# **A-Engrossed** House Bill 2313

Ordered by the House April 24 Including House Amendments dated April 24

Introduced and printed pursuant to House Rule 12.00. Presession filed (at the request of Governor Kate Brown for Higher Education Coordinating Commission)

# **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.

Revises types of programs considered accelerated college credit programs for purpose of requirement that school districts provide accelerated college credit programs. Revises duties of Higher Education Coordinating Commission related to accelerated college

credit programs.

Establishes Task Force on Accelerated Learning. Prescribes duties of task force. Directs task force to submit progress and final reports to interim committees of Legislative As-sembly related to education. Sunsets task force on December 31, 2019. Declares emergency, effective on passage.

1	A BILL FOR AN ACT
<b>2</b>	Relating to accelerated college credit programs; creating new provisions; amending ORS 340.300,
3	340.310, 340.320 and 350.075; and declaring an emergency.
4	Be It Enacted by the People of the State of Oregon:
5	SECTION 1. ORS 340.300 is amended to read:
6	340.300. [(1) As used in this section, "accelerated college credit programs" includes dual credit
7	programs, two-plus-two programs, advanced placement programs and International Baccalaureate pro-
8	grams.]
9	(1) As used in this section, "accelerated college credit programs" includes:
10	(a) Dual credit programs;
11	(b) Sponsored dual credit programs;
12	(c) Assessment-based learning credit programs;
13	(d) Advanced placement programs;
14	(e) International Baccalaureate programs; and
15	(f) Any other high school programs that provide educational experiences at a post-
16	secondary institution of education for the purpose of providing high school students with the
17	opportunity to earn college credit while in high school.
18	(2) Each school district shall:
19	(a) Provide students in grades 9 through 12 with accelerated college credit programs including,
20	but not limited to, accelerated college credit programs related to English, mathematics and science;
21	or
22	(b) Ensure that students in grades 9 through 12 have online access to accelerated college credit
23	programs including, but not limited to, accelerated college credit programs related to English,
24	mathematics and science.

1 SECTION 2. ORS 340.310 is amended to read:

2 340.310. (1) As used in this section, "accelerated college credit programs" includes dual 3 credit programs, sponsored dual credit programs and assessment-based learning credit pro-4 grams.

5 [(1)] (2) The Higher Education Coordinating Commission shall develop statewide standards for 6 [dual] accelerated college credit programs to be implemented by public high schools, community 7 colleges and public universities listed in ORS 352.002. The standards must establish the manner by 8 which:

9 (a) A student in any grade from 9 through 12 may, upon completion of a course, earn course 10 credit both for high school and for a community college or public university; and

(b) Teachers of courses that are part of [a dual] an accelerated college credit program will
work together to determine the quality of the program and to ensure the alignment of the content,
objectives and outcomes of individual courses.

[(2)] (3) Each public high school, community college and public university that provides [a
 dual] an accelerated college credit program must implement the statewide standards developed
 under subsection [(1)] (2) of this section.

[(3)] (4) Each school district, community college and public university that provides [a dual] **an accelerated college** credit program shall submit an annual report to the Higher Education Coordinating Commission on the academic [performance] **achievement** of students [enrolled in a dual credit] **in the** program. The Higher Education Coordinating Commission shall establish the required contents of the report, which must provide sufficient information to allow the commission to determine the quality of the [dual] **accelerated college** credit program.

23 SECTION 3. ORS 340.320 is amended to read:

340.320. [(1) As used in this section, "accelerated college credit programs" includes dual credit
 programs, two-plus-two programs, advanced placement programs and International Baccalaureate pro grams.]

27 (1) As used in this section, "accelerated college credit programs" includes:

28 (a) Dual credit programs;

- 29 (b) Sponsored dual credit programs;
- 30 (c) Assessment-based learning credit programs;
- 31 (d) Advanced placement programs;
- 32 (e) International Baccalaureate programs; and

(f) Any other high school programs that provide educational experiences at a post secondary institution of education for the purpose of providing high school students with the
 opportunity to earn college credit while in high school.

