

Senate Bill 8

Sponsored by Senator COURTNEY (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**.

Permits merger of community college and public university. Directs community college and public university to submit proposal for merger to Higher Education Coordinating Commission for approval. If commission approves merger, directs commission to submit report on merger to Legislative Assembly.

A BILL FOR AN ACT

1
2 Relating to higher education; creating new provisions; and amending ORS 341.009.

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

4 **SECTION 1. (1) A community college and a public university listed in ORS 352.002 may**
5 **merge under the provisions of this section.**

6 **(2) A community college and public university may jointly submit a proposal to merge to**
7 **the Higher Education Coordinating Commission. The proposal shall include:**

8 **(a) The timeline for the merger;**

9 **(b) A plan for the merger of administrative, legal, academic and financial processes and**
10 **procedures;**

11 **(c) A plan for the transfer of employees, liabilities, duties, obligations, records and**
12 **property;**

13 **(d) A plan to address the financial impact of the merger on the community college dis-**
14 **trict and public university and the financial impact of the merger on other community col-**
15 **lege districts and public universities;**

16 **(e) A description of the combined budget of the merged community college and public**
17 **university;**

18 **(f) A plan to address the effects of the merger on students;**

19 **(g) A description of the academic programs to be offered at each campus by the merged**
20 **community college and public university;**

21 **(h) A discussion of the benefits of the merger;**

22 **(i) A list of any state statutes or agency rules that must be modified prior to the merger;**
23 **and**

24 **(j) Any other information required by the commission.**

25 **(3) In addition to the requirements of subsection (2) of this section, the proposal must**
26 **also include a plan for payment by the merged community college and public university of**
27 **any bonds that were issued by the community college district on behalf of the community**
28 **college or by the public university.**

29 **(4) A merger of a community college and public university must be approved by the**
30 **commission. If the commission approves the merger proposal, the commission shall submit**

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 a report to the Legislative Assembly at least 90 days prior to the effective date of the
 2 merger. The report shall include the proposal for the merger and any recommendations for
 3 statutory changes and budget changes that are necessary because of the merger.

4 **SECTION 2.** ORS 341.009 is amended to read:

5 341.009. The Legislative Assembly finds that:

6 (1) The community college is an educational institution that is intended to fill the institutional
 7 gap in education by offering broad, comprehensive programs in academic subjects and in career and
 8 technical education subjects. It is primarily designed to [*provide associate or certificate degree pro-*
 9 *grams for some,*] serve a transitional purpose for [*others*] **persons** who will continue baccalaureate
 10 or other college work, provide the ability to enter the workforce immediately and serve to determine
 11 future educational needs for other students. It can provide means for continuation of academic ed-
 12 ucation, career and technical education or the attainment of entirely new skills as demands for old
 13 skills and old occupations are supplanted by new technologies. It may also provide the means to
 14 coordinate courses and programs with high schools to accommodate successful transition to college
 15 degree programs.

16 [(2) *Each community college should be so located as to be within commuting time of a substantial*
 17 *majority of its students. As an economical method of providing education close to the student's home,*
 18 *the community college should remain a commuting institution.*]

19 [(3)] (2) The community college should establish its organizational patterns to maintain a unique
 20 quality of flexibility and the ability to change to meet changing needs.

21 [(4)] (3) The community college is a post-high-school institution. [*It should not be a "starter" in-*
 22 *stitution intended to evolve into a four-year baccalaureate institution. It should be concerned with pro-*
 23 *grams terminating before reaching the baccalaureate degree.*]

24 [(5) *The community college should continue to be prohibited by law from becoming a baccalaureate*
 25 *degree granting institution.*]

26 [(6)] (4) Admission to the community college should be open to high school graduates or to
 27 persons who have not graduated from high school who can profit from the instruction offered.

28 [(7)] (5) There should be close cooperation between those directing the community college pro-
 29 gram and those responsible for public universities listed in ORS 352.002, so that lower-division col-
 30 lege transfer programs of the community college will provide adequate preparation for entering
 31 baccalaureate degree granting programs, and so that students will be able to transfer with a mini-
 32 mum of difficulty.

33 [(8)] (6) The community college should offer as comprehensive a program as the needs and re-
 34 sources of the area that it serves dictate. Cost to student and quality of instruction in established
 35 private institutions should be among the factors in determining necessary duplication of effort.

36 [(9)] (7) It should be the policy of the community college to open its facilities and make available
 37 its resources to the high schools of its area on a sound contractual basis, for appropriate secondary
 38 or transitional courses, either academic or as part of career and technical education, when it is
 39 within its ability to provide facilities and it is determined that the high school cannot or does not
 40 offer them.

41 [(10)] (8) Programs designed to meet the needs of the area served should be based on the actual
 42 educational and service needs of the district. Specific career and technical education courses should
 43 be related not only to the employment opportunities of the area but of the state and nation as well.
 44 Such determination should be made in consultation with representatives of labor, business, industry,
 45 agriculture and other interested groups.

1 [(11)] (9) The initiative for the establishment of new community colleges should come from the
2 localities to be served, as a response to demonstrated educational needs of an area. However, these
3 localities must not only be willing to assume the responsibility for the institutions but must be able
4 to provide resources needed for an adequate educational and service program.

5 [(12)] (10) The governing board of the community college should be charged with the policy-
6 making function. With respect to educational programming, the governing board shall:

7 (a) Identify educational needs of the district; and

8 (b) Bring together the resources necessary to meet the needs.

9 [(13)] (11) The state should maintain a policy of substantial state participation in community
10 college building costs and the maintenance of an adequate level of state support for operation.
11 [*However, no state funds should be appropriated for buildings such as dormitories or athletic facilities*
12 *for spectator sports.*] The district should provide a substantial portion of the funds for capital im-
13 provement as well as for operation of a community college.

14 [(14)] (12) State appropriations for community colleges shall be made separately from those for
15 other segments of education.

16 [(15)] (13) The formula for the distribution of funds for operating costs should reflect the heavier
17 operating costs and capital outlay for certain career and technical education courses. Federal funds
18 received for career and technical education, adult basic education, workforce development or other
19 federal initiatives should be used for those purposes only and be distributed separately from funds
20 appropriated by the state and should be exempted from the computations of the present distribution
21 formula for operating costs.

22 [(16)] (14) The cost of education to the individual should be sufficiently low to permit students
23 of low-income families to attend. This is particularly true of tuition costs. However, students should
24 pay an amount sufficient to provide an incentive to profit from the instructional program offered.

25 [(17)] (15) Any eligible Oregon resident should have the right to attend a community college
26 even though not residing in a district operating one, subject to the right of the governing board to
27 limit the size of classes and to give preference to students residing in the district. Local school
28 districts and education service districts should have the authority to negotiate the terms and con-
29 ditions with the governing boards for the enrollment of students residing in such areas.

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