

# DRAFT

## SUMMARY

Integrates foundational curricula and unified statewide transfer agreements into Transfer Student Bill of Rights and Responsibilities.

Requires Higher Education Coordinating Commission to develop standards for minimizing complexity of unified statewide transfer agreements and to develop processes for resolving requests for variances to unified statewide transfer agreements or disputes over what courses are included in unified statewide transfer agreements. Requires commission to annually report to committees of Legislative Assembly on number, nature and determinations reached regarding requests for variances to unified statewide transfer agreements or disputes over courses to be included in unified statewide transfer agreements.

Requires commission to establish advisory committee to advise commission staff on designing standards to implement Transfer Student Bill of Rights and Responsibilities and developing electronic system for disseminating information regarding foundational curricula and unified statewide transfer agreements.

Directs commission to convene specified persons for purpose of assisting in alignment of credits earned through dual credit programs with requirements of foundational curricula. Requires reports to interim committees of Legislative Assembly related to education.

Directs commission to collect data related to acceptance of credits from foundational curriculum.

Permits commission to use moneys from Oregon Opportunity Grant program to pay for scholarships for children of public safety officers if other sources of moneys are insufficient to fully fund scholarships.

Authorizes Western Oregon University, Southern Oregon University and Eastern Oregon University to offer professional doctorate degrees.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

Relating to higher education; creating new provisions; amending ORS 348.280, 350.395, 350.412, 352.011 and 352.089 and section 1, chapter 113,

**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.

Oregon Laws 2018; and declaring an emergency.

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

**SECTION 1.** ORS 350.395 is amended to read:

350.395. (1) As used in this section:

(a) “Associate transfer degree” means an associate degree that is awarded by a community college and that is intended to allow a student to apply the credits earned for the degree toward a baccalaureate degree.

(b) “Community college” means a community college operated under ORS chapter 341.

**(c) “Foundational curriculum” means a curriculum established under ORS 350.400.**

[(c)] **(d) “Public university” means a public university listed in ORS 352.002.**

[(d)] **(e) “Transfer program” means a one-year program that is designed to allow a student to apply the credits earned through the program toward a baccalaureate degree.**

**(f) “Unified statewide transfer agreement” means an agreement established under ORS 350.404.**

(2) The Higher Education Coordinating Commission shall develop standards related to the ability of students to apply credits earned through courses of study at community colleges to baccalaureate degrees awarded by public universities. The standards shall be known as the “Transfer Student Bill of Rights and Responsibilities.” **In developing these standards, commission staff shall consult with the advisory committee established in section 3 of this 2020 Act.**

(3) The standards developed under this section must include:

(a) Admission standards to public universities for students who have earned an associate transfer degree **or who have attained the optimal number of academic credits identified in a unified statewide transfer agreement.**

(b) Processes to align requirements for community college courses and

public university courses to ensure that credits earned for completion of sufficiently similar courses are fully transferable between all community colleges and public universities.

(c) Processes to minimize the number of credits that students who have **either** earned an associate transfer degree **or who have completed all coursework in a transfer program, foundational curriculum or unified statewide transfer agreement** would need to complete prior to receiving various types of baccalaureate degrees at public universities[, *including identifying majors in baccalaureate degree programs that require more than two years to complete after a student has earned an associate transfer degree*].

[(d) Processes to minimize the number of credits that students who have completed a transfer program would need to complete prior to receiving various types of baccalaureate degrees at public universities.]

**(d) Methods for minimizing the complexity of unified statewide transfer agreements.**

**(e) Processes requiring:**

**(A) The chief academic officer of a community college or public university requesting a variance to an established unified statewide transfer agreement to, at the request of the advisory committee established in section 3 of this 2020 Act, provide information to the committee on the pedagogical requirements supporting the position of the community college or public university; and**

**(B) The chief academic officers of community colleges or public universities who disagree over the inclusion or exclusion of courses in a unified statewide transfer agreement to, at the request of the advisory committee established in section 3 of this 2020 Act, provide information to the committee on the pedagogical requirements supporting the positions of the community colleges or public universities.**

[(e)] **(f) Processes by which a community college would award an associ-**

ate degree to a student upon completion of necessary credits, regardless of whether the student applied to receive the degree or whether the student earned the credits for the degree at a community college or a public university.

[(f)] (g) Processes to evaluate and make recommendations for the development of associate transfer degrees **or unified statewide transfer agreements** in specific areas of study[, *including engineering*].

[(g)] (h) Any other issues identified by the Higher Education Coordinating Commission that relate to courses of study at community colleges and the ability of a student to transfer credits to a community college or a public university, to be admitted to a public university or to earn a degree at a community college or a public university.

