by the *[Superintendent of Public Instruction, the Commissioner
26 for Community College Services and the Chancellor of the Oregon University System]* **Chief Education
27 Officer**, the activities of the council shall be directed and supervised by the council director.

28 (7) Members of the council are not entitled to compensation or reimbursement for expenses and
29 serve as volunteers of the council.

30 (8) The council shall submit an annual report to the *[State Board of Education, the State Board
31 of Higher Education]* **Oregon Education Investment Board** and the Legislative Assembly on the
32 progress made toward achieving the goals described in subsection (2) of this section and the dis-
33 tribution of funds under the STEM Investment Grant Program.

34 **SECTION 10.** ORS 326.500, as amended by sections 4 and 6, chapter 739, Oregon Laws 2013, is
35 amended to read:

36 326.500. (1) The STEM Investment Council is established. The council shall function under the
37 *[joint]* direction and control of the *[State Board of Education and the State Board of Higher
38 Education]* **Oregon Education Investment Board.**

39 (2)(a) The council is established for the purpose of assisting the *[Superintendent of Public In-
40 struction, the Commissioner for Community College Services and the Chancellor of the Oregon Uni-
41 versity System in jointly]* **Chief Education Officer in** developing and overseeing a long-term strategy
42 that advances the following educational goals related to science, technology, engineering and
43 mathematics:

44 (A) Having a specified percentage of students in 4th and 8th grades who are proficient or ad-
45 vanced in mathematics and science, as determined using a nationally representative assessment of

1 students' knowledge in mathematics and science; and

2 (B) Having a specified number of students who earn a post-secondary degree requiring profi-
3 ciency in science, technology, engineering or mathematics.

4 (b) Achievement of the goals described in paragraph (a) of this subsection shall be determined
5 based on percentages and numbers determined by the council.

6 (3) To advance the educational goals described in subsection (2) of this section, the council shall
7 make recommendations to **the Chief Education Officer regarding:**

8 (a) [*The Superintendent of Public Instruction regarding*] The administration of the STEM Invest-
9 ment Grant Program established in ORS 327.380; and

10 (b) [*The Superintendent of Public Instruction, the Commissioner for Community College Services*
11 *and the Chancellor of the Oregon University System regarding*] Other investments in science, tech-
12 nology, engineering and mathematics that are made or overseen by the [*State Board of Education*
13 *or the State Board of Higher Education*] **Oregon Education Investment Board.**

14 (4) The council consists of nine members from the private sector who are [*jointly appointed by*
15 *the Superintendent of Public Instruction, the Commissioner for Community College Services and the*
16 *Chancellor of the Oregon University System and serve at the pleasure of the superintendent, commis-*
17 *sioner and chancellor*] **appointed by the Chief Education Officer and serve at the pleasure of**
18 **the Chief Education Officer.**

19 (5) To aid and advise the council in the performance of the council's duties, the council:

20 (a) Shall recruit educators and administrators from kindergarten through grade 12 and from
21 post-secondary education to be nonvoting advisory members of the council;

22 (b) May recruit nonvoting advisory members to the council who are in addition to the members
23 identified in paragraph (a) of this subsection; and

24 (c) May establish advisory and technical committees that the council considers necessary.

25 (6)(a) The [*Superintendent of Public Instruction, the Commissioner for Community College Services*
26 *and the Chancellor of the Oregon University System shall jointly*] **Chief Education Officer shall**
27 **appoint a council director. The council director shall serve at the pleasure of the** [*superintendent,*
28 *commissioner and chancellor*] **Chief Education Officer.**

29 (b) Except as otherwise directed by the [*Superintendent of Public Instruction, the Commissioner*
30 *for Community College Services and the Chancellor of the Oregon University System*] **Chief Education**
31 **Officer**, the activities of the council shall be directed and supervised by the council director.

32 (7) Members of the council are not entitled to compensation or reimbursement for expenses and
33 serve as volunteers of the council.

