

HB 2457 -1 STAFF MEASURE SUMMARY

House Committee On Higher Education and Workforce Development

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Meeting Dates: 3/16

WHAT THE MEASURE DOES:

Modifies process by which Higher Education Coordinating Commission (HECC) resolves student complaints against any school operating in Oregon. Prohibits HECC from investigating any student complaint filed against a school, establishing process to review and resolve student complaints, assessing a fee to cover the costs of any related proceeding, and requiring a school to make full or partial restitution to student or to cease an act or practice that is challenged in student complaint.

REVENUE: May have revenue impact, but no statement yet issued.

FISCAL: May have fiscal impact, but no statement yet issued.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Replaces measure. Modifies Higher Education Coordinating Commission (HECC) process to resolve student complaints regarding any school operating in Oregon. Restricts HECC to investigating and resolving student complaints that relate to state financial aid. Allows HECC to refer a student complaint to 1) appropriate state agency if complaint alleges that a school has violated a state law concerning consumer protection, civil rights, employment rights or environmental quality, 2) school's accrediting association if complaint relates to school's authorization to offer academic degree programs or to the quality of the school's academic degree programs, or 3) the school at which the student is enrolled if HECC determines that complaint should be resolved through the school's internal review process. Prohibits public record disclosure of student complaints. Defines school as an independent, not-for-profit institution of higher education.

BACKGROUND:

Title IV of the federal Higher Education Act of 1965 (amended 2008) requires that for higher education institutions to be legally authorized to operate in a state, that state must have a process to review and appropriately act on complaints concerning higher education institutions (34 CFR 600.9). In recognition that many states do not currently meet this requirement, the United States Department of Education (USDOE) has repeatedly offered one year delays for state authorization regulation implementation to allow states to finalize complaint procedures.

In 2015, the Higher Education Coordinating Commission (HECC), the Oregon Alliance of Independent Colleges and Universities (OAICU), and the Oregon Legislature acted quickly to pass House Bill 2870 in order to meet the USDOE requirement to establish a statewide complaint process with state agency authority, and to ensure Oregon institutions continued to receive legal authorization and federal dollars. The resulting current law (ORS 350.075) broadly authorizes the HECC to investigate any student complaint filed against a school. House Bill 2457 with the -1 amendment provides more specificity regarding the complaint process.