

B-Engrossed
House Bill 2262

Ordered by the Senate May 21
Including House Amendments dated March 22 and Senate Amendments
dated May 21

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Kate Brown for
Chief Education Office)

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.

Modifies duties and membership of Early Learning Council.
Modifies purpose of Youth Development Council.

**Directs Higher Education Coordinating Commission to administer statewide longitudinal
data system and to conduct statewide longitudinal studies and reporting of early learning,
kindergarten through grade 12 education, higher education and workforce programs.**

Declares emergency, effective July 1, 2019.

A BILL FOR AN ACT

1
2 Relating to the governance structure of public education; creating new provisions; amending ORS
3 326.425, 329.150, 329.165, 329.195, 350.075, 417.788, 417.793, 417.796, 417.827 and 417.847; and de-
4 claring an emergency.

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

6 **SECTION 1.** ORS 326.425 is amended to read:

7 326.425. (1) The Early Learning Council is established.

8 (2) The council is established to [*oversee*] **coordinate** a unified **and aligned** system of early
9 learning services for the [*purpose of ensuring that children enter school ready to learn.*] **purposes**
10 **of ensuring that:**

11 (a) **Children enter school ready to learn; and**

12 (b) **Families are healthy, stable and attached.**

13 (3) The Early Learning Council shall [*ensure that children enter school ready to learn*] **accom-**
14 **plish the purposes described in subsection (2) of this section by:**

15 (a) [*Serving*] **Designating a committee to serve** as the state advisory council for purposes of
16 the federal Head Start Act[, *as provided by ORS 417.796*].

17 (b) [*Implementing and overseeing a*] **Coordinating an integrated** system that [*coordinates*] **aligns**
18 the delivery of early learning services.

19 (c) [*Overseeing*] **Coordinating** the Oregon Early Learning System created by ORS 417.727.

20 [(3)] (4) The council consists of members appointed as provided by subsections [(4) and] (5) **and**
21 (6) of this section.

22 [(4)(a)] (5)(a) The Governor shall appoint nine voting members who are appointed for a term of
23 four years and serve at the pleasure of the Governor. A person appointed under this subsection may
24 not be appointed to serve more than two consecutive full terms as a council member.

25 (b) When determining whom to appoint to the council under this subsection, the Governor shall:

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) Ensure that each congressional district of this state is represented;

2 **(B) Ensure that at least one member represents the tribes of this state;**

3 **(C) Ensure that at least one member represents the workforces for child care and early**
4 **learning;**

5 [(B)] **(D)** Ensure that each member meets the following qualifications:

6 (i) Demonstrates leadership skills in civics or the member's profession;

7 (ii) To the greatest extent practicable, contributes to the council's representation of the ge-
8 ographic, ethnic, gender, racial and economic diversity of this state; and

9 (iii) Contributes to the council's expertise, knowledge and experience in early childhood devel-
10 opment, early childhood care, early childhood education, family financial stability, populations dis-
11 proportionately burdened by poor education outcomes and outcome-based best practices; and

12 [(C)] **(E)** Solicit recommendations from the Speaker of the House of Representatives for at least
13 two members and from the President of the Senate for at least two members.

14 [(5)] **(6)** In addition to the members appointed under subsection [(4)] **(5)** of this section, the
15 Governor shall appoint [*voting*] **nonvoting**, ex officio members who represent [*the*] **relevant** state
16 agencies. [*and other entities that are required to be represented on a state advisory council for pur-*
17 *poses of the federal Head Start Act and who represent the tribes of this state.*]

18 [(6)] **(7)** The activities of the council shall be directed and supervised by the Early Learning
19 System Director who is appointed by the Governor and serves at the pleasure of the Governor.

20 [(7)] **(8)** In accordance with applicable provisions of ORS chapter 183, the council may adopt
21 rules necessary for the administration of the laws that the council is charged with administering.

22 [(8)] **(9)** The council shall coordinate and collaborate with the Chief Education Office as pro-
23 vided by section 1, chapter 519, Oregon Laws 2011.

24 **SECTION 2.** ORS 326.425, as amended by section 44, chapter 774, Oregon Laws 2015, is
25 amended to read:

26 326.425. (1) The Early Learning Council is established.

27 (2) The council is established to [*oversee*] **coordinate** a unified **and aligned** system of early
28 learning services for the [*purpose of ensuring that children enter school ready to learn.*] **purposes**
29 **of ensuring that:**

30 **(a) Children enter school ready to learn; and**

31 **(b) Families are healthy, stable and attached.**

32 **(3)** The Early Learning Council shall [*ensure that children enter school ready to learn*] **accom-**
33 **plish the purposes described in subsection (2) of this section** by:

34 (a) [*Serving*] **Designating a committee to serve** as the state advisory council for purposes of
35 the federal Head Start Act, as provided by ORS 417.796.

36 (b) [*Implementing and overseeing a*] **Coordinating an integrated** system that [*coordinates*] **aligns**
37 the delivery of early learning services.

38 (c) [*Overseeing*] **Coordinating** the Oregon Early Learning System created by ORS 417.727.

39 [(3)] **(4)** The council consists of members appointed as provided by subsections [(4) and] (5) **and**
40 **(6)** of this section.

41 [(4)(a)] **(5)(a)** The Governor shall appoint nine voting members who are appointed for a term of
42 four years and serve at the pleasure of the Governor. A person appointed under this subsection may
43 not be appointed to serve more than two consecutive full terms as a council member.

