

LC 1288
2021 Regular Session
10/2/20 (DRG/ps)

D R A F T

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.

Appropriates moneys from General Fund to Higher Education Coordinating Commission for carrying out provisions of this Act.

Declares emergency, effective on passage.

1

A BILL FOR AN ACT

2 Relating to higher education; creating new provisions; amending ORS
3 348.280, 350.395 and 350.412 and section 1, chapter 113, Oregon Laws 2018;

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 and declaring an emergency.

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

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

4 350.395. (1) As used in this section:

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

8 (b) "Community college" means a community college operated under ORS
9 chapter 341.

10 (c) **"Foundational curriculum"** means a curriculum established un-
11 der ORS 350.400.

12 [(c)] (d) "Public university" means a public university listed in ORS
13 352.002.

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

17 (f) **"Unified statewide transfer agreement"** means an agreement es-
18 tablished under ORS 350.404.

19 (2) The Higher Education Coordinating Commission shall develop stan-
20 dards related to the ability of students to apply credits earned through
21 courses of study at community colleges to baccalaureate degrees awarded by
22 public universities. The standards shall be known as the "Transfer Student
23 Bill of Rights and Responsibilities." **In developing these standards, com-**
24 **mission staff shall consult with the advisory committee established in**
25 **section 3 of this 2021 Act.**

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

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

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

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

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

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

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

17 **(e) Processes requiring:**

18 **(A) The chief academic officer of a community college or public**
19 **university requesting a variance to an established unified statewide**
20 **transfer agreement to, at the request of the advisory committee es-**
21 **tablished in section 3 of this 2021 Act, provide information to the**
22 **committee on the pedagogical requirements supporting the position**
23 **of the community college or public university; and**

24 **(B) The chief academic officers of community colleges or public**
25 **universities who disagree over the inclusion or exclusion of courses in**
26 **a unified statewide transfer agreement to, at the request of the advi-**
27 **sory committee established in section 3 of this 2021 Act, provide in-**
28 **formation to the committee on the pedagogical requirements**
29 **supporting the positions of the community colleges or public univer-**
30 **sities.**

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

1 ate degree to a student upon completion of necessary credits, regardless of
2 whether the student applied to receive the degree or whether the student
3 earned the credits for the degree at a community college or a public uni-
4 versity.

5 [(f)] **(g)** Processes to evaluate and make recommendations for the devel-
6 opment of associate transfer degrees **or unified statewide transfer agree-**
7 **ments** in specific areas of study[, *including engineering*].

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

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

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

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

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

24 (c) The number of students who transfer from a community college to a
25 public university and who have an associate transfer degree or have com-
26 pleted a transfer program.

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

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

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

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

8 **(h)(A) The number and nature of the requests submitted under
9 subsection (3)(e) of this section to the advisory committee established
10 in section 3 of this 2021 Act; and**

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

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

14 350.412. (1) The Higher Education Coordinating Commission shall regu-
15 larly convene representatives from community colleges and public universi-
16 ties listed in ORS 352.002 in order to:

17 (a) Facilitate the coordination and establishment of foundational curric-
18 ula described in ORS 350.400; and

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

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

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

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

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

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

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

7 (c) The rates and numbers of completion of the foundational cur-
8 ricula and unified statewide transfer agreements on a disaggregated
9 basis; and

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

12 (6) Each community college and public university listed in ORS
13 352.002 shall timely provide the commission with any requested data
14 necessary for the commission to comply with the reporting require-
15 ments set forth in subsection (5) of this section.

16 SECTION 3. The Higher Education Coordinating Commission shall
17 establish an advisory committee consisting of faculty, staff and ad-
18 ministration representatives from community colleges and public uni-
19 versities listed in ORS 352.002, and any other parties the commission
20 deems necessary. The advisory committee shall provide advice and
21 recommendations to commission staff on:

22 (1) Designing standards to effectively implement ORS 350.395;

23 (2) Developing an electronic system for the dissemination of infor-
24 mation regarding foundational curricula established under ORS 350.400
25 and unified statewide transfer agreements established under ORS
26 350.404; and

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

29 SECTION 4. Not later than December 15, 2021, the Higher Education
30 Coordinating Commission shall submit a report to the interim com-
31 mittees of the Legislative Assembly related to education describing

1 any additional legislation or funding that is required to develop an
2 electronic system for the dissemination of information regarding
3 foundational curricula and unified statewide transfer agreements in
4 the manner set forth in section 3 (2) of this 2021 Act.

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

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

10 (b) "Foundational curricula" means curricula established for public
11 post-secondary institutions of education in this state under ORS
12 350.400.

13 (2) No later than December 1, 2021, the commission shall convene:

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

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

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

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

22 (3) The persons convened as provided by subsection (2) of this sec-
23 tion shall assist in aligning credits earned through dual credit pro-
24 grams with requirements of foundational curricula by:

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

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

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

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

3 **(4) The commission shall submit reports detailing its compliance**
4 **with this section to the interim committees of the Legislative Assem-**
5 **bly related to education as follows:**

6 **(a) A preliminary report no later than March 31, 2022.**

7 **(b) A final report no later than August 31, 2022.**

8 **SECTION 6. Sections 4 and 5 of this 2021 Act are repealed on De-**
9 **cember 31, 2022.**

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

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

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

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

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

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

23 (a) Students from each institution who are:

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

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

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

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

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

2 (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.

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

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

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

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

7 (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.**

8 (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.

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

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

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

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

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

1 dent participated.

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

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

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

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

12 (9) Nothing in this section is intended to supersede the authority of a
13 post-secondary institution of education, or the faculty of an institution, to
14 prescribe an educational program or a course of study as provided by ORS
15 341.290 (3) or 352.146.

16 **SECTION 8.** ORS 348.280 is amended to read:

17 348.280. (1) The Higher Education Coordinating Commission shall:

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

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

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

23 (d) In awarding scholarships pursuant to its authority under ORS 348.520,
24 give priority to students who are eligible to receive scholarships under ORS
25 348.270 and 348.272.

26 **(2) If the accounts established or designated by the State Treasurer
27 under ORS 131A.360 and 131A.365 do not contain sufficient moneys to
28 provide scholarships to each student who is eligible to receive a
29 scholarship under ORS 348.270, the commission shall:**

30 **(a) Use all moneys available in the accounts established or desig-
31 nated by the State Treasurer under ORS 131A.360 and 131A.365 to pro-**

1 **vide scholarships to students who are eligible to receive a scholarship**
2 **under ORS 348.270; and**

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

5 **[(2)] (3) The [Higher Education Coordinating] commission shall establish**
6 **rules and procedures necessary to carry out the provisions of ORS 348.270**
7 **and 348.272 and this section, including but not limited to the usual and**
8 **customary rules for analyzing financial need.**

9 **SECTION 9. In addition to and not in lieu of any other appropri-**
10 **ation, there is appropriated to the Higher Education Coordinating**
11 **Commission, for the biennium ending June 30, 2023, out of the General**
12 **Fund, the amount of \$555,749 for the purpose of carrying out the pro-**
13 **visions of sections 3 to 5 of this 2021 Act and the amendments to**
14 **statutes and session law by sections 1, 2, 7 and 8 of this 2021 Act.**

15 **SECTION 10. This 2021 Act being necessary for the immediate**
16 **preservation of the public peace, health and safety, an emergency is**
17 **declared to exist, and this 2021 Act takes effect on its passage.**

18 _____