34 (8) The council shall submit an annual report to the [*State Board of Education, the State Board*
35 *of Higher Education*] **Oregon Education Investment Board** and the Legislative Assembly on the
36 progress made toward achieving the goals described in subsection (2) of this section and the dis-
37 tribution of funds under the STEM Investment Grant Program.

38 **SECTION 11.** ORS 327.380, as amended by section 8, chapter 739, Oregon Laws 2013, is
39 amended to read:

40 327.380. (1) The STEM Investment Grant Program is established to provide funding to school
41 districts, community colleges and public universities listed in ORS 352.002 to advance the goals de-
42 scribed in ORS 326.500 (2).

43 (2) The STEM Investment Council shall evaluate grant applications and make recommendations
44 on the applications to the [*Superintendent of Public Instruction*] **Chief Education Officer.** Under
45 the direction of the [*Superintendent of Public Instruction*] **Chief Education Officer**, the Department

1 of Education shall distribute moneys for the grant program and otherwise administer the grant
2 program.

3 (3)(a) An application for a grant awarded under this section may be submitted by:

4 (A) A school district;

5 (B) A community college district;

6 (C) A public university;

7 (D) The Department of Education;

8 (E) The Department of Community Colleges and Workforce Development;

9 (F) The Oregon University System;

10 (G) Any other state agency; or

11 (H) Any combination of entities identified in this paragraph that are organized as a partnership
12 or a regional effort to improve student achievement in science, technology, engineering or math-
13 ematics.

14 (b) A grant awarded under this section may be used for:

15 (A) Classroom or extracurricular activities that further the development of skills related to
16 science, technology, engineering or mathematics; or

17 (B) A project that is related to science, technology, engineering or mathematics and that in-
18 volves collaboration with a private entity.

19 (4) When evaluating applications for a grant, the council:

20 (a) Shall give priority to applications for activities or projects that produce the largest impact
21 at the lowest cost or for the greatest number of students throughout this state, including grants for
22 activities or projects that:

23 (A) Are determined by the council to be likely to become self-supporting within three years;

24 (B) Expand evidence-based, effective practices in science, technology, engineering or mathemat-
25 ics;

26 (C) Can be replicated by other entities in this state;

27 (D) Show evidence of attracting matching funds;

28 (E) If the applicant is an entity identified in subsection (3)(a)(A) to (C) of this section, have de-
29 monstrable support from the governing body of the entity;

30 (F) Help improve access by underrepresented groups to activities that involve science, technol-
31 ogy, engineering or mathematics; or

32 (G) Are elements of a partnership or a regional effort to improve student achievement in sci-
33 ence, technology, engineering or mathematics;

34 (b) May give priority to applications for activities or projects that benefit students in more than
35 one student group among students in kindergarten through grade 12, students in community colleges
36 and students in universities;

37 (c) Shall attempt to achieve a balance, as determined by the council, among grants that are
38 awarded for the sole benefit of students in kindergarten through grade 12, students in community
39 colleges and students in universities; and

40 (d) Shall take into consideration geographic and demographic diversity.

41 **SECTION 12.** ORS 342.443, as amended by section 5, chapter 778, Oregon Laws 2013, is
42 amended to read:

43 342.443. (1) The [*Education and Workforce Policy Advisor*] **Oregon Education Investment**
44 **Board** shall report biennially to the Legislative Assembly longitudinal data on the number and
45 percentage of:

- 1 (a) Minority students enrolled in community colleges;
 2 (b) Minority students applying for admission to public universities listed in ORS 352.002;
 3 (c) Minority students accepted in public universities;
 4 (d) Minority students graduated from public universities;
 5 (e) Minority candidates seeking to enter public teacher education programs in this state;
 6 (f) Minority candidates admitted to public teacher education programs;
 7 (g) Minority candidates who have completed approved public teacher education programs;
 8 (h) Minority candidates receiving Oregon teaching licenses based on preparation in this state
 9 and preparation in other states;
 10 (i) Minority teachers who are newly employed in the public schools in this state; and
 11 (j) Minority teachers already employed in the public schools.