44 (b) When determining whom to appoint to the council under this subsection, the Governor shall:

45 (A) Ensure that each congressional district of this state is represented;

1 **(B) Ensure that at least one member represents the tribes of this state;**

2 **(C) Ensure that at least one member represents the workforces for child care and early**
3 **learning;**

4 [(B)] **(D)** Ensure that each member meets the following qualifications:

5 (i) Demonstrates leadership skills in civics or the member's profession;

6 (ii) To the greatest extent practicable, contributes to the council's representation of the ge-
7 ographic, ethnic, gender, racial and economic diversity of this state; and

8 (iii) Contributes to the council's expertise, knowledge and experience in early childhood devel-
9 opment, early childhood care, early childhood education, family financial stability, populations dis-
10 proportionately burdened by poor education outcomes and outcome-based best practices; and

11 [(C)] **(E)** Solicit recommendations from the Speaker of the House of Representatives for at least
12 two members and from the President of the Senate for at least two members.

13 [(5)] **(6)** In addition to the members appointed under subsection [(4)] **(5)** of this section, the
14 Governor shall appoint [*voting*] **nonvoting**, ex officio members who represent [*the*] **relevant** state
15 agencies. [*and other entities that are required to be represented on a state advisory council for pur-*
16 *poses of the federal Head Start Act and who represent the tribes of this state.*]

17 [(6)] **(7)** The activities of the council shall be directed and supervised by the Early Learning
18 System Director who is appointed by the Governor and serves at the pleasure of the Governor.

19 [(7)] **(8)** In accordance with applicable provisions of ORS chapter 183, the council may adopt
20 rules necessary for the administration of the laws that the council is charged with administering.

21 **SECTION 3.** ORS 329.150 is amended to read:

22 329.150. A school district may provide services for children and families at the school site, which
23 may include a community learning center. If the district chooses to provide services, the design of
24 educational and other services to children and their families shall be the responsibility of the school
25 district. School districts may coordinate services with programs provided through and [*overseen*]
26 **coordinated** by the Early Learning Council for the purpose of providing services to families. To
27 ensure that all educational and other services for young children and their families offer the maxi-
28 mum opportunity possible for the personal success of the child and family members, it is the policy
29 of this state that the following principles for serving children should be observed to the maximum
30 extent possible in all of its educational and other programs serving young children and their fami-
31 lies, including those programs delivered at community learning centers:

32 (1) Services for young children and their families should be located as close to the child and the
33 family's community as possible, encouraging community support and ownership of such services;

34 (2) Services for young children and their families should reflect the importance of integration
35 and diversity to the maximum extent possible in regard to characteristics such as race, economics,
36 gender, creed, capability and cultural differences;

37 (3) Services should be designed to support and strengthen the welfare of the child and the family
38 and be planned in consideration of the individual family's values;

39 (4) Services should be designed to ensure continuity of care among caregivers in a given day
40 and among service plans from year to year;

41 (5) Service systems should address the most urgent needs in a timely manner including health,
42 intervention and support services; and

43 (6) Service providers and sources of support should be coordinated and collaborative, to reflect
44 the knowledge that no single system can serve all of the needs of the child and family.

45 **SECTION 4.** ORS 329.165 is amended to read:

1 329.165. (1) *[In consultation with the advisory committee for the Oregon prekindergarten program,*
2 *the Early Learning Council, acting as the state advisory council for purposes of the federal Head Start*
3 *Act,]* **The Early Learning Council** shall develop a long-range plan for serving eligible children and
4 their families and shall report to each odd-numbered year regular session of the Legislative Assem-
5 bly on the funds necessary to implement the long-range plan, including but not limited to regular
6 programming costs, salary enhancements and program improvement grants. The council shall deter-
7 mine the rate of increase in funding for programs necessary each biennium to provide service to all
8 children eligible for the **Oregon** prekindergarten program.

9 (2) Each biennial report shall include but not be limited to estimates of the number of eligible
10 children and families to be served, projected cost of programs and evaluation of the programs.

11 **SECTION 5.** ORS 329.195 is amended to read:

12 329.195. (1)(a) The Early Learning Council[, *acting as the state advisory council for purposes of*
13 *the federal Head Start Act,]* shall adopt rules for the establishment of the Oregon prekindergarten
14 program.

15 (b) Rules adopted under this section specifically shall require:

16 (A) Performance standards and operating standards that are at a level no less than the level
17 required under the federal Head Start program guidelines.

18 (B) Processes and procedures for recompetition that are substantially similar to the processes
19 and procedures required under the rules and guidelines adopted under the federal Head Start Act.

20 (C) Implementation plans for any changes to the federal Head Start program rules or guidelines.

21 (c) Federal Head Start program guidelines shall be considered as guidelines for the Oregon
22 prekindergarten program.

23 (d) Notwithstanding paragraph (b) of this subsection, the council may adopt rules that allow for
24 the provision of a half-day program or a full-day program, or a combination thereof, to meet com-
25 munity needs, as determined by the council based on community assessments.

26 (2) In developing rules for the Oregon prekindergarten program, the council [*shall consult with*
27 *the advisory committee established under ORS 329.190 and]* shall consider such factors as coordi-
28 nation with existing programs, the preparation necessary for instructors, qualifications of instruc-
29 tors, training of staff, adequate space and equipment and special transportation needs.

30 (3) The Early Learning Division shall review applications for the Oregon prekindergarten pro-
31 gram received and designate those programs as eligible to commence operation by July 1 of each
32 year. When approving grant applications, to the extent practicable, the council shall distribute
33 funds regionally based on percentages of unmet needs for the county or region.