[(h)] (i) Requirements that students must meet in order to benefit from the standards described in paragraphs (a) to [(g)] (h) of this subsection.

(4) [*Each community college and public university shall submit annual reports to*] The Higher Education Coordinating Commission [*related to*] **shall annually submit a report in the manner provided by ORS 192.245 to the appropriate interim committees of the Legislative Assembly setting forth:**

(a) The number of students who attend a community college and then a public university[, *or a public university and then a community college*].

(b) The number of students who attend one community college and then a different community college.

(c) The number of students who transfer from a community college to a public university and who have an associate transfer degree or have completed a transfer program.

(d) The average number of credits students have when they transfer from a community college to a public university **and the average number of credits accepted by the public university.**

(e) The average number of credits students have when they attend one community college and then a different community college.

(f) The average number of credits that a student earning an associate transfer degree completed at a community college.

(g) The average number of credits students who have transferred from a community college to a public university must earn prior to receiving a baccalaureate degree compared to the average number of credits students who did not transfer from a community college must earn prior to receiving a baccalaureate degree.

**(h)(A) The number and nature of the requests submitted under subsection (3)(e) of this section to the advisory committee established in section 3 of this 2020 Act; and**

**(B) The determination reached by the committee for each request described in subparagraph (A) of this paragraph.**

**SECTION 2.** ORS 350.412 is amended to read:

350.412. (1) The Higher Education Coordinating Commission shall regularly convene representatives from community colleges and public universities listed in ORS 352.002 in order to:

(a) Facilitate the coordination and establishment of foundational curricula described in ORS 350.400; and

(b) Facilitate the development, and ensure the continued alignment, of the unified statewide transfer agreements described in ORS 350.404.

(2) The commission shall provide staffing for each meeting held under subsection (1) of this section.

(3) The commission shall seek to ensure that community colleges, public universities listed in ORS 352.002 and students are informed and engaged on the current status and developments of foundational curricula and unified statewide transfer agreements.

(4) Each community college and public university listed in ORS 352.002 shall report annually to the commission, for each unified statewide transfer agreement established under ORS 350.404, the number of academic credits that were successfully transferred in that major course of study by students who transfer from a community college to a public university.

(5) *[To the extent relevant data is available,]* The commission shall report annually to the Legislative Assembly on:

(a) Whether existing unified statewide transfer agreements are meeting the goals set forth in ORS 350.404 (2)[.];

(b) Whether, in meeting the goals set forth in ORS 350.404 (2), there are differences in outcomes for students on a disaggregated basis;

(c) The rates and numbers of completion of the foundational curricula and unified statewide transfer agreements on a disaggregated basis; and

(d) Recommendations for improving the equity, consistency and efficiency of credit transfer.

(6) Each community college and public university listed in ORS 352.002 shall timely provide the commission with any requested data necessary for the commission to comply with the reporting requirements set forth in subsection (5) of this section.

**SECTION 3.** The Higher Education Coordinating Commission shall establish an advisory committee consisting of faculty, staff and administration representatives from community colleges and public universities listed in ORS 352.002, and any other parties the commission deems necessary. The advisory committee shall provide advice and recommendations to commission staff on:

(1) Designing standards to effectively implement ORS 350.395;

(2) Developing an electronic system for the dissemination of information regarding foundational curricula established under ORS 350.400 and unified statewide transfer agreements established under ORS 350.404; and

(3) Any other needs and processes that may be required for the implementation of ORS 350.395 to 350.412.

**SECTION 4.** Not later than December 15, 2020, the Higher Education Coordinating Commission shall submit a report to the interim committees of the Legislative Assembly related to education describing

any additional legislation or funding that is required to develop an electronic system for the dissemination of information regarding foundational curricula and unified statewide transfer agreements in the manner set forth in section 3 (2) of this 2020 Act.

**SECTION 5.** (1) As used in this section:

(a) “Dual credit programs” includes dual credit programs, sponsored dual credit programs and assessment-based learning credit programs, as those terms are defined by the Higher Education Coordinating Commission by rule.

(b) “Foundational curricula” means curricula established for public post-secondary institutions of education in this state under ORS 350.400.

(2) No later than December 1, 2020, the commission shall convene:

(a) High school teachers of courses that are offered as part of a dual credit program;

(b) Administrators at high schools that offer dual credit programs;

(c) Faculty at community colleges and public universities listed in ORS 352.002 that teach courses as part of a dual credit program; and

(d) Administrators at community colleges or public universities listed in ORS 352.002 that are in a partnership to offer dual credit programs.

(3) The persons convened as provided by subsection (2) of this section shall assist in aligning credits earned through dual credit programs with requirements of foundational curricula by:

(a) Prescribing guidance for determining which courses offered in dual credit programs are aligned with foundational curricula.