12 (2) The [advisor] board also shall report comparisons of minorities' and nonminorities' scores
 13 on basic skills, pedagogy and subject matter tests.

14 (3) The Oregon University System, the public universities with governing boards listed in ORS
 15 352.054, the Department of Education, the Teacher Standards and Practices Commission, community
 16 colleges and school districts shall cooperate with the [advisor] board in collecting data and pre-
 17 paring the report.

18 **SECTION 13.** Section 13, chapter 36, Oregon Laws 2012, is amended to read:

19 **Sec. 13.** The amendments to ORS 326.300, [326.375,] 351.075, [and] 351.725 **and 351.762** by
 20 sections 9 to 12 [of this 2012 Act], **chapter 36, Oregon Laws 2012**, become operative on [March 15,
 21 2016] **the effective date of this 2015 Act.**

22 **SECTION 14.** ORS 326.300, as amended by section 12, chapter 36, Oregon Laws 2012, is
 23 amended to read:

24 326.300. (1) As provided by section 1, Article VIII of the Oregon Constitution, the Governor is
 25 the Superintendent of Public Instruction.

26 (2)(a) The Governor, acting as Superintendent of Public Instruction, shall appoint a Deputy Su-
 27 perintendent of Public Instruction. The deputy superintendent must have at least five years of ex-
 28 perience in the administration of an elementary school or a secondary school. The appointment of
 29 the deputy superintendent shall be subject to confirmation by the Senate as provided by ORS 171.562
 30 and 171.565.

31 (b) The deputy superintendent shall:

32 (A) Perform any act or duty of the office of Superintendent of Public Instruction that is desig-
 33 nated by the Governor, and the Governor is responsible for any acts of the deputy superintendent.

34 (B) **Serve under the direction and control of the Chief Education Officer for matters re-**
 35 **lated to the design and organization of the state's education system.**

36 (3) The deputy superintendent may be removed from office by the Governor following consulta-
 37 tion with the [State Board of Education] **Chief Education Officer.**

38 (4) The deputy superintendent shall receive a salary set by the Governor, and shall be reim-
 39 bursed for all expenses actually and necessarily incurred by the deputy superintendent in the per-
 40 formance of official duties.

41 **SECTION 15.** ORS 351.075, as amended by section 10, chapter 36, Oregon Laws 2012, is
 42 amended to read:

43 351.075. (1) The State Board of Higher Education shall appoint a chief executive officer who
 44 shall be known as the Chancellor of the Oregon University System.

45 (2) The chancellor shall:

1 (a) Serve at the pleasure of the board.

2 (b) **Serve under the direction and control of the Chief Education Officer for matters re-**
 3 **lated to the design and organization of the state's education system.**

4 **SECTION 16.** ORS 351.725, as amended by section 11, chapter 36, Oregon Laws 2012, is
 5 amended to read:

6 351.725. (1) The Higher Education Coordinating Commission shall appoint an executive director
 7 to:

8 (a) Serve at the pleasure of the commission.

9 (b) **Serve under the direction and control of the Chief Education Officer for matters re-**
 10 **lated to the design and organization of the state's education system.**

11 (2) The appointment of the executive director must be by written order, filed with the Secretary
 12 of State.

13 (3) Subject to any applicable provisions of ORS chapter 240, the executive director shall appoint
 14 all subordinate officers and employees of the commission, prescribe their duties and fix their com-
 15 pensation.

16 **SECTION 17.** ORS 351.762, as amended by section 9, chapter 36, Oregon Laws 2012, and section
 17 186, chapter 747, Oregon Laws 2013, is amended to read:

18 351.762. (1) The executive director of the Higher Education Coordinating Commission shall ap-
 19 point a Commissioner for Community College Services who shall:

20 (a) Serve at the pleasure of the executive director.