34 **SECTION 6.** ORS 417.788 is amended to read:

35 417.788. (1) The Early Learning Division shall support Relief Nursery programs statewide as
36 funding becomes available. Funding to support Relief Nursery programs may include, but is not
37 limited to:

38 (a) Administrative costs;

39 (b) Costs for direct service personnel, equipment, supplies and operating expenses;

40 (c) Start-up costs;

41 (d) Classroom furniture and materials;

42 (e) Playground equipment;

43 (f) Computers; and

44 (g) Transportation vehicles.

45 (2) The division may encourage communities to establish Relief Nursery programs for young

1 children who are at risk and their families. Communities may choose to establish regional Relief
2 Nursery programs. The Relief Nursery programs shall be consistent with the voluntary early learn-
3 ing system [*overseen*] **coordinated** by the Early Learning Council.

4 (3) Relief Nursery programs shall participate in a statewide independent evaluation conducted
5 by the Oregon Association of Relief Nurseries to document improved child safety, reduction in foster
6 care placements, progress in healthy child development and improvement in family functioning and
7 support.

8 (4) Each Relief Nursery program that receives state funding shall have financial support from
9 the community that, excluding any amounts distributed to the Relief Nursery program pursuant to
10 ORS 131A.360 (4)(d) and 131A.365 (3)(d), is at least equal to 25 percent of any state allocation.

11 (5) The division shall adopt rules necessary for the administration of this section, including rules
12 requiring that any public funds received by Relief Nursery programs be used to achieve the out-
13 comes identified in subsection (3) of this section.

14 **SECTION 7.** ORS 417.793 is amended to read:

15 417.793. The Early Learning Division shall support parents-as-teachers programs statewide as
16 funding becomes available. If a program is offered, the program shall be part of a comprehensive,
17 research-based approach to parent education and support. The program shall be consistent with the
18 voluntary early learning system plan [*overseen*] **coordinated** by the Early Learning Council.

19 **SECTION 8.** ORS 417.796 is amended to read:

20 417.796. (1) [*As the state advisory council for purposes of the federal Head Start Act,*] The Early
21 Learning Council shall:

22 (a) Conduct a periodic statewide needs assessment concerning the quality and availability of
23 early childhood education and development programs and services for children from birth to school
24 age, including an assessment of the availability of high-quality prekindergarten services for low-
25 income children in this state.

26 (b) Identify opportunities for, and barriers to, collaboration and coordination among federally
27 funded and state-funded child care and early childhood education and development programs and
28 services, including collaboration and coordination among state agencies responsible for administer-
29 ing those programs and services.

30 (c) Develop recommendations for increasing the overall participation of children in existing
31 federal, state and local early childhood education and development programs and services, including
32 outreach to underrepresented and special populations.

33 (d) Develop recommendations for establishing a unified data collection system for public early
34 childhood education and development programs and services throughout this state.

35 (e) Develop recommendations regarding statewide professional development and career ad-
36 vancement plans for providers of early childhood education and development programs and services
37 in this state.

38 (f) Assess the capacity and effectiveness of two-year and four-year public and private institutions
39 of higher education in this state in supporting the development of early childhood educators, in-
40 cluding the extent to which the institutions have articulation agreements, professional development
41 and career advancement plans, and internships or other training opportunities that allow students
42 to spend time with children enrolled in the federal Head Start program or another prekindergarten
43 program. The assessment conducted under this paragraph must be conducted in coordination with
44 appropriate higher education governance bodies, as identified by the Chief Education Office.

45 (g) Make recommendations for improvements in state early learning standards and undertake

1 efforts to develop high-quality comprehensive early learning standards when appropriate.

2 (2) The council shall hold public hearings and provide an opportunity for public comment in
3 relation to the actions described in subsection (1) of this section.

4 (3)(a) The council shall submit an annual statewide strategic report addressing the activities
5 described in subsection (1) of this section to the State Director of Head Start Collaboration, the
6 Chief Education Office, the Legislative Assembly and the Governor.

7 (b) Following submission of a statewide strategic report described in paragraph (a) of this sub-
8 section, the council may meet periodically to review the implementation of the recommendations in
9 the report and to review any changes in state or local needs.

10 **SECTION 9.** ORS 417.796, as amended by section 62, chapter 774, Oregon Laws 2015, is
11 amended to read:

12 417.796. (1) [*As the state advisory council for purposes of the federal Head Start Act,*] The Early
13 Learning Council shall:

14 (a) Conduct a periodic statewide needs assessment concerning the quality and availability of
15 early childhood education and development programs and services for children from birth to school
16 age, including an assessment of the availability of high-quality prekindergarten services for low-
17 income children in this state.

18 (b) Identify opportunities for, and barriers to, collaboration and coordination among federally
19 funded and state-funded child care and early childhood education and development programs and
20 services, including collaboration and coordination among state agencies responsible for administer-
21 ing those programs and services.

22 (c) Develop recommendations for increasing the overall participation of children in existing
23 federal, state and local early childhood education and development programs and services, including
24 outreach to underrepresented and special populations.

25 (d) Develop recommendations for establishing a unified data collection system for public early
26 childhood education and development programs and services throughout this state.

27 (e) Develop recommendations regarding statewide professional development and career ad-
28 vancement plans for providers of early childhood education and development programs and services
29 in this state.

30 (f) Assess the capacity and effectiveness of two-year and four-year public and private institutions
31 of higher education in this state in supporting the development of early childhood educators, in-
32 cluding the extent to which the institutions have articulation agreements, professional development
33 and career advancement plans, and internships or other training opportunities that allow students
34 to spend time with children enrolled in the federal Head Start program or another prekindergarten
35 program. The assessment conducted under this paragraph must be conducted in coordination with
36 appropriate higher education governance bodies.

