



Testimony on House Bill 4137
House Education Committee
February 10, 2020

Chair Doherty and members of the Committee. My name is Kyle Thomas and I am the Director of Legislative and Policy Affairs for the Higher Education Coordinating Commission (HECC). Thank you for the opportunity to submit testimony on House Bill 4137. This bill deals with two very distinct topics and I will address them individually.

Doctoral Degrees at Public Universities

HECC Executive Director Ben Cannon previously testified during the interim (11/18/2019) and I provided testimony to the Senate Education Committee last week regarding similar provisions contained in SB 1521 that limit the doctoral degree granting authority of regional institutions to professional doctorates. If these sections were to become law, it would still be the responsibility of institutions to receive approval from HECC prior to operating a doctoral degree program.

If tasked with this responsibility, HECC would move quite judiciously and deliberately when it comes to the approval of a doctoral degree program at a regional institution. Historically, HECC has not conducted an independent analysis to confirm institutional assertions regarding program demand, academic necessity, or financial feasibility. HECC assumes the institutional boards are well positioned to make these determinations. However, we do very seriously consider the question of program duplication or competition, particularly if a proposed program is objected to by another institution. HECC also considers whether the approved program aligns with the mission of the institution as apparent in their mission statement as approved by the institutional board and the HECC.

It's critical that HECC does this work, because the mission statements of institutions should drive program development decisions, which in turn drive capital and general fund needs. For advanced programs, these needs can be highly specialized.

Today, it is apparent to HECC that these mission statements are too aspirational and general for HECC to make significant determinations about whether a program is within an institutions mission. This point is emphasized by the recent long-term strategic capital plan report we submitted to the legislature at the end of last year.

If this language is adopted, HECC will consider individual programs under the current approval process. At the same time, this legislation, the capital report, and our program approval work generally, highlight the need to consider the design of institutional mission statements and how

they are used by institutions, the HECC, and the legislature to make significant decisions regarding institutional direction and investment.

Limitations on Public Funds for Scholarships

This section limits the ability of HECC from using public dollars to award student aid funds to online institutions that are guilty of fraudulent or predatory practices. As written, because there are no predominately online institutions with a physical presence in Oregon, all such institutions are out-of-state institutions, and not currently eligible for public student aid. However, HECC has advised the proponent that we believe that fraudulent practices, though rare, can occur at any institution, not just those that offer coursework predominately online.

Additionally, it is not clear if the bill prevents HECC from awarding private scholarship dollars to such an institution. Currently, HECC administers hundreds of privately funded scholarships.

Finally, and most critically, we have been advised by counsel that the sections in the bill regarding fraudulent or predatory practices should be expanded to include both a definition of the term and a process for institutions to receive notice and be party to a hearing, in order to reduce the risk that HECC would face in attempting to make such determinations. We are happy to provide amendment language to the Committee that makes these clarifications.

Thank you for your time today.