21 (b) **Serve under the direction and control of the Chief Education Officer for matters re-**
 22 **lated to the design and organization of the state's education system.**

23 (2) The commissioner shall be a person who by training and experience is well qualified to per-
 24 form the duties of the office and to assist in carrying out the functions of the Higher Education
 25 Coordinating Commission under this section and ORS 341.015, 341.440, 341.455, 341.626, 341.655 and
 26 341.933.

27 (3) The commissioner shall:

28 (a) Be the executive head of the Department of Community Colleges and Workforce Develop-
 29 ment.

30 (b) Direct and supervise all activities of the Department of Community Colleges and Workforce
 31 Development.

32 (c) Hire staff, as authorized by the executive director of the Higher Education Coordinating
 33 Commission to assist in carrying out the duties of the commissioner. The staff shall be considered
 34 employees of the Department of Community Colleges and Workforce Development for purposes of
 35 ORS chapters 240 and 243.

36 (d) Be responsible directly to:

37 (A) The executive director of the Higher Education Coordinating Commission for those duties
 38 enumerated in ORS chapter 341.

39 (B) **The Chief Education Officer for matters related to the design and organization of the**
 40 **state's education system.**

41 (4) The commissioner, with approval of the executive director of the Higher Education Coordi-
 42 nating Commission, shall be responsible for the representation of community college interests to the
 43 Governor, the Legislative Assembly, state agencies and others. The commissioner, with the approval
 44 of the executive director, shall be responsible for submitting community college budget requests and
 45 budget reports for the Department of Community Colleges and Workforce Development to the Leg-

1 islative Assembly. The commission shall ensure that the budget request for community colleges and
 2 for the Department of Community Colleges and Workforce Development are separate and distinct
 3 from its other requests to the Legislative Assembly.

4 **SECTION 18.** Section 22c, chapter 36, Oregon Laws 2012, is amended to read:

5 **Sec. 22c.** The amendments to [section 4, chapter 519, Oregon Laws 2011, by section 22b of this
 6 2012 Act] **ORS 326.425 by section 22b, chapter 36, Oregon Laws 2012**, become operative on
 7 [March 15, 2016] **the effective date of this 2015 Act.**

8 **SECTION 19.** ORS 326.425, as amended by section 22b, chapter 36, Oregon Laws 2012, is
 9 amended to read:

10 326.425. (1) The Early Learning Council is established. **The council shall function under the**
 11 **direction and control of the Oregon Education Investment Board.**

12 (2) The council is established to [oversee] **assist the board in overseeing** a unified system of
 13 early learning services for the purpose of ensuring that children enter school ready to learn. The
 14 [Early Learning] council shall ensure that children enter school ready to learn by:

15 (a) Serving as the state advisory council for purposes of the federal Head Start Act, as provided
 16 by ORS 417.796.

17 (b) Implementing and overseeing a system that coordinates the delivery of early learning ser-
 18 vices.

19 (c) Overseeing the Oregon Early Learning System created by ORS 417.727.

20 (3) The council consists of members appointed as provided by subsections (4) and (5) of this
 21 section.

22 (4)(a) The Governor shall appoint nine voting members who are appointed for a term of four
 23 years and serve at the pleasure of the Governor. A person appointed under this subsection may not
 24 be appointed to serve more than two consecutive full terms as a council member.