37 (g) Make recommendations for improvements in state early learning standards and undertake
38 efforts to develop high-quality comprehensive early learning standards when appropriate.

39 (2) The council shall hold public hearings and provide an opportunity for public comment in
40 relation to the actions described in subsection (1) of this section.

41 (3)(a) The council shall submit an annual statewide strategic report addressing the activities
42 described in subsection (1) of this section to the State Director of Head Start Collaboration, the
43 Legislative Assembly and the Governor.

44 (b) Following submission of a statewide strategic report described in paragraph (a) of this sub-
45 section, the council may meet periodically to review the implementation of the recommendations in

1 the report and to review any changes in state or local needs.

2 **SECTION 10.** ORS 417.827 is amended to read:

3 417.827. (1) As used in this section and ORS 417.829:

4 (a) "Early Learning Hub" means any entity designated by regional partners to coordinate early
5 learning services, as determined by rules adopted by the Early Learning Council.

6 (b) "Regional partners" includes counties, cities, school districts, education service districts,
7 community colleges, public universities, private educational institutions, faith-based organizations,
8 nonprofit service providers and tribes.

9 (2) The council shall implement and [oversee] **coordinate** a system that coordinates the delivery
10 of early learning services to the communities of this state through the direction of Early Learning
11 Hubs. The system may not include more than 16 Early Learning Hubs.

12 (3) The system implemented and [overseen] **coordinated** by the council must ensure that:

13 (a) Providers of early learning services are accountable for outcomes;

14 (b) Services are provided in a cost-efficient manner; and

15 (c) The services provided, and the means by which those services are provided, are focused on
16 the outcomes of the services.

17 (4) The council shall develop and implement a process for requesting proposals from entities to
18 become Early Learning Hubs. Proposals submitted under this subsection must comply with criteria
19 and requirements adopted by the council by rule, including:

20 (a) The entity will be able to coordinate the provision of early learning services to the commu-
21 nity that will be served by the entity. An entity may meet the requirement of this paragraph by
22 submitting evidence that local stakeholders, including but not limited to service providers, parents,
23 community members, county governments, local governments and school districts, have participated
24 in the development of the proposal and will maintain a meaningful role in the Early Learning Hub.

25 (b) The services coordinated by the entity will be in alignment with the services provided by the
26 public schools of the community that will be served by the entity.

27 (c) The entity will be in alignment with, and make advantageous use of, the system of public
28 health care and services available through local health departments and other publicly supported
29 programs delivered through, or in partnership with, counties and coordinated care organizations.

30 (d) The entity will be able to integrate efforts among education providers, providers of health
31 care, providers of human services and providers of other programs and services in the community.

32 (e) The entity will use coordinated and transparent budgeting.

33 (f) The entity will operate in a fiscally sound manner.

34 (g) The entity must have a governing body or community advisory body that:

35 (A) Has the authority to initiate audits, recommend the terms of a contract and provide reports
36 to the public and to the council on the outcomes of the provision of early learning services to the
37 community served by the entity.

38 (B) Has members selected through a transparent process and includes both public and private
39 entities, locally based parents and service recipients, human social service providers, child care
40 providers, health care providers and representatives of local governments from the service area.

41 (h) The entity will collaborate on documentation related to coordinated services with public and
42 private entities that are identified by the council as providers of services that advance the early
43 learning of children.

44 (i) The entity will serve a community that is based on the population and service needs of the
45 community and will demonstrate the ability to improve results for at-risk children, including the

1 ability to identify, evaluate and implement coordinated strategies to ensure that a child is ready to
2 succeed in school.

3 (j) The entity will be able to raise and leverage significant funds from public and private sources
4 and to secure in-kind support to support early learning services coordinated by the entity and op-
5 erate in a fiscally sound manner.

6 (k) The entity meets any other qualifications established by the council.

7 (5) The council may adopt by rule requirements that are in addition to the requirements de-
8 scribed in subsections (3) and (4) of this section that an entity must meet to qualify as an Early
9 Learning Hub. When developing the additional requirements, the council must use a statewide public
10 process of community engagement that is consistent with the requirements of the federal Head Start
11 Act.

12 (6) When determining whether to designate an entity as an Early Learning Hub, the council
13 shall balance the following factors:

14 (a) The entity's ability to engage the community and be involved in the community.

15 (b) The entity's ability to produce outcomes that benefit children.

16 (c) The entity's resourcefulness.

17 (d) The entity's use, or proposed use, of evidence-based practices.

18 (7) The council shall develop metrics for the purpose of providing funding to Early Learning
19 Hubs designated under this section. The metrics must:

20 (a) Focus on community readiness, high capacity development and progress toward tracking
21 child outcomes;

22 (b) Establish a baseline of information for the area to be served by the Early Learning Hub,
23 including information about the inclusion of community partners in the governance structure of the
24 Early Learning Hub, the availability of data on local programs and outcomes and the success in
25 leveraging private, nonprofit and other governmental resources for early learning; and

26 (c) Include child performance metrics.

27 (8) The council may require that, as a condition of receiving funding as a designated Early
28 Learning Hub under this section, the Early Learning Hub provide matching funding. The percentage
29 of matching funding shall be determined by the council and may vary for each fiscal year. Any
30 moneys received by an Early Learning Hub are subject to the restrictions of this section.

31 (9) For any community in this state that is not served by an Early Learning Hub, the council
32 shall [*oversee*] **coordinate** and administer the delivery of early learning services for that community
33 and, to the extent practicable, shall regionalize service administration.