(2) The Department of Education shall administer a grant program that provides grants for the
 purposes of:

(a) Providing education or training to teachers who will provide or are providing instruction in
 accelerated college credit programs;

40 (b) Assisting students in paying for books, materials and other costs, other than test fees, related
41 to accelerated college credit programs; and

42 (c) Providing classroom supplies for accelerated college credit programs.

43 (3) Any school district, community college district or state institution of higher education in this
44 state may individually or jointly apply for a grant under this section.

45 (4) If a grant is awarded for the purpose of providing education or training to teachers who will

1 provide or are providing instruction in an accelerated college credit program:

2 (a) The amount of the grant may not exceed one-third of the total cost of the education or 3 training; and

4 (b) The department may award the grant on the condition that the teacher, school district, 5 community college district and state institution of higher education pay the balance of the cost of 6 the education or training in a proportion agreed to by the teacher, districts and institution.

(5) For the purposes described in subsection (2) of this section, the department may:

8 (a) Accept contributions of funds and assistance from the United States Government and its 9 agencies or from any other source, public or private, and agree to conditions placed on the funds 10 not inconsistent with the purposes of subsection (2) of this section; and

(b) Enter into agreements with school districts, community college districts and state institutions of higher education related to the funding to provide education or training to teachers who
will provide or are providing instruction in an accelerated college credit program.

(6) All funds received by the department under this section shall be paid into the Accelerated
College Credit Account established under ORS 340.330 to be used for the purposes described in
subsection (2) of this section.

SECTION 4. ORS 350.075, as amended by section 5, chapter 30, Oregon Laws 2016, and section
 55, chapter 117, Oregon Laws 2016, is amended to read:

350.075. (1) As used in this section, "student access programs" means scholarship, loan, grant
 and access programs described in ORS chapter 348.

(2) The Higher Education Coordinating Commission shall be guided by the legislative findings
 in ORS 341.009, 350.001 and 350.005 and the goals and mission of post-secondary education set forth
 in ORS 350.009 and 350.014.

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(3) The Higher Education Coordinating Commission shall:

(a) Develop state goals for the state post-secondary education system, including community colleges and public universities listed in ORS 352.002, and for student access programs.

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

(c) Coordinate the post-secondary elements of data collection and structure, with the advice and
 recommendation of the state's independent institutions, community colleges and public universities,
 as appropriate, in order to construct a state longitudinal data system.

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

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(A) Increasing the educational attainment of the population;

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

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

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

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

(e)(A) Each biennium, after receiving funding requests from the state's community colleges and
public universities as authorized by law, recommend to the Governor a consolidated higher education agency request budget aligned with the strategic plan described in paragraph (d) of this sub-

- 1 section, including appropriations for:
- 2 (i) Student access programs;

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

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

7 (iv) New facilities or programs;

8 (v) Capital improvements and deferred maintenance; and

9 (vi) Special initiatives and investments.

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

11 (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

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(iii) Solicit public input regarding educational priorities.

(f) 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) 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:

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(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

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

32 (h) For public universities listed in ORS 352.002:

33 (A) Approve the mission statement adopted by a governing board of a public university.

(B) Review and determine whether a proposed annual increase of resident undergraduate en rollment fees of greater than five percent is appropriate.

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

37 (D) Approve and authorize degrees.

38 (E) Perform the evaluation and certification required by ORS 350.095.

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

41 (j) Oversee the licensing of career schools under ORS 345.010 to 345.450.