25 (b) When determining whom to appoint to the council under this subsection, the Governor shall:

26 **(A) Ensure that at least one of the members is an appointed member of the Oregon Ed-**
 27 **ucation Investment Board;**

28 [(A)] **(B) Ensure that each congressional district of this state is represented;**

29 [(B)] **(C) For a member who is not an appointed member of the Oregon Education In-**
 30 **vestment Board, ensure that [each] the member meets the following qualifications:**

31 (i) Demonstrates leadership skills in civics or the member's profession;

32 (ii) To the greatest extent practicable, contributes to the council's representation of the ge-
 33 ographic, ethnic, gender, racial and economic diversity of this state; and

34 (iii) Contributes to the council's expertise, knowledge and experience in early childhood devel-
 35 opment, early childhood care, early childhood education, family financial stability, populations dis-
 36 proportionately burdened by poor education outcomes and outcome-based best practices; and

37 [(C)] **(D) Solicit recommendations from the Speaker of the House of Representatives for at least**
 38 **two members and from the President of the Senate for at least two members.**

39 (5) In addition to the members appointed under subsection (4) of this section, the Governor shall
 40 appoint voting, ex officio members who represent the state agencies and other entities that are re-
 41 quired to be represented on a state advisory council for purposes of the federal Head Start Act and
 42 who represent the tribes of this state.

43 (6) The activities of the council shall be directed and supervised by the Early Learning System
 44 Director. **The director shall:**

45 **(a) Be [who is] appointed by the Governor and [serves] serve at the pleasure of the Governor.**

1 **(b) Serve under the direction and control of the Chief Education Officer for matters re-**
 2 **lated to the design and organization of the state’s education system.**

3 (7) In accordance with applicable provisions of ORS chapter 183, the council may adopt rules
 4 necessary for the administration of the laws that the council is charged with administering.

5 **SECTION 20.** Section 24, chapter 37, Oregon Laws 2012, as amended by section 3, chapter 623,
 6 Oregon Laws 2013, is amended to read:

7 **Sec. 24.** (1) The amendments to [*section 21, chapter 37, Oregon Laws 2012,*] **ORS 417.487** by
 8 section 23, chapter 37, Oregon Laws 2012, become operative on [*the effective date of this 2013 Act*]
 9 **July 19, 2013.**

10 (2) The amendments to [*section 21, chapter 37, Oregon Laws 2012,*] **ORS 417.487** by section 5 [*of*
 11 *this 2013 Act*], **chapter 623, Oregon Laws 2013**, become operative on [*March 15, 2016*] **the effective**
 12 **date of this 2015 Act.**

13 **SECTION 21.** ORS 417.847, as amended by section 5, chapter 623, Oregon Laws 2013, is
 14 amended to read:

15 417.847. (1) The Youth Development Council is established. **The council shall function under**
 16 **the direction and control of the Oregon Education Investment Board.**

17 (2) The council is established for the purpose of **assisting the board in** overseeing a unified
 18 system that provides services to school-age children through youth 20 years of age in a manner that
 19 supports educational success, focuses on crime prevention, reduces high risk behaviors and is inte-
 20 grated, measurable and accountable. The council shall provide direction to the Youth Development
 21 Division.

22 (3) The council consists of no fewer than 15 members who are appointed by the Governor. The
 23 Governor shall ensure that membership of the council satisfies any federal requirements for mem-
 24 bership of a state advisory committee on juvenile justice, **and shall include tribal representation**
 25 **in the membership of the council.**

26 (4) The council shall:

27 (a) Determine the availability of funding to support community-based youth development pro-
 28 grams, services and initiatives with demonstrated outcomes and strategic objectives established by
 29 the council by rule.

30 (b) Prioritize funding for services related to:

31 (A) The prevention of and intervention in the risk factors that lead to juvenile delinquency and
 32 the promotion of protective factors that improve the health and well-being of children and youth,
 33 as supported by evidence-based program models and other research-based models; and

34 (B) The prevention of and intervention in gang violence and gang involvement.

35 (5) The council may:

36 (a) Enter into performance-based intergovernmental agreements with regional and county enti-
 37 ties, and tribal governments, to contract for the provision of youth development programs, services
 38 and initiatives that will achieve demonstrated outcomes and strategic objectives established by the
 39 council by rule.

40 (b) Determine the means by which services to children and youth may be provided effectively
 41 and efficiently across multiple programs to improve the academic and social outcomes of children
 42 and youth.