34 (10) The council may alter the lines of the territory served by an Early Learning Hub only to
35 ensure that all children of this state are served by an Early Learning Hub.

36 (11) An entity designated as part of an Early Learning Hub may not use more than 15 percent
37 of the moneys received by the entity from the council to pay administrative costs of the entity.

38 (12) The Department of Human Services or the Oregon Health Authority may not transfer any
39 authority for determining eligibility for a state or federal program to an Early Learning Hub.

40 **SECTION 11. The amendments to ORS 326.425, 329.150, 329.165, 329.195, 417.788, 417.793,**
41 **417.796 and 417.827 by sections 1 to 10 of this 2019 Act become operative on September 1, 2019.**

42 **SECTION 12.** ORS 417.847 is amended to read:

43 417.847. (1) The Youth Development Council is established.

44 (2) The council is established for the purpose of [*overseeing*] **coordinating** a unified **and aligned**
45 system that provides services to school-age children through youth 24 years of age in a manner that

1 supports educational success, focuses on crime prevention, reduces high risk behaviors and is inte-
2 grated, measurable and accountable. The council shall provide direction to the Youth Development
3 Division.

4 (3) The council consists of no fewer than 15 members who are appointed by the Governor. The
5 Governor shall ensure that membership of the council satisfies any federal requirements for mem-
6 bership of a state advisory committee on juvenile justice, and shall include tribal representation in
7 the membership of the council.

8 (4) The council shall:

9 (a) Determine the availability of funding to support community-based youth development pro-
10 grams, services and initiatives with demonstrated outcomes and strategic objectives established by
11 the council by rule.

12 (b) Prioritize funding for services related to:

13 (A) The prevention of and intervention in the risk factors that lead to juvenile delinquency and
14 the promotion of protective factors that improve the health and well-being of children and youth,
15 as supported by evidence-based program models and other research-based models; and

16 (B) The prevention of and intervention in gang violence and gang involvement.

17 (5) The council may:

18 *[(a) Enter into performance-based intergovernmental agreements with regional and county entities,*
19 *and tribal governments, to contract for the provision of youth development programs, services and ini-*
20 *tiatives that will achieve demonstrated outcomes and strategic objectives established by the council by*
21 *rule.]*

22 **(a) Enter into intergovernmental agreements with county and municipal governments,**
23 **tribal governments, educational institutions and other governmental entities identified by**
24 **rule of the council for the provision of youth development programs, services and initiatives.**

25 **(b) Enter into grant agreements and contracts with community-based organizations, ed-**
26 **ucational institutions, regional entities and other entities identified by rule of the council for**
27 **the provision of youth development programs, services and initiatives.**

28 *[(b)]* (c) Determine the means by which services to children and youth may be provided effec-
29 tively and efficiently across multiple programs to improve the academic and social outcomes of
30 children and youth.

31 *[(c)]* (d) Assess state programs and services related to youth development and training, and
32 identify methods by which programs and services may be coordinated or consolidated.

33 *[(d)]* (e) Establish common academic and social indicators to support attainment of goals estab-
34 lished by the council.

35 *[(e)]* (f) Establish common program outcome measurements and coordinate data collection across
36 multiple programs and services.

37 *[(f)]* (g) Ensure implementation of best practices that:

38 (A) Are evidence based;

39 (B) Are culturally, gender and age appropriate;

40 (C) Address individual risk factors;

41 (D) Build upon factors that improve the health and well-being of children and youth; and

42 (E) Include tribal best practices.

43 (6) The Governor may designate one member of the council to serve as the chairperson or, if the
44 Governor chooses not to designate a chairperson, the council may elect one of its members to serve
45 as chairperson.

1 (7) In accordance with applicable provisions of ORS chapter 183, the council may adopt rules
2 necessary for the administration of the laws that the council is charged with administering.

3 (8) The council shall coordinate and collaborate with the Chief Education Office as provided by
4 section 1, chapter 519, Oregon Laws 2011.

5 **SECTION 13.** ORS 417.847, as amended by section 63, chapter 774, Oregon Laws 2015, and
6 section 36, chapter 17, Oregon Laws 2017, is amended to read:

7 417.847. (1) The Youth Development Council is established.

8 (2) The council is established for the purpose of [*overseeing*] **coordinating** a unified **and aligned**
9 system that provides services to school-age children through youth 24 years of age in a manner that
10 supports educational success, focuses on crime prevention, reduces high risk behaviors and is inte-
11 grated, measurable and accountable. The council shall provide direction to the Youth Development
12 Division.

13 (3) The council consists of no fewer than 15 members who are appointed by the Governor. The
14 Governor shall ensure that membership of the council satisfies any federal requirements for mem-
15 bership of a state advisory committee on juvenile justice, and shall include tribal representation in
16 the membership of the council.

17 (4) The council shall:

18 (a) Determine the availability of funding to support community-based youth development pro-
19 grams, services and initiatives with demonstrated outcomes and strategic objectives established by
20 the council by rule.

21 (b) Prioritize funding for services related to:

22 (A) The prevention of and intervention in the risk factors that lead to juvenile delinquency and
23 the promotion of protective factors that improve the health and well-being of children and youth,
24 as supported by evidence-based program models and other research-based models; and

25 (B) The prevention of and intervention in gang violence and gang involvement.

