

House Bill 2559

Sponsored by Representative NEARMAN (Presession filed.)

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**.

Prohibits Higher Education Coordinating Commission from placing school or school program on probation, or suspending or revoking approval, unless sanction is authorized by hearing officer.

A BILL FOR AN ACT

1
2 Relating to sanctions for schools licensed by Office of Degree Authorization; creating new pro-
3 visions; and amending ORS 348.612.

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

5 **SECTION 1.** ORS 348.612 is amended to read:

6 348.612. (1) The Higher Education Coordinating Commission may, **for proper cause after a**
7 **hearing**, place a school, or a program within a school, on probation, or suspend or revoke any ap-
8 proval given to a school under ORS 348.606[, *for proper cause after a hearing*].

9 (2) The commission shall by rule establish criteria for placing a school or program on probation
10 or for suspending or revoking approval given to a school under ORS 348.606. **These rules may not**
11 **include imposing any sanction or additional requirements upon a school until:**

12 (a) **A hearing has occurred; and**

13 (b) **The hearing officer has determined that the conduct of the school warrants placing**
14 **the school or program on probation or suspending or revoking any approval given to the**
15 **school under ORS 348.606.**

16 (3)(a) If [*the commission places*] a school or program **is placed on probation under subsection**
17 **(2) of this section** [*on probation*], the **hearing officer** [*commission*] shall establish conditions that
18 the school or program must meet to continue to operate in this state. These conditions may
19 include:

20 (A) Requiring a school to increase or alter the amount of the bond or letter of credit required
21 under ORS 348.613;

22 (B) **Prohibiting a school or program that is on probation from engaging in any new en-**
23 **rollment, advertising, recruitment or student enrollment activities during the period of pro-**
24 **bation; or**

25 (C) **Notifying enrolled students, employees and any prospective students in writing that**
26 **the school or program has been placed on probation.**

27 (b) If the commission determines that a school has failed to satisfy the conditions of probation
28 established by the [*commission*] **hearing officer** under this subsection, the commission may suspend
29 or revoke any approval given to the school under ORS 348.606.

30 (c) If the commission determines that a school has failed to comply with the requirements of
31 approval given to a school under ORS 348.606 or otherwise failed to maintain a bond or letter of

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 credit as required under ORS 348.613, the commission may, **for proper cause after a hearing,**
2 suspend or revoke any approval given to a school under ORS 348.606.

3 (4) At least 20 days before holding a hearing under this section, the school must have received
4 written notice of the place, time and reason for the hearing. Hearings shall be held in accordance
5 with rules adopted by the commission.

6 **SECTION 2. The amendments to ORS 348.612 by section 1 of this 2017 Act apply to any**
7 **attempt to place a school, or a program within a school, on probation, or to suspend or re-**
8 **voke any approval given to a school under ORS 348.606, that occurs on or after the effective**
9 **date of this 2017 Act.**

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