43 (c) Assess state programs and services related to youth development and training, and identify
 44 methods by which programs and services may be coordinated or consolidated.

45 (d) Establish common academic and social indicators to support attainment of goals established

1 by the [council] board.

2 (e) Establish common program outcome measurements and coordinate data collection across
3 multiple programs and services.

4 (f) Ensure implementation of best practices that:

5 (A) Are evidence based;

6 (B) Are culturally, gender and age appropriate;

7 (C) Address individual risk factors;

8 (D) Build upon factors that improve the health and well-being of children and youth; and

9 (E) Include tribal best practices.

10 (6) The Governor may designate one member of the council to serve as the chairperson or, if the
11 Governor chooses not to designate a chairperson, the council may elect one of its members to serve
12 as chairperson.

13 (7) In accordance with applicable provisions of ORS chapter 183, the council may adopt rules
14 necessary for the administration of the laws that the council is charged with administering.

15 **SECTION 22.** Section 9, chapter 37, Oregon Laws 2012, is amended to read:

16 **Sec. 9.** The amendments to [section 7 of this 2012 Act] **ORS 417.796** by section 8 [of this 2012
17 Act], **chapter 37, Oregon Laws 2012**, become operative [March 15, 2016] **on the effective date of**
18 **this 2015 Act.**

19 **SECTION 23.** ORS 417.796, as amended by section 8, chapter 37, Oregon Laws 2012, is amended
20 to read:

21 417.796. (1) As the state advisory council for purposes of the federal Head Start Act, the Early
22 Learning Council shall:

23 (a) Conduct a periodic statewide needs assessment concerning the quality and availability of
24 early childhood education and development programs and services for children from birth to school
25 age, including an assessment of the availability of high-quality prekindergarten services for low-
26 income children in this state.

27 (b) Identify opportunities for, and barriers to, collaboration and coordination among federally
28 funded and state-funded child care and early childhood education and development programs and
29 services, including collaboration and coordination among state agencies responsible for administer-
30 ing those programs and services.

31 (c) Develop recommendations for increasing the overall participation of children in existing
32 federal, state and local early childhood education and development programs and services, including
33 outreach to underrepresented and special populations.

34 (d) Develop recommendations for establishing a unified data collection system for public early
35 childhood education and development programs and services throughout this state.

36 (e) Develop recommendations regarding statewide professional development and career ad-
37 vancement plans for providers of early childhood education and development programs and services
38 in this state.

39 (f) Assess the capacity and effectiveness of two-year and four-year public and private institutions
40 of higher education in this state in supporting the development of early childhood educators, in-
41 cluding the extent to which the institutions have articulation agreements, professional development
42 and career advancement plans, and internships or other training opportunities that allow students
43 to spend time with children enrolled in the federal Head Start program or another prekindergarten
44 program. The assessment conducted under this paragraph must be conducted in coordination with
45 appropriate higher education governance bodies, **as identified by the Oregon Education Invest-**

1 **ment Board.**

2 (g) Make recommendations for improvements in state early learning standards and undertake
3 efforts to develop high-quality comprehensive early learning standards when appropriate.

4 (2) The council shall hold public hearings and provide an opportunity for public comment in
5 relation to the actions described in subsection (1) of this section.

6 (3)(a) The council shall submit an annual statewide strategic report addressing the activities
7 described in subsection (1) of this section to the State Director of Head Start Collaboration, **the**
8 **Oregon Education Investment Board**, the Legislative Assembly and the Governor.

9 (b) Following submission of a statewide strategic report described in paragraph (a) of this sub-
10 section, the council may meet periodically to review the implementation of the recommendations in
11 the report and to review any changes in state or local needs.