26 (5) The council may:

27 [*(a) Enter into performance-based intergovernmental agreements with regional and county entities,*
28 *and tribal governments, to contract for the provision of youth development programs, services and ini-*
29 *tiatives that will achieve demonstrated outcomes and strategic objectives established by the council by*
30 *rule.*]

31 **(a) Enter into intergovernmental agreements with county and municipal governments,**
32 **tribal governments, educational institutions and other governmental entities identified by**
33 **rule of the council for the provision of youth development programs, services and initiatives.**

34 **(b) Enter into grant agreements and contracts with community-based organizations, ed-**
35 **ucational institutions, regional entities and other entities identified by rule of the council for**
36 **the provision of youth development programs, services and initiatives.**

37 [(*b*)] (c) Determine the means by which services to children and youth may be provided effec-
38 tively and efficiently across multiple programs to improve the academic and social outcomes of
39 children and youth.

40 [(*c*)] (d) Assess state programs and services related to youth development and training, and
41 identify methods by which programs and services may be coordinated or consolidated.

42 [(*d*)] (e) Establish common academic and social indicators to support attainment of goals estab-
43 lished by the council.

44 [(*e*)] (f) Establish common program outcome measurements and coordinate data collection across
45 multiple programs and services.

1 [(f)] (g) Ensure implementation of best practices that:

2 (A) Are evidence based;

3 (B) Are culturally, gender and age appropriate;

4 (C) Address individual risk factors;

5 (D) Build upon factors that improve the health and well-being of children and youth; and

6 (E) Include tribal best practices.

7 (6) The Governor may designate one member of the council to serve as the chairperson or, if the
8 Governor chooses not to designate a chairperson, the council may elect one of its members to serve
9 as chairperson.

10 (7) In accordance with applicable provisions of ORS chapter 183, the council may adopt rules
11 necessary for the administration of the laws that the council is charged with administering.

12 **SECTION 14.** ORS 350.075 is amended to read:

13 350.075. (1) As used in this section, “student access programs” means scholarship, loan, grant
14 and access programs described in ORS chapter 348.

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

18 (3) The Higher Education Coordinating Commission shall:

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

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

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

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

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

31 (B) Increasing this state’s global economic competitiveness and the quality of life of its resi-
32 dents;

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

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

35 (E) Tracking progress toward meeting the state’s post-secondary education goals established in
36 the strategic plan described in this paragraph.

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

41 (i) Student access programs;

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

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

- 1 (iv) New facilities or programs;
- 2 (v) Capital improvements and deferred maintenance;
- 3 (vi) Special initiatives and investments; and
- 4 (vii) Any other program, duty or function a public university listed in ORS 352.002 is authorized
5 to undertake.
- 6 (B) In the development of the consolidated higher education agency request budget:
- 7 (i) Determine the costs necessary to provide quality post-secondary education;
- 8 (ii) Solicit input from educators, education policy experts, appropriate legislative committees,
9 students and other persons interested in the development of the funding model; and
- 10 (iii) Solicit public input regarding educational priorities.
- 11 (f) Adopt rules governing the distribution of appropriations from the Legislative Assembly to
12 community colleges, public universities listed in ORS 352.002 and student access programs. These
13 rules must be based on allocation formulas developed in consultation with the state's community
14 colleges and public universities, as appropriate.
- 15 (g) Approve or disapprove any significant change to the academic program of a community col-
16 lege or a public university listed in ORS 352.002. In reaching a decision under this paragraph, the
17 commission shall consider the recommendation from the community college or public university
18 seeking to make the change to an academic program that is issued pursuant to the obligation of the
19 governing board of a community college or public university to review and approve academic pro-
20 grams. The commission shall ensure that approved programs:
- 21 (A) Are consistent with the mission statement of the community college or public university;
- 22 (B) Do not unnecessarily duplicate academic programs offered by Oregon's other community
23 colleges or public universities;
- 24 (C) Are not located in a geographic area that will cause undue hardship to Oregon's other
25 community colleges or public universities; and
- 26 (D) Are allocated among Oregon's community colleges and public universities to maximize the
27 achievement of statewide needs and requirements.
- 28 (h) For public universities listed in ORS 352.002:
- 29 (A) Approve the mission statement adopted by a governing board of a public university.
- 30 (B) Review and determine whether a proposed annual increase of resident undergraduate en-
31 rollment fees of greater than five percent is appropriate.
- 32 (C) Advise the Governor and the Legislative Assembly on issues of university governance.
- 33 (D) Approve and authorize degrees.
- 34 (E) Perform the evaluation and certification required by ORS 350.095.
- 35 (i) Authorize degrees to be offered by independent post-secondary institutions in this state under
36 ORS 348.594 to 348.615.
- 37 (j) Oversee the licensing of career schools under ORS 345.010 to 345.450.
- 38 (k) Have the authority to enter into and administer interstate agreements regarding the pro-
39 vision of post-secondary distance education. The participation by an educational institution that is
40 not based in this state in distance learning courses or programs that are part of an interstate
41 agreement entered into and administered under this paragraph does not constitute operating in this
42 state for purposes of ORS 348.594 to 348.615. The commission, by rule, may impose a fee on any
43 educational institution that seeks to operate under or participate in such interstate agreements. The
44 fee amount shall be established to recover designated expenses incurred by the commission in par-
45 ticipating in such agreements.

