

DRAFT

SUMMARY

Digest: The Act adds private higher learning schools to the direct admissions program created by HECC. (Flesch Readability Score: 61.8).

Includes independent institutions in the direct admissions program established by the Higher Education Coordinating Commission.

A BILL FOR AN ACT

1
2 Relating to direct admissions; amending ORS 350.075.

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

4 **SECTION 1.** ORS 350.075, as amended by section 11, chapter 95, Oregon
5 Laws 2024, is amended to read:

6 350.075. (1) As used in this section, “student access programs” means
7 scholarship, loan, grant and access programs described in ORS chapter 348.

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

11 (3) The Higher Education Coordinating Commission shall:

12 (a) Develop state goals for the state post-secondary education system, in-
13 cluding community colleges and public universities listed in ORS 352.002, and
14 for student access programs.

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

18 (c) Coordinate the post-secondary elements of data collection and struc-
19 ture, with the advice and recommendation of the state’s independent insti-
20 tutions, community colleges and public universities, as appropriate, in order

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 to construct a state longitudinal data system.

2 (d) Adopt a strategic plan for achieving state post-secondary education
3 goals, taking into consideration the contributions of this state's independent
4 institutions, philanthropic organizations and other organizations dedicated
5 to helping Oregonians reach state goals. State post-secondary education
6 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 qual-
9 ity of life of its residents;

10 (C) Ensuring affordable access for qualified Oregon students at each col-
11 lege or public university;

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

13 (E) Tracking progress toward meeting the state's post-secondary education
14 goals established in the strategic plan described in this paragraph.

15 (e)(A) Each biennium, after receiving funding requests from the state's
16 community colleges and public universities as authorized by law, recommend
17 to the Governor a consolidated higher education agency request budget
18 aligned with the strategic plan described in paragraph (d) of this subsection,
19 including appropriations for:

20 (i) Student access programs;

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

24 (iii) Community colleges, including but not limited to education and gen-
25 eral operations and state-funded debt service;

26 (iv) New facilities or programs;

27 (v) Capital improvements and deferred maintenance;

28 (vi) Special initiatives and investments; and

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

31 (B) In the development of the consolidated higher education agency re-

1 quest budget:

2 (i) Determine the costs necessary to provide quality post-secondary edu-
3 cation;

4 (ii) Solicit input from educators, education policy experts, appropriate
5 legislative committees, students and other persons interested in the develop-
6 ment of the funding model; and

7 (iii) Solicit public input regarding educational priorities.

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

13 (g) Approve or disapprove any significant change to the academic program
14 of a community college or a public university listed in ORS 352.002. In
15 reaching a decision under this paragraph, the commission shall consider the
16 recommendation from the community college or public university seeking to
17 make the change to an academic program that is issued pursuant to the ob-
18 ligation of the governing board of a community college or public university
19 to review and approve academic programs. The commission shall ensure that
20 approved programs:

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

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

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

27 (D) Are allocated among Oregon's community colleges and public univer-
28 sities to maximize the achievement of statewide needs and requirements.

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

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

1 (B) Review and determine whether a proposed annual increase of resident
2 undergraduate enrollment fees of greater than five percent is appropriate.

3 (C) Advise the Governor and the Legislative Assembly on issues of uni-
4 versity governance.

5 (D) Approve and authorize degrees.

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

7 (i) Authorize degrees to be offered by independent post-secondary insti-
8 tutions in this state under ORS 348.594 to 348.615.

9 (j) Oversee the licensing of career schools under ORS 345.010 to 345.340.

10 (k) Have the authority to enter into and administer interstate agreements
11 regarding the provision of post-secondary distance education. The partic-
12 ipation by an educational institution that is not based in this state in dis-
13 tance learning courses or programs that are part of an interstate agreement
14 entered into and administered under this paragraph does not constitute op-
15 erating in this state for purposes of ORS 348.594 to 348.615. The commission,
16 by rule, may impose a fee on any educational institution that seeks to oper-
17 ate under or participate in such interstate agreements. The fee amount shall
18 be established to recover designated expenses incurred by the commission in
19 participating in such agreements.