12 **SECTION 24.** Section 3, chapter 113, Oregon Laws 2014, is amended to read:

13 **Sec. 3.** The amendments to ORS 351.735 by section 2 [*of this 2014 Act*], **chapter 113, Oregon**
14 **Laws 2014**, become operative on [*March 15, 2016*] **the effective date of this 2015 Act.**

15 **SECTION 25.** ORS 351.735, as amended by section 2, chapter 83, Oregon Laws 2014, and
16 sections 1 and 2, chapter 113, Oregon Laws 2014, is amended to read:

17 351.735. (1) As used in this section, “student access programs” means scholarship, loan, grant
18 and access programs described in ORS chapter 348.

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

22 (3) The Higher Education Coordinating Commission shall:

23 **(a) Advise and assist the Oregon Education Investment Board on:**

24 [(a)] **(A)** [*Develop*] State goals and associated achievement compacts for the state post-secondary
25 education system, including community colleges and public universities listed in ORS 352.002, and
26 for student access programs.

27 [(b)] **(B)** [*Determine*] Strategic investments in the state’s community colleges, public universities
28 and student access programs necessary to achieve state post-secondary education goals.

29 [(c)] **(C)** [*Coordinate*] **Coordination of** the post-secondary elements of data collection and struc-
30 ture, with the advice and recommendation of the state’s independent institutions, community col-
31 leges and public universities, as appropriate, in order to [*construct*] **assist the Oregon Education**
32 **Investment Board in the construction of** a state longitudinal data system, **as authorized by**
33 **law.**

34 [(d)] **(b)** Adopt a strategic plan for achieving state post-secondary education goals, taking into
35 consideration the contributions of this state’s independent institutions, philanthropic organizations
36 and other organizations dedicated to helping Oregonians reach state goals. State post-secondary
37 education goals as described in this section should include, but need not be limited to:

38 (A) Increasing the educational attainment of the population;

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

41 (C) Ensuring affordable access for qualified Oregon students at each college or public university;

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

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

45 [(e)(A)] **(c)(A)** Each biennium, after receiving funding requests from the state’s community col-

leges and public universities as authorized by law, recommend to the Governor **and the Oregon Education Investment Board** a consolidated higher education budget request aligned with the strategic plan described in subsection [(3)(d)] **(3)(b)** of this section, including appropriations for:

(i) Student access programs;

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

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

(iv) New facilities or programs;

(v) Capital improvements and deferred maintenance; and

(vi) Special initiatives and investments.

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

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

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

(iii) Solicit public input regarding educational priorities.

[(f)] **(d)** Adopt rules governing the distribution of appropriations from the Legislative Assembly to community colleges, public universities listed in ORS 352.002 and student access programs. These rules must be based on allocation formulas developed in consultation with the state's community colleges and public universities, as appropriate.

[(g)] **(e)** Approve or disapprove any significant change to the academic program of a community college or a public university listed in ORS 352.002. In reaching a decision under this paragraph, the commission shall consider the recommendation from the community college or public university seeking to make the change to an academic program that is issued pursuant to the obligation of the governing board of a community college or public university to review and approve academic programs. The commission shall ensure that approved programs:

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

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

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

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

[(h)] **(f)** For public universities listed in ORS 352.002:

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

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

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

(D) Approve and authorize degrees.

[(i)] **(g)** Authorize degrees to be offered by independent post-secondary institutions in this state under ORS 348.594 to 348.615.

[(j)] **(h)** Oversee the licensing of career schools under ORS 345.010 to 345.450.

[(k)] **(i)** Have the authority to enter into and administer interstate agreements regarding the provision of post-secondary distance education. The participation by an educational institution that

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

7 (4) In addition to the duties described in subsections (2) and (3) of this section, the Higher Ed-
 8 ucation Coordinating Commission shall advise the Legislative Assembly, the Governor, community
 9 colleges, public universities and other state boards and commissions on policies in order to:

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

11 (b) Encourage student success and completion initiatives.

12 (c) Improve the coordination of the provision of educational services, including:

13 (A) Transfers and coenrollment throughout the higher education system;

14 (B) Accelerated college credit programs for high school students;

15 (C) Applied baccalaureate and other transfer degrees;

16 (D) Programs and grants that span multiple institutions; and

17 (E) Reciprocity agreements with other states.