(b) Documenting dual credit program courses that are within foundational curricula.

(c) Identifying criteria that support articulation of credits earned through dual credit programs offered in high school to credits accepted by community colleges and public universities listed in ORS 352.002.

(d) Developing additional foundational curricula lists upon approval of unified statewide transfer agreements developed under ORS 350.404.

(4) The commission shall submit reports detailing its compliance with this section to the interim committees of the Legislative Assembly related to education as follows:

(a) A preliminary report no later than March 31, 2021.

(b) A final report no later than August 31, 2021.

**SECTION 6.** Sections 4 and 5 of this 2020 Act are repealed on December 31, 2021.

**SECTION 7.** Section 1, chapter 113, Oregon Laws 2018, as amended by section 3, chapter 113, Oregon Laws 2018, is amended to read:

**Sec. 1.** (1) As used in this section:

(a) “Accelerated college credit program” has the meaning given that term in *[section 6 of this 2018 Act]* **ORS 350.420**.

(b) “Credit toward general education” has the meaning given that term in *[section 6 of this 2018 Act]* **ORS 350.420**.

(2) The Higher Education Coordinating Commission shall prepare an annual report on accelerated college credit programs in the manner provided by this section.

(3) For the purpose of the report required by this section, the commission shall collaborate with public post-secondary institutions of education in this state to determine the method for providing a representative sampling of:

(a) Students from each institution who are:

(A) Graduates of a high school in this state;

(B) Enrolled in the first year at a post-secondary institution of education for the first time, except for any enrollment related to an accelerated college credit program; and

(C) Seeking a post-secondary certificate or degree.

(b) The number of credits from an accelerated college credit program that a student attempted to transfer to the post-secondary institution of education.



(4) The report required by this section must include the following information from the representative sampling based on the previous school year:

(a) The number and percentage of students who attempted to transfer a credit from an accelerated college credit program to a public post-secondary institution of education in this state.

(b) Of the students identified under paragraph (a) of this subsection, the number and percentage of students whose credits were accepted.

(c) Of the credits accepted, the number and percentage that were accepted as credit toward general education.

(d) Of the students identified under paragraph (a) of this subsection, the number and percentage of students whose credits were not accepted.

(e) Of the students identified under paragraph (a) of this subsection, the high schools from which the students graduated, if available.

**(f) Of the students identified under paragraph (a) of this subsection, the number and percentage of students whose credits from the foundational curriculum established under ORS 350.400 were accepted or not accepted.**

(5) To the extent practicable, and in addition to the information described in subsection (4) of this section, the report must include, from all students in this state described in subsection (3)(a) of this section, the number of students who attempted to transfer a credit from an accelerated college credit program to a public post-secondary institution of education in this state.

(6) To the extent practicable, the information collected under subsections (4) and (5) of this section must be disaggregated by:

(a) The student's characteristics, including race, ethnicity and gender;

(b) The post-secondary institution of education that accepted or did not accept a transfer of a credit from an accelerated college credit program;

(c) The type of accelerated college credit program in which the student participated; and

(d) The class of the accelerated college credit program in which the stu-

dent participated.

(7) No later than September 1 of each year, each public post-secondary institution of education must provide to the Higher Education Coordinating Commission the information required under this section.

(8) No later than December 1 of each year, the report required under this section must be:

(a) Submitted to the Governor, the Department of Education, the interim committees of the Legislative Assembly related to education, the board of education of each community college district in this state and the governing board of each public university listed in ORS 352.002; and

(b) Made available to each school district in this state.

(9) Nothing in this section is intended to supersede the authority of a post-secondary institution of education, or the faculty of an institution, to prescribe an educational program or a course of study as provided by ORS 341.290 (3) or 352.146. [2018 c.113 §1; 2018 c.113 §3]

**SECTION 8. The amendments to section 1, chapter 113, Oregon Laws 2018, by section 7 of this 2020 Act become operative on July 1, 2020.**

**SECTION 9.** ORS 348.280 is amended to read:

348.280. (1) The Higher Education Coordinating Commission shall:

(a) Determine which students are eligible to receive scholarships under ORS 348.270 and 348.272.

(b) Grant the appropriate scholarships under ORS 348.270 and 348.272.

(c) Make necessary rules for application and distribution of the benefits available under ORS 348.270 and 348.272 and this section.

(d) In awarding scholarships pursuant to its authority under ORS 348.520, give priority to students who are eligible to receive scholarships under ORS 348.270 and 348.272.