42 (k) Have the authority to enter into and administer interstate agreements regarding the pro-43 vision of post-secondary distance education. The participation by an educational institution that is 44 not based in this state in distance learning courses or programs that are part of an interstate 45 agreement entered into and administered under this paragraph does not constitute operating in this

state for purposes of ORS 348.594 to 348.615. The commission, by rule, may impose a fee on any 1 2 educational institution that seeks to operate under or participate in such interstate agreements. The fee amount shall be established to recover designated expenses incurred by the commission in par-3 4 ticipating in such agreements.  $\mathbf{5}$ (L) Coordinate and collaborate with the Chief Education Office as provided by section 1, chapter 519, Oregon Laws 2011. 6 (4)(a) The Higher Education Coordinating Commission shall implement a process to resolve stu-7 dent complaints against any school operating in this state. As part of the process implemented under 8 9 this subsection, the commission may: 10 (A) Receive student complaints from students regarding a school; 11 (B) Specify the type of information that must be included in a student complaint; 12 (C) Investigate any student complaint filed against a school; 13 (D) Establish a process to review and resolve student complaints against a school, including but not limited to reviewing school records, holding administrative hearings and issuing final orders; 14 15 (E) Assess a fee to cover the costs of any proceeding brought under this subsection, including but not limited to the costs of an investigation or administrative hearing; 16 (F) Require a school to make full or partial restitution to a student or to cease an act or prac-17 18 tice that is challenged in a student complaint; 19 (G) Adopt rules to implement the provisions of this subsection; and (H) Enter into agreements to implement the provisions of this subsection. 20(b) Any hearing held under this subsection is subject to the provisions of ORS chapter 183. 21 22(c) As used in this subsection: 23 (A) "School" means a school that meets the requirements of ORS 348.597 (2)(a); and (B) "Student" means a person who is enrolled or accepted for enrollment at a school for the 94 purpose of obtaining a degree, certificate or other recognized educational credential offered by that 25school. 2627(5) In addition to the duties described in subsections (2) to (4) of this section, the Higher Education Coordinating Commission shall advise the Legislative Assembly, the Governor, community 28 colleges, public universities and other state boards and commissions on policies in order to: 2930 (a) Ensure or improve access to higher education by diverse and underserved populations. 31 (b) Encourage student success and completion initiatives. (c) Improve the coordination of the provision of educational services, including: 32(A) Transfers and coenrollment throughout the higher education system; 33 34 (B) Accelerated college credit programs for high school students; (C) Applied baccalaureate and other transfer degrees; 35 36 (D) Programs and grants that span multiple institutions; and 37 (E) Reciprocity agreements with other states. 38 (d) In coordination with the State Board of Education, enhance the use and quality of [dual credit] accelerated college credit programs, career and technical pathways and efforts to create 39 a culture of college attendance in this state. 40 (e) In coordination with the State Workforce Investment Board, local workforce investment 41 boards, the Oregon Health and Science University and independent institutions, ensure that the 42 state's colleges and universities offer programs in high-demand occupations that meet Oregon's 43 workforce needs. 44 (f) Improve economies of scale by encouraging and facilitating the use of the shared services 45

1 among post-secondary institutions in this state.

2 (6) The Higher Education Coordinating Commission, in a manner consistent with ORS chapter
3 183, may adopt administrative rules.

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

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

9 (9) The Higher Education Coordinating Commission may exercise only powers, duties and func-10 tions expressly granted by the Legislative Assembly. Except as otherwise expressly provided by law, 11 all other authorities reside at the institutional level with the respective boards of the post-secondary 12 institutions.

<u>SECTION 5.</u> ORS 350.075, as amended by section 61, chapter 774, Oregon Laws 2015, section
 6, chapter 30, Oregon Laws 2016, and section 56, chapter 117, Oregon Laws 2016, is amended to
 read:

16 350.075. (1) As used in this section, "student access programs" means scholarship, loan, grant 17 and access programs described in ORS chapter 348.

18 (2) The Higher Education Coordinating Commission shall be guided by the legislative findings

in ORS 341.009, 350.001 and 350.005 and the goals and mission of post-secondary education set forth
 in ORS 350.009 and 350.014.

20 m OIO 550.005 and 550.014 21 (3) The Higher Educati

(3) The Higher Education Coordinating Commission shall:

(a) Develop state goals for the state post-secondary education system, including community colleges and public universities listed in ORS 352.002, and for student access programs.

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

(c) Coordinate the post-secondary elements of data collection and structure, with the advice and
recommendation of the state's independent institutions, community colleges and public universities,
as appropriate, in order to construct a state longitudinal data system.