20 (L) Administer a statewide longitudinal data system.

21 (m) In coordination with the Department of Education, the Employment
22 Department and other state agencies, conduct statewide longitudinal studies
23 and reporting of early learning, kindergarten through grade 12 education,
24 higher education and workforce programs. For the purposes of this para-
25 graph:

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

30 (B) The commission may share data from the statewide longitudinal data
31 system with persons or public bodies. For purposes of this subparagraph, the

1 commission shall adopt rules to establish procedures for requesting or shar-
2 ing data and may enter into written agreements for sharing data.

3 (C) The commission is considered an authorized representative of state
4 educational agencies under applicable state and federal law for purposes of
5 accessing, compiling and storing student data for research, audit and evalu-
6 ation purposes.

7 (n) Establish a direct admissions program for **independent institutions**
8 **and** community colleges in this state and public universities listed in ORS
9 352.002. The commission shall adopt rules to:

10 (A) Establish a method for the collection of student data necessary to
11 implement the program, which may include collaborating with the Depart-
12 ment of Education to the extent necessary to collect the student data; and

13 (B) Maximize opportunities for underserved students and first generation
14 college students to participate in the program.

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

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

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

22 (C) Investigate and resolve student complaints that relate to state finan-
23 cial aid;

24 (D) Refer a student complaint to another entity for investigation and re-
25 solution as provided in paragraph (b) of this subsection;

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

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

28 (b) The commission may refer the investigation and resolution of a stu-
29 dent complaint to:

30 (A) An appropriate state agency if the complaint alleges that a school has
31 violated a state law concerning consumer protection, civil rights, employ-

1 ment rights or environmental quality;

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

5 (C) The school at which the student is enrolled if the commission deter-
6 mines that the complaint should be resolved through the school's internal
7 review process.

8 (c) As used in this subsection:

9 (A)(i) "School" means an independent institution of higher education that
10 meets the requirements of ORS 348.597 (2)(a).

11 (ii) "School" does not mean a school that is exempt from ORS 348.594 to
12 348.615 under ORS 348.597 (2)(b) or (c).

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

16 (5) A student complaint that is received by the Higher Education Coor-
17 dinating Commission, including but not limited to a student complaint filed
18 under subsection (4) of this section, is not subject to disclosure under ORS
19 192.311 to 192.478.

20 (6) In addition to the duties described in subsections (2) to (4) of this
21 section, the Higher Education Coordinating Commission shall advise the
22 Legislative Assembly, the Governor, community colleges, public universities
23 and other state boards and commissions on policies in order to:

24 (a) Ensure or improve access to higher education by diverse and under-
25 served populations.

26 (b) Encourage student success and completion initiatives.

27 (c) Improve the coordination of the provision of educational services, in-
28 cluding:

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

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

31 (C) Applied baccalaureate and other transfer degrees;

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

2 (E) Reciprocity agreements with other states.

3 (d) In coordination with the State Board of Education, enhance the use
4 and quality of dual credit, career and technical pathways and efforts to cre-
5 ate a culture of college attendance in this state.

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

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

13 (7) The Higher Education Coordinating Commission, in a manner con-
14 sistent with ORS chapter 183, may adopt administrative rules.

15 (8) With the exception of the rulemaking authority granted in subsection
16 (7) of this section, the Higher Education Coordinating Commission may del-
17 egate any of its powers, duties or functions to a committee of the commission
18 or to the executive director of the commission.

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

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

30 (b) The commission has implied and direct authority to implement the
31 powers, duties and functions expressly granted to the commission by the

1 Legislative Assembly.

2 (c) Notwithstanding paragraph (b) of this subsection, the commission may
3 not exercise any authority, express or implied, statutorily provided to a
4 governing board of a public university listed in ORS 352.002 or a community
5 college operated under ORS chapter 341.

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