1 **(L) Administer a statewide longitudinal data system.**

2 **(m) In coordination with the Department of Education, the Employment Department and**
3 **other state agencies, conduct statewide longitudinal studies and reporting of early learning,**
4 **kindergarten through grade 12 education, higher education and workforce programs. For the**
5 **purposes of this paragraph:**

6 **(A) The commission shall enter into written interagency agreements with the Depart-**
7 **ment of Education, the Employment Department and any other state agencies necessary for**
8 **the purposes of conducting statewide longitudinal studies and reporting.**

9 **(B) The commission is considered an authorized representative of state educational**
10 **agencies under applicable state and federal law for purposes of accessing, compiling and**
11 **storing student data for research, audit and evaluation purposes.**

12 *[(L)]* **(n) Coordinate and collaborate with the Chief Education Office as provided by section 1,**
13 **chapter 519, Oregon Laws 2011.**

14 (4)(a) The Higher Education Coordinating Commission shall implement a process to review and
15 appropriately act on student complaints regarding any school operating in this state. As part of the
16 process implemented under this subsection, the commission may:

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

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

19 (C) Investigate and resolve student complaints that relate to state financial aid;

20 (D) Refer a student complaint to another entity for investigation and resolution as provided in
21 paragraph (b) of this subsection;

22 (E) Adopt rules to implement the provisions of this subsection; and

23 (F) Enter into agreements to implement the provisions of this subsection.

24 (b) The commission may refer the investigation and resolution of a student complaint to:

25 (A) An appropriate state agency if the complaint alleges that a school has violated a state law
26 concerning consumer protection, civil rights, employment rights or environmental quality;

27 (B) A school's accrediting association if the complaint relates to the school's authorization to
28 offer academic degree programs or to the quality of the school's academic degree programs; or

29 (C) The school at which the student is enrolled if the commission determines that the complaint
30 should be resolved through the school's internal review process.

31 (c) As used in this subsection:

32 (A)(i) "School" means an independent institution of higher education that meets the require-
33 ments of ORS 348.597 (2)(a).

34 (ii) "School" does not mean a school that is exempt from ORS 348.594 to 348.615 under ORS
35 348.597 (2)(b) or (c).

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

38 (5) A student complaint that is received by the Higher Education Coordinating Commission, in-
39 cluding but not limited to a student complaint filed under subsection (4) of this section, is not sub-
40 ject to disclosure under ORS 192.311 to 192.478.

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

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

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, career and technical pathways and efforts to create a culture of college attendance in this
9 state.

10 (e) In coordination with the State Workforce and Talent Development Board, local workforce
11 development boards, the Oregon Health and Science University and independent institutions, ensure
12 that the state's colleges and universities offer programs in high-demand occupations that meet
13 Oregon's 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 (7) The Higher Education Coordinating Commission, in a manner consistent with ORS chapter
17 183, may adopt administrative rules.

18 (8) With the exception of the rulemaking authority granted in subsection (7) 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 (9) The Higher Education Coordinating Commission may, subject to the Public Contracting Code,
22 enter into contracts and agreements, including grant agreements, with public and private entities
23 for those higher education and workforce development activities that are consistent with ORS
24 350.001 and 350.005, with the policies set forth in ORS chapters 341 and 348 and with statutory
25 policies related to career schools and public universities.

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

30 **SECTION 15.** ORS 350.075, as amended by section 61, chapter 774, Oregon Laws 2015, section
31 6, chapter 30, Oregon Laws 2016, section 56, chapter 117, Oregon Laws 2016, section 8, chapter 66,
32 Oregon Laws 2017, section 2, chapter 98, Oregon Laws 2017, section 6, chapter 185, Oregon Laws
33 2017, section 22, chapter 297, Oregon Laws 2017, and section 2b, chapter 440, Oregon Laws 2017, is
34 amended to 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:

41 (a) Develop state goals for the state post-secondary education system, including community col-
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-
17 section, including appropriations for:

18 (i) Student access programs;

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

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

23 (iv) New facilities or programs;

24 (v) Capital improvements and deferred maintenance;

25 (vi) Special initiatives and investments; and

26 (vii) Any other program, duty or function a public university listed in ORS 352.002 is authorized
27 to undertake.

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

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

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

32 (iii) Solicit public input regarding educational priorities.

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

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

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

44 (B) Do not unnecessarily duplicate academic programs offered by Oregon's other community
45 colleges or public universities;

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

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

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

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

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

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

10 (D) Approve and authorize degrees.

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

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

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

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

23 **(L) Administer a statewide longitudinal data system.**

24 **(m) In coordination with the Department of Education, the Employment Department and**
25 **other state agencies, conduct statewide longitudinal studies and reporting of early learning,**
26 **kindergarten through grade 12 education, higher education and workforce programs. For the**
27 **purposes of this paragraph:**

28 **(A) The commission shall enter into written interagency agreements with the Depart-**
29 **ment of Education, the Employment Department and any other state agencies necessary for**
30 **the purposes of conducting statewide longitudinal studies and reporting.**

31 **(B) The commission is considered an authorized representative of state educational**
32 **agencies under applicable state and federal law for purposes of accessing, compiling and**
33 **storing student data for research, audit and evaluation purposes.**

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35 appropriately act on student complaints regarding any school operating in this state. As part of the
36 process implemented under this subsection, the commission may:

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

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

39 (C) Investigate and resolve student complaints that relate to state financial aid;

40 (D) Refer a student complaint to another entity for investigation and resolution as provided in
41 paragraph (b) of this subsection;

42 (E) Adopt rules to implement the provisions of this subsection; and

43 (F) Enter into agreements to implement the provisions of this subsection.

44 (b) The commission may refer the investigation and resolution of a student complaint to:

45 (A) An appropriate state agency if the complaint alleges that a school has violated a state law

1 concerning consumer protection, civil rights, employment rights or environmental quality;

2 (B) A school's accrediting association if the complaint relates to the school's authorization to
3 offer academic degree programs or to the quality of the school's academic degree programs; or

4 (C) The school at which the student is enrolled if the commission determines that the complaint
5 should be resolved through the school's internal review process.