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

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

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

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

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

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

40 (e)(A) Each biennium, after receiving funding requests from the state's community colleges and
41 public universities as authorized by law, recommend to the Governor a consolidated higher educa42 tion agency request budget aligned with the strategic plan described in paragraph (d) of this sub43 section, including appropriations for:

44 (i) Student access programs;

45 (ii) Public universities listed in ORS 352.002, including but not limited to education and general

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

2 (iii) Community colleges, including but not limited to education and general operations and 3 state-funded debt service;

- 4 (iv) New facilities or programs;
- 5 (v) Capital improvements and deferred maintenance; and

6 (vi) Special initiatives and investments.

- 7 (B) In the development of the consolidated higher education agency request budget:
- 8 (i) Determine the costs necessary to provide quality post-secondary education;

9 (ii) Solicit input from educators, education policy experts, appropriate legislative committees,

10 students and other persons interested in the development of the funding model; and

11 (iii) Solicit public input regarding educational priorities.

(f) 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) 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:

22 (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;

25 (C) Are not located in a geographic area that will cause undue hardship to Oregon's other 26 community colleges or public universities; and

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

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(h) For public universities listed in ORS 352.002:

30 (A) Approve the mission statement adopted by a governing board of a public university.

(B) Review and determine whether a proposed annual increase of resident undergraduate en rollment fees of greater than five percent is appropriate.

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

34 (D) Approve and authorize degrees.

35 (E) Perform the evaluation and certification required by ORS 350.095.

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

38

(j) Oversee the licensing of career schools under ORS 345.010 to 345.450.

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

ticipating in such agreements. 1 2 (4)(a) The Higher Education Coordinating Commission shall implement a process to resolve student complaints against any school operating in this state. As part of the process implemented under 3 this subsection, the commission may: 4  $\mathbf{5}$ (A) Receive student complaints from students regarding a school; (B) Specify the type of information that must be included in a student complaint; 6 (C) Investigate any student complaint filed against a school; 7 (D) Establish a process to review and resolve student complaints against a school, including but 8 9 not limited to reviewing school records, holding administrative hearings and issuing final orders; (E) Assess a fee to cover the costs of any proceeding brought under this subsection, including 10 but not limited to the costs of an investigation or administrative hearing; 11 12 (F) Require a school to make full or partial restitution to a student or to cease an act or prac-13 tice that is challenged in a student complaint; (G) Adopt rules to implement the provisions of this subsection; and 14 15 (H) Enter into agreements to implement the provisions of this subsection. (b) Any hearing held under this subsection is subject to the provisions of ORS chapter 183. 16 (c) As used in this subsection: 17 18 (A) "School" means a school that meets the requirements of ORS 348.597 (2)(a); and (B) "Student" means a person who is enrolled or accepted for enrollment at a school for the 19 purpose of obtaining a degree, certificate or other recognized educational credential offered by that 20school. 2122(5) In addition to the duties described in subsections (2) to (4) of this section, the Higher Edu-23cation Coordinating Commission shall advise the Legislative Assembly, the Governor, community colleges, public universities and other state boards and commissions on policies in order to: 24 (a) Ensure or improve access to higher education by diverse and underserved populations. 25(b) Encourage student success and completion initiatives. 26(c) Improve the coordination of the provision of educational services, including: 27(A) Transfers and coenrollment throughout the higher education system; 28(B) Accelerated college credit programs for high school students; 2930 (C) Applied baccalaureate and other transfer degrees; 31 (D) Programs and grants that span multiple institutions; and (E) Reciprocity agreements with other states. 32(d) In coordination with the State Board of Education, enhance the use and quality of [dual 33 34 credit] accelerated college credit programs, career and technical pathways and efforts to create 35a culture of college attendance in this state. (e) In coordination with the State Workforce Investment Board, local workforce investment 36 37 boards, the Oregon Health and Science University and independent institutions, ensure that the 38 state's colleges and universities offer programs in high-demand occupations that meet Oregon's workforce needs. 39 (f) Improve economies of scale by encouraging and facilitating the use of the shared services 40 among post-secondary institutions in this state. 41 (6) The Higher Education Coordinating Commission, in a manner consistent with ORS chapter 42 183, may adopt administrative rules. 43 (7) With the exception of the rulemaking authority granted in subsection (6) of this section, the 44

45 Higher Education Coordinating Commission may delegate any of its powers, duties or functions to

1 a committee of the commission or to the executive director of the commission.