**(2) If the accounts established or designated by the State Treasurer under ORS 131A.360 and 131A.365 do not contain sufficient moneys to provide scholarships to each student who is eligible to receive a**

1 **scholarship under ORS 348.270, the commission shall:**

2 **(a) Use all moneys available in the accounts established or desig-**  
3 **nated by the State Treasurer under ORS 131A.360 and 131A.365 to pro-**  
4 **vide scholarships to students who are eligible to receive a scholarship**  
5 **under ORS 348.270; and**

6 **(b) Award moneys from the Oregon Opportunity Grant program to**  
7 **students who are eligible to receive a scholarship under ORS 348.270.**

8 [(2)] (3) The [*Higher Education Coordinating*] commission shall establish  
9 rules and procedures necessary to carry out the provisions of ORS 348.270  
10 and 348.272 and this section, including but not limited to the usual and  
11 customary rules for analyzing financial need.

12 **SECTION 10.** ORS 352.011 is amended to read:

13 352.011. (1) **As used in this section, “professional doctorate degree”**  
14 **means a first professional degree, excluding a Doctor of Philosophy**  
15 **degree, that:**

16 **(a) Represents a category of qualifications in a professional subject**  
17 **area that requires students to have previously completed specified**  
18 **undergraduate coursework or obtained previous undergraduate degrees**  
19 **before enrolling in the professional doctorate degree granting pro-**  
20 **gram; and**

21 **(b) Is awarded upon completion of a program that provides the**  
22 **knowledge and skills for the recognition, credential or license required**  
23 **for professional practice.**

24 **(2) Western Oregon University, Southern Oregon University and Eastern**  
25 **Oregon University are established as comprehensive universities that offer**  
26 **a full range of baccalaureate programs and graduate programs through the**  
27 **master’s degree and the professional doctorate degree.**

28 **SECTION 11.** ORS 352.089 is amended to read:

29 352.089. (1) A public university listed in ORS 352.002 shall adopt a mission  
30 statement for the university, and shall forward the statement to the Higher  
31 Education Coordinating Commission.

(2) A public university listed in ORS 352.002 shall submit any significant change in the university's academic programs to the Higher Education Coordinating Commission. The commission shall establish a process for reviewing the significant program change for approval. The commission shall establish, by rule, what constitutes a significant change to a university's academic program. The commission shall further ensure that approved programs:

(a) Are consistent with the mission statement of the university;

(b) Do not unnecessarily duplicate academic programs offered by Oregon's other public universities;

(c) Are not located in a geographic area that will cause undue hardship to Oregon's other public universities; *[and]*

(d) Are allocated among Oregon's public universities to maximize the achievement of statewide needs and requirements; **and**

**(e) Submitted by Western Oregon University, Southern Oregon University or Eastern Oregon University comply with ORS 352.011.**

(3)(a) Pursuant to ORS 350.090, on or before September 1 of each even-numbered year, the Higher Education Coordinating Commission shall submit a consolidated funding request to the Governor on behalf of all public universities listed in ORS 352.002.

(b) The Governor's budget may include funding requests from public universities.

(4) As part of a funding request submitted under subsection (3) of this section, a public university listed in ORS 352.002 may request, and appropriations may include but are not limited to, funding for education and general operations, statewide public services, state-funded debt service, capital improvements, deferred maintenance, special initiatives and investments or any other purpose authorized by ORS 350.075 (3)(e). Any moneys appropriated to pay debt service for state bonds must be held by the State Treasurer pursuant to an agreement entered into by the State Treasurer and a public university under ORS 352.135 (2).

1 (5) A public university listed in ORS 352.002 that wishes to request the  
2 issuance of state bonds, including a public university that elects to remain  
3 eligible to receive proceeds of state bonds under ORS 352.402, must make a  
4 request to this effect to the Higher Education Coordinating Commission. The  
5 commission shall establish a process for reviewing the request to issue state  
6 bonds. The commission shall decide whether, and in what manner, to make  
7 a request for the issuance of state bonds to the Legislative Assembly.

8 (6)(a) Each public university listed in ORS 352.002 shall respond to a re-  
9 quest for data from the Legislative Assembly or other state body by submit-  
10 ting the requested information to the Higher Education Coordinating  
11 Commission. The commission shall consolidate the data received from public  
12 universities. The commission shall be responsible for providing the data to  
13 the Legislative Assembly or other requesting entity.

14 (b) As used in this subsection, “data” means any information that, as of  
15 August 14, 2013, is collected by the Higher Education Coordinating Com-  
16 mission from each university and reported to the Legislative Assembly or  
17 any other state entity, including but not limited to retention and graduation  
18 rates and demographic information on students.

19 **SECTION 12. This 2020 Act being necessary for the immediate**  
20 **preservation of the public peace, health and safety, an emergency is**  
21 **declared to exist, and this 2020 Act takes effect on its passage.**