

## Enrolled Senate Bill 3

Sponsored by Senators COURTNEY, GIROD, HEARD, THOMSEN, WAGNER; Senators DEMBROW, MONNES ANDERSON, STEINER HAYWARD, THATCHER, Representatives HERNANDEZ, KENY-GUYER, LEIF, LEWIS, NEARMAN, NERON, PRUSAK, REARDON, RESCHKE, SALINAS, SOLLMAN, WILLIAMS (Presession filed.)

CHAPTER .....

AN ACT

Relating to community colleges offering baccalaureate degrees; creating new provisions; and amending ORS 341.005 and 341.009.

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

**SECTION 1.** Section 2 of this 2019 Act is added to and made a part of ORS chapter 341.

**SECTION 2.** (1) As used in this section, “applied baccalaureate degree” has the meaning given that term in ORS 348.910.

(2) A community college may offer applied baccalaureate degrees under the provisions of this section.

(3) For each applied baccalaureate degree program a community college wants to offer to its students, the community college shall submit to the Higher Education Coordinating Commission:

(a) A description of the program to be offered;

(b) The method by which the program will be created, including any necessary accreditation by the relevant accrediting agency;

(c) Documentation of local unmet workforce needs that would be addressed by offering the program; and

(d) Documentation that the community college has the expertise, resources and student interest necessary to make the program successful.

(4) A proposed applied baccalaureate degree program must be approved by the commission. The commission shall approve a proposed applied baccalaureate degree program if:

(a) The community college submits all of the information and documentation required under subsection (3) of this section; and

(b) The commission determines that the criteria set forth in ORS 350.075 (3)(g) are satisfied.

(5) The commission may adopt rules to implement this section.

**SECTION 3.** ORS 341.005 is amended to read:

341.005. As used in this chapter, unless the context otherwise requires:

(1) “Academic year” means the year beginning July 1 of each year and ending June 30 of the following year running concurrently with the fiscal year.

(2) “Board” means the board of education of a community college district.

(3) “Board member” means a member of the board of education of a community college district.

(4)(a) **Except as provided in paragraph (b) of this subsection**, “community college” means a public institution operated by a community college district for the purposes of providing courses of study limited to not more than two years’ full-time attendance[, *with the exception of technical programs in which the curriculum may require more than two years of attendance but less than four years,*] and designed to meet the needs of a geographical area by providing educational services, including but not limited to career and technical education programs or lower division collegiate programs.

(b) **The two-year limitation described in paragraph (a) of this subsection does not apply to:**

(A) **Technical programs in which the curriculum may require more than two years of attendance but less than four years; or**

(B) **Applied baccalaureate degree programs approved under section 2 of this 2019 Act.**

(5) “Community college district” or “district” means a district formed under this chapter to operate one or more community colleges or to secure educational services available at a community college. “Community college district” includes a community college service district.

(6) “Director” means the Director of the Office of Community Colleges and Workforce Development appointed under ORS 350.160 by the executive director of the Higher Education Coordinating Commission.

(7) “Full-time equivalent student” means a student or combination of several students who carries or carry among them, within a single academic year, a minimum number of clock hours of instruction, in any program, to be specified by rule by the Higher Education Coordinating Commission.

(8) “Paying agent and registrar” means the county treasurer or county fiscal officer of the county in which the chief administrative officer of the community college district maintains the administrative office.

(9) “Petitioning territory” means a community college district petitioning to have an area outside the district included in the district or to have an area inside the district excluded from the district, or an area outside the district petitioning to be included within the district.

(10) “Principal county” means the county in which the chief administrative officer of the community college district maintains the administrative office.

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

341.009. The Legislative Assembly finds that:

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

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

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

(4) The community college is a post-high-school institution. It should not be a “starter” institution intended to evolve into a four-year baccalaureate institution. **Except as provided in section 2 of this 2019 Act**, it should be concerned with programs terminating before reaching the baccalaureate degree.

(5) **Except as provided in section 2 of this 2019 Act**, the community college should continue to be prohibited by law from becoming a baccalaureate degree granting institution.

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

(7) There should be close cooperation between those directing the community college program and those responsible for public universities listed in ORS 352.002, so that lower-division college transfer programs of the community college will provide adequate preparation for entering baccalaureate degree granting programs, and so that students will be able to transfer with a minimum of difficulty.

(8) The community college should offer as comprehensive a program as the needs and resources of the area that it serves dictate. Cost to student and quality of instruction in established private institutions should be among the factors in determining necessary duplication of effort.

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

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

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

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

(a) Identify educational needs of the district; and

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

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

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

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

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

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

**Passed by Senate February 19, 2019**

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

**Passed by House May 28, 2019**

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Tina Kotek, Speaker of House

**Received by Governor:**

.....M,....., 2019

**Approved:**

.....M,....., 2019

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Kate Brown, Governor

**Filed in Office of Secretary of State:**

.....M,....., 2019

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Bev Clarno, Secretary of State