2 (8) The Higher Education Coordinating Commission may establish technical or advisory com-3 mittees to assist the commission in exercising its powers, duties and functions.

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

8 SECTION 6. (1) The Task Force on Accelerated Learning is established.

9 (2) The task force consists of 12 members appointed as follows:

10 (a) The Superintendent of Public Instruction shall appoint five members.

(b) The executive director of the Higher Education Coordinating Commission shall ap point five members.

13 (c) The Chief Education Officer shall appoint two members.

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(3)(a) The task force shall determine how to implement equitable and sustainable funding
 for accelerated college credit programs and transitional supports. The task force shall emphasize high-quality accelerated college credit programs and transitional supports that:

(A) Align with state statutes, rules, standards and requirements to improve the
transferability of credits earned in an accelerated college credit program to post-secondary
institutions of education;

(B) Increase students' access to high-leverage opportunities that advance students' col lege and career readiness and that improve students' transitions into post-secondary educa tion; and

(C) Ensure equitable access to underserved students or students from rural communities.

(b) When performing the duties described in paragraph (a) of this subsection, the task
 force shall identify:

(A) Methods for initiating and funding partnerships between high schools and post secondary institutions of education in school districts where students have the least access
 to accelerated college credit options;

(B) Equitable and sustainable funding methods for providing accelerated college credit
 programs, with emphasis on providing access to underserved students or students from rural
 communities;

(C) Methods to support sustainable cross-sector collaboration between teachers and staff
 at high schools and faculty at post-secondary institutions of education implementing accel erated college credit programs;

(D) Student support services needed to improve the success rate of students in acceler ated college credit programs;

(E) Mechanisms for increasing the supply of qualified teachers and instructors able to
 teach courses that are part of an accelerated college credit program;

(F) Outcome metrics related to accelerated college credit programs and transitional
 supports, with an emphasis on underserved students and students from rural communities;
 and

42 (G) Statutory and administrative rule changes necessary to implement equitable and
 43 sustainable funding for accelerated college credit programs and transitional supports prior
 44 to the beginning of the 2019-2020 school year.

45 (4) A majority of the members of the task force constitutes a quorum for the transaction

of business. 1 2 (5) Official action by the task force requires the approval of a majority of the members of the task force. 3 (6) The task force shall elect one of its members to serve as chairperson. 4 (7) If there is a vacancy for any cause, the appointing authority shall make an appoint-5 ment to become immediately effective. 6 (8) The task force shall meet at times and places specified by the call of the chairperson 7 or of a majority of the members of the task force. 8 9 (9) The task force may adopt rules necessary for the operation of the task force. (10) The task force shall submit to the interim committees of the Legislative Assembly 10 related to education: 11 12(a) A progress report on the determinations and findings made under this section, no 13 later than February 1, 2018. (b) A final report on the determinations and findings made under this section, including 14 15 any recommendations for legislation, no later than February 1, 2019. 16 (11) The Chief Education Office shall provide staff support to the task force. (12) Members of the task force are not entitled to compensation or reimbursement for 17expenses and serve as volunteers on the task force. 18 (13) All agencies of state government, as defined in ORS 174.111, are directed to assist 19 the task force in the performance of the task force's duties and, to the extent permitted by 20laws relating to confidentiality, to furnish information and advice the members of the task 2122force consider necessary to perform their duties. 23SECTION 7. Section 6 of this 2017 Act is repealed on December 31, 2019. SECTION 8. This 2017 Act being necessary for the immediate preservation of the public 94 peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect 25on its passage. 26

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