18 (d) In coordination with the [*State Board of Education*] **Oregon Education Investment Board**,
 19 enhance the use and quality of dual credit, career and technical pathways and efforts to create a
 20 culture of college attendance in this state.

21 (e) In coordination with the State Workforce Investment Board, local workforce investment
 22 boards, the Oregon Health and Science University and independent institutions, ensure that the
 23 state's colleges and universities offer programs in high-demand occupations that meet Oregon's
 24 workforce needs.

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

27 (5) The Higher Education Coordinating Commission, in a manner consistent with ORS chapter
 28 183, may adopt administrative rules.

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

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

34 (8) The Higher Education Coordinating Commission may exercise only powers, duties and func-
 35 tions expressly granted by the Legislative Assembly. Except as otherwise expressly provided by law,
 36 all other authorities reside at the institutional level with the respective boards of the post-secondary
 37 institutions.

38 **SECTION 26.** Section 3, chapter 85, Oregon Laws 2014, is amended to read:

39 **Sec. 3.** The amendments to ORS 351.663 by section 2 [*of this 2014 Act*], **chapter 85, Oregon**
 40 **Laws 2014**, become operative on [*March 15, 2016*] **the effective date of this 2015 Act.**

41 **SECTION 27.** ORS 351.663, as amended by sections 1 and 2, chapter 85, Oregon Laws 2014, is
 42 amended to read:

43 351.663. (1) The Engineering and Technology Industry Council is established. A majority of the
 44 council members are representatives of high technology companies in Oregon. The council shall be
 45 consulted on the work plans and resource allocations for engineering education.

1 (2) The council shall establish criteria and measurements that will be used for determining in-
 2 vestments made from the [*Engineering and Technology Industry Fund established under section 8,*
 3 *chapter 85, Oregon Laws 2014*] **account established under section 5, chapter 85, Oregon Laws**
 4 **2014.**

5 (3) The criteria and measurements established by the council include:

6 (a) Responding to the urgent engineering educational needs of Oregon’s fast growing high tech-
 7 nology industry.

8 (b) Increasing this state’s faculty and program capacity to meet the graduate level, professional
 9 education needs of engineers working in Oregon’s high technology industry through investments in
 10 public and private institutions.

11 (c) Creating additional opportunities for Oregonians to pursue education in electrical engineer-
 12 ing, computer engineering and other engineering disciplines critical to the advancement of Oregon’s
 13 high technology industry.

14 (d) Investing relatively scarce state financial resources to:

15 (A) Address the high technology industry’s most demonstrated and pressing needs;

16 (B) Produce the greatest amount of educational benefits with the least short-term and long-term
 17 costs to the public;

18 (C) Avoid duplicating existing public or private resources; and

19 (D) Leverage existing and future private resources for the public benefit.

20 (e) Making all investments in public and private institutions through performance-based con-
 21 tracts with measurable outcomes in order to ensure strong linkage between the most urgent engi-
 22 neering education needs and implemented solutions.

23 (f) Maximizing the leverage of state investment funds to build faculty and program capacity and
 24 share existing and new faculty and program resources.

25 (4) Priority is given to investments where private financial resources from Oregon high tech-
 26 nology companies or individuals with significant interests in the growth of high technology in
 27 Oregon are made available to augment public funds.

28 (5) The council must submit biennial performance reviews of all investments made to improve
 29 engineering education with public funds in public and private institutions. The reviews must be
 30 submitted to the [*Higher Education Coordinating Commission*] **Chief Education Officer and the**
 31 **Oregon Education Investment Board.**

32 **SECTION 28. Sections 7, 8, 9 and 10, chapter 85, Oregon Laws 2014, are repealed.**

33 **SECTION 29. This 2015 Act being necessary for the immediate preservation of the public**
 34 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**
 35 **on its passage.**