6 (c) As used in this subsection:

7 (A)(i) "School" means an independent institution of higher education that meets the require-
8 ments of ORS 348.597 (2)(a).

9 (ii) "School" does not mean a school that is exempt from ORS 348.594 to 348.615 under ORS
10 348.597 (2)(b) or (c).

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

13 (5) A student complaint that is received by the Higher Education Coordinating Commission, in-
14 cluding but not limited to a student complaint filed under subsection (4) of this section, is not sub-
15 ject to disclosure under ORS 192.311 to 192.478.

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

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

20 (b) Encourage student success and completion initiatives.

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

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

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

24 (C) Applied baccalaureate and other transfer degrees;

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

26 (E) Reciprocity agreements with other states.

27 (d) In coordination with the State Board of Education, enhance the use and quality of dual
28 credit, career and technical pathways and efforts to create a culture of college attendance in this
29 state.

30 (e) In coordination with the State Workforce and Talent Development Board, local workforce
31 development boards, the Oregon Health and Science University and independent institutions, ensure
32 that the state's colleges and universities offer programs in high-demand occupations that meet
33 Oregon's workforce needs.

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

36 (7) The Higher Education Coordinating Commission, in a manner consistent with ORS chapter
37 183, may adopt administrative rules.

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

41 (9) The Higher Education Coordinating Commission may, subject to the Public Contracting Code,
42 enter into contracts and agreements, including grant agreements, with public and private entities
43 for those higher education and workforce development activities that are consistent with ORS
44 350.001 and 350.005, with the policies set forth in ORS chapters 341 and 348 and with statutory
45 policies related to career schools and public universities.

1 (10) The Higher Education Coordinating Commission may exercise only powers, duties and
2 functions expressly granted by the Legislative Assembly. Except as otherwise expressly provided by
3 law, all other authorities reside at the institutional level with the respective boards of the post-
4 secondary institutions.

5 **SECTION 16.** ORS 350.075, as amended by section 61, chapter 774, Oregon Laws 2015, section
6 6, chapter 30, Oregon Laws 2016, section 56, chapter 117, Oregon Laws 2016, section 8, chapter 66,
7 Oregon Laws 2017, sections 2 and 3, chapter 98, Oregon Laws 2017, section 6, chapter 185, Oregon
8 Laws 2017, section 22, chapter 297, Oregon Laws 2017, and section 2b, chapter 440, Oregon Laws
9 2017, is amended to read:

10 350.075. (1) As used in this section, “student access programs” means scholarship, loan, grant
11 and access programs described in ORS chapter 348.

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14 in ORS 350.009 and 350.014.

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

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

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

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

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

28 (B) Increasing this state’s global economic competitiveness and the quality of life of its resi-
29 dents;

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

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

32 (E) Tracking progress toward meeting the state’s post-secondary education goals established in
33 the strategic plan described in this paragraph.

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

38 (i) Student access programs;

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40 operations, statewide public services and state-funded debt service;

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42 state-funded debt service;

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

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

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9 community colleges, public universities listed in ORS 352.002 and student access programs. These
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12 (g) Approve or disapprove any significant change to the academic program of a community col-
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19 (B) Do not unnecessarily duplicate academic programs offered by Oregon's other community
20 colleges or public universities;

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

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24 achievement of statewide needs and requirements.

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28 rollment fees of greater than five percent is appropriate.

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

30 (D) Approve and authorize degrees.

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

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

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

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

43 **(L) Administer a statewide longitudinal data system.**

44 **(m) In coordination with the Department of Education, the Employment Department and**
45 **other state agencies, conduct statewide longitudinal studies and reporting of early learning,**

1 **kindergarten through grade 12 education, higher education and workforce programs. For the**
2 **purposes of this paragraph:**

3 **(A) The commission shall enter into written interagency agreements with the Depart-**
4 **ment of Education, the Employment Department and any other state agencies necessary for**
5 **the purposes of conducting statewide longitudinal studies and reporting.**

6 **(B) The commission is considered an authorized representative of state educational**
7 **agencies under applicable state and federal law for purposes of accessing, compiling and**
8 **storing student data for research, audit and evaluation purposes.**

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

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

13 (b) Encourage student success and completion initiatives.

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

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

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

17 (C) Applied baccalaureate and other transfer degrees;

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

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20 (d) In coordination with the State Board of Education, enhance the use and quality of dual
21 credit, career and technical pathways and efforts to create a culture of college attendance in this
22 state.

23 (e) In coordination with the State Workforce and Talent Development Board, local workforce
24 development boards, the Oregon Health and Science University and independent institutions, ensure
25 that the state's colleges and universities offer programs in high-demand occupations that meet
26 Oregon's workforce needs.

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

29 (5) The Higher Education Coordinating Commission, in a manner consistent with ORS chapter
30 183, may adopt administrative rules.

31 (6) With the exception of the rulemaking authority granted in subsection (5) of this section, the
32 Higher Education Coordinating Commission may delegate any of its powers, duties or functions to
33 a committee of the commission or to the executive director of the commission.

34 (7) The Higher Education Coordinating Commission may, subject to the Public Contracting Code,
35 enter into contracts and agreements, including grant agreements, with public and private entities
36 for those higher education and workforce development activities that are consistent with ORS
37 350.001 and 350.005, with the policies set forth in ORS chapters 341 and 348 and with statutory
38 policies related to career schools and public universities.

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

43 **SECTION 17. This 2019 Act being necessary for the immediate preservation of the public**
44 **peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect**
45 **July 1, 2019.**

