

House Bill 2313

Introduced and printed pursuant to House Rule 12.00. Pre-session 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 **as introduced**.

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.

A BILL FOR AN ACT

1
2 Relating to accelerated college credit programs; amending ORS 340.300, 340.310, 340.320 and 350.075.

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

4 **SECTION 1.** ORS 340.300 is amended to read:

5 340.300. (1) As used in this section, "accelerated college credit programs" includes dual credit
6 programs, [*two-plus-two programs*], **sponsored dual credit programs, assessment-based learning**
7 **programs**, advanced placement programs and International Baccalaureate programs.

8 (2) Each school district shall:

9 (a) Provide students in grades 9 through 12 with accelerated college credit programs including,
10 but not limited to, accelerated college credit programs related to English, mathematics and science;
11 or

12 (b) Ensure that students in grades 9 through 12 have online access to accelerated college credit
13 programs including, but not limited to, accelerated college credit programs related to English,
14 mathematics and science.

15 **SECTION 2.** ORS 340.310 is amended to read:

16 340.310. (1) **As used in this section, "accelerated college credit programs" includes dual**
17 **credit programs, sponsored dual credit programs and assessment-based learning programs.**

18 [(1)] (2) The Higher Education Coordinating Commission shall develop statewide standards for
19 [*dual*] **accelerated college** credit programs to be implemented by public high schools, community
20 colleges and public universities listed in ORS 352.002. The standards must establish the manner by
21 which:

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

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

27 [(2)] (3) Each public high school, community college and public university that provides [*a*
28 *dual*] **an accelerated college** credit program must implement the statewide standards developed
29 under subsection [(1)] (2) of this section.

30 [(3)] (4) Each school district, community college and public university that provides [*a dual*] **an**

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 **accelerated college** credit program shall submit an annual report to the Higher Education Coordi-
 2 nating Commission on the academic [*performance*] **achievement** of students [*enrolled in a dual*
 3 *credit*] **in the** program. The Higher Education Coordinating Commission shall establish the required
 4 contents of the report, which must provide sufficient information to allow the commission to deter-
 5 mine the quality of the [*dual*] **accelerated college** credit program.

6 **SECTION 3.** ORS 340.320 is amended to read:

7 340.320. (1) As used in this section, “accelerated college credit programs” includes dual credit
 8 programs, [*two-plus-two programs,*] **sponsored dual credit programs, assessment-based learning**
 9 **programs,** advanced placement programs and International Baccalaureate programs.

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

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

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

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

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

19 (4) If a grant is awarded for the purpose of providing education or training to teachers who will
 20 provide or are providing instruction in an accelerated college credit program:

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

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

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

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

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

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

36 **SECTION 4.** ORS 350.075, as amended by section 5, chapter 30, Oregon Laws 2016, and section
 37 55, chapter 117, Oregon Laws 2016, is amended to read:

38 350.075. (1) As used in this section, “student access programs” means scholarship, loan, grant
 39 and access programs described in ORS chapter 348.

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

43 (3) The Higher Education Coordinating Commission shall:

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

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

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

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

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

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

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

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

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

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

21 (i) Student access programs;

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

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

26 (iv) New facilities or programs;

27 (v) Capital improvements and deferred maintenance; and

28 (vi) Special initiatives and investments.

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

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

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

33 (iii) Solicit public input regarding educational priorities.

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

38 (g) Approve or disapprove any significant change to the academic program of a community col-
39 lege or a public university listed in ORS 352.002. In reaching a decision under this paragraph, the
40 commission shall consider the recommendation from the community college or public university
41 seeking to make the change to an academic program that is issued pursuant to the obligation of the
42 governing board of a community college or public university to review and approve academic pro-
43 grams. The commission shall ensure that approved programs:

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

45 (B) Do not unnecessarily duplicate academic programs offered by Oregon's other community

1 colleges or public universities;

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

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

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

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

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

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

11 (D) Approve and authorize degrees.

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

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

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

16 (k) Have the authority to enter into and administer interstate agreements regarding the pro-
17 vision of post-secondary distance education. The participation by an educational institution that is
18 not based in this state in distance learning courses or programs that are part of an interstate
19 agreement entered into and administered under this paragraph does not constitute operating in this
20 state for purposes of ORS 348.594 to 348.615. The commission, by rule, may impose a fee on any
21 educational institution that seeks to operate under or participate in such interstate agreements. The
22 fee amount shall be established to recover designated expenses incurred by the commission in par-
23 ticipating in such agreements.

24 (L) Coordinate and collaborate with the Chief Education Office as provided by section 1, chapter
25 519, Oregon Laws 2011.

26 (4)(a) The Higher Education Coordinating Commission shall implement a process to resolve stu-
27 dent complaints against any school operating in this state. As part of the process implemented under
28 this subsection, the commission may:

29 (A) Receive student complaints from students regarding a school;

30 (B) Specify the type of information that must be included in a student complaint;

31 (C) Investigate any student complaint filed against a school;

32 (D) Establish a process to review and resolve student complaints against a school, including but
33 not limited to reviewing school records, holding administrative hearings and issuing final orders;

34 (E) Assess a fee to cover the costs of any proceeding brought under this subsection, including
35 but not limited to the costs of an investigation or administrative hearing;

36 (F) Require a school to make full or partial restitution to a student or to cease an act or prac-
37 tice that is challenged in a student complaint;

38 (G) Adopt rules to implement the provisions of this subsection; and

39 (H) Enter into agreements to implement the provisions of this subsection.

40 (b) Any hearing held under this subsection is subject to the provisions of ORS chapter 183.

41 (c) As used in this subsection:

42 (A) "School" means a school that meets the requirements of ORS 348.597 (2)(a); and

43 (B) "Student" means a person who is enrolled or accepted for enrollment at a school for the
44 purpose of obtaining a degree, certificate or other recognized educational credential offered by that
45 school.

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

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

5 (b) Encourage student success and completion initiatives.

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

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

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

9 (C) Applied baccalaureate and other transfer degrees;

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

11 (E) Reciprocity agreements with other states.

12 (d) In coordination with the State Board of Education, enhance the use and quality of [*dual*
 13 *credit*] **accelerated college credit programs**, career and technical pathways and efforts to create
 14 a culture of college attendance in this state.

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

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

21 (6) The Higher Education Coordinating Commission, in a manner consistent with ORS chapter
 22 183, may adopt administrative rules.

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

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

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

32 **SECTION 5.** ORS 350.075, as amended by section 61, chapter 774, Oregon Laws 2015, section
 33 6, chapter 30, Oregon Laws 2016, and section 56, chapter 117, Oregon Laws 2016, is amended to
 34 read:

35 350.075. (1) As used in this section, "student access programs" means scholarship, loan, grant
 36 and access programs described in ORS chapter 348.

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

40 (3) The Higher Education Coordinating Commission shall:

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 42 leges and public universities listed in ORS 352.002, and for student access programs.

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

45 (c) Coordinate the post-secondary elements of data collection and structure, with the advice and

1 recommendation of the state's independent institutions, community colleges and public universities,
2 as appropriate, in order to construct a state longitudinal data system.

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

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

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

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

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

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

14 (e)(A) Each biennium, after receiving funding requests from the state's community colleges and
15 public universities as authorized by law, recommend to the Governor a consolidated higher educa-
16 tion agency request budget aligned with the strategic plan described in paragraph (d) of this sub-
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20 operations, statewide public services and state-funded debt service;

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22 state-funded debt service;

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

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32 community colleges, public universities listed in ORS 352.002 and student access programs. These
33 rules must be based on allocation formulas developed in consultation with the state's community
34 colleges and public universities, as appropriate.

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36 lege or a public university listed in ORS 352.002. In reaching a decision under this paragraph, the
37 commission shall consider the recommendation from the community college or public university
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43 colleges or public universities;

44 (C) Are not located in a geographic area that will cause undue hardship to Oregon's other
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2 achievement of statewide needs and requirements.

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10 (i) Authorize degrees to be offered by independent post-secondary institutions in this state under
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12 (j) Oversee the licensing of career schools under ORS 345.010 to 345.450.

13 (k) Have the authority to enter into and administer interstate agreements regarding the pro-
14 vision of post-secondary distance education. The participation by an educational institution that is
15 not based in this state in distance learning courses or programs that are part of an interstate
16 agreement entered into and administered under this paragraph does not constitute operating in this
17 state for purposes of ORS 348.594 to 348.615. The commission, by rule, may impose a fee on any
18 educational institution that seeks to operate under or participate in such interstate agreements. The
19 fee amount shall be established to recover designated expenses incurred by the commission in par-
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31 (F) Require a school to make full or partial restitution to a student or to cease an act or prac-
32 tice that is challenged in a student complaint;

33 (G) Adopt rules to implement the provisions of this subsection; and

34 (H) Enter into agreements to implement the provisions of this subsection.

35 (b) Any hearing held under this subsection is subject to the provisions of ORS chapter 183.

36 (c) As used in this subsection:

37 (A) “School” means a school that meets the requirements of ORS 348.597 (2)(a); and

38 (B) “Student” means a person who is enrolled or accepted for enrollment at a school for the
39 purpose of obtaining a degree, certificate or other recognized educational credential offered by that
40 school.

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45 (b) Encourage student success and completion initiatives.

- 1 (c) Improve the coordination of the provision of educational services, including:
2 (A) Transfers and coenrollment throughout the higher education system;
3 (B) Accelerated college credit programs for high school students;
4 (C) Applied baccalaureate and other transfer degrees;
5 (D) Programs and grants that span multiple institutions; and
6 (E) Reciprocity agreements with other states.
- 7 (d) In coordination with the State Board of Education, enhance the use and quality of [*dual*
8 *credit*] **accelerated college credit programs**, career and technical pathways and efforts to create
9 a culture of college attendance in this state.
- 10 (e) In coordination with the State Workforce Investment Board, local workforce investment
11 boards, the Oregon Health and Science University and independent institutions, ensure that the
12 state's colleges and universities offer programs in high-demand occupations that meet Oregon's
13 workforce needs.
- 14 (f) Improve economies of scale by encouraging and facilitating the use of the shared services
15 among post-secondary institutions in this state.
- 16 (6) The Higher Education Coordinating Commission, in a manner consistent with ORS chapter
17 183, may adopt administrative rules.
- 18 (7) With the exception of the rulemaking authority granted in subsection (6) of this section, the
19 Higher Education Coordinating Commission may delegate any of its powers, duties or functions to
20 a committee of the commission or to the executive director of the commission.
- 21 (8) The Higher Education Coordinating Commission may establish technical or advisory com-
22 mittees to assist the commission in exercising its powers, duties and functions.
- 23 (9) The Higher Education Coordinating Commission may exercise only powers, duties and func-
24 tions expressly granted by the Legislative Assembly. Except as otherwise expressly provided by law,
25 all other authorities reside at the institutional level with the respective boards of the post-secondary
26 institutions.

27