

Requested by SENATE COMMITTEE ON EDUCATION

**PROPOSED AMENDMENTS TO
SENATE BILL 730**

1 On page 1 of the printed bill, line 2, after “ORS” insert “350.075 and”.

2 On page 3, after line 6, insert:

3 **“SECTION 3.** ORS 350.075 is amended to read:

4 “350.075. (1) As used in this section, ‘student access programs’ means
5 scholarship, loan, grant and access programs described in ORS chapter 348.

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

9 “(3) The Higher Education Coordinating Commission shall:

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

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

16 “(c) Coordinate the post-secondary elements of data collection and struc-
17 ture, with the advice and recommendation of the state’s independent insti-
18 tutions, community colleges and public universities, as appropriate, in order
19 to construct a state longitudinal data system.

20 “(d) Adopt a strategic plan for achieving state post-secondary education
21 goals, taking into consideration the contributions of this state’s independent

1 institutions, philanthropic organizations and other organizations dedicated
2 to helping Oregonians reach state goals. State post-secondary education
3 goals as described in this section should include, but need not be limited to:

4 “(A) Increasing the educational attainment of the population;

5 “(B) Increasing this state’s global economic competitiveness and the
6 quality of life of its residents;

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

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

10 “(E) Tracking progress toward meeting the state’s post-secondary educa-
11 tion goals established in the strategic plan described in this paragraph.

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

17 “(i) Student access programs;

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

21 “(iii) Community colleges, including but not limited to education and
22 general operations and 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
27 ORS 352.002 is authorized to undertake.

28 “(B) In the development of the consolidated higher education agency re-
29 quest budget:

30 “(i) Determine the costs necessary to provide quality post-secondary edu-

1 cation;

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

5 “(iii) Solicit public input regarding educational priorities.

6 “(f) Adopt rules governing the distribution of appropriations from the
7 Legislative Assembly to community colleges, public universities listed in
8 ORS 352.002 and student access programs. These rules must:

9 “(A) Be based on allocation formulas developed in consultation with the
10 state’s community colleges and public universities, as appropriate[.]; and

11 “(B) **Include provisions to increase the amount allocated to com-
12 munity colleges and public universities that the commission deter-
13 mines are in full compliance with the requirements set forth in ORS
14 350.404 by:**

15 “(i) **Providing awards for transfer student completions;**

16 “(ii) **Providing bonuses to community colleges or public universities
17 that have enrolled students transfer to other community colleges or
18 public universities; or**

19 “(iii) **Any other mechanism the commission determines may incre-
20 mentally reward community colleges and public universities, to the
21 degree practicable, for the successful transfer or baccalaureate com-
22 pletion of a student.**

23 “(g) Approve or disapprove any significant change to the academic pro-
24 gram of a community college or a public university listed in ORS 352.002. In
25 reaching a decision under this paragraph, the commission shall consider the
26 recommendation from the community college or public university seeking to
27 make the change to an academic program that is issued pursuant to the ob-
28 ligation of the governing board of a community college or public university
29 to review and approve academic programs. The commission shall ensure that
30 approved programs:

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

3 “(B) Do not unnecessarily duplicate academic programs offered by
4 Oregon’s other community colleges or public universities;

5 “(C) Are not located in a geographic area that will cause undue hardship
6 to Oregon’s other community colleges or public universities; and

7 “(D) Are allocated among Oregon’s community colleges and public uni-
8 versities to maximize the achievement of statewide needs and requirements.

9 “(h) For public universities listed in ORS 352.002:

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

12 “(B) Review and determine whether a proposed annual increase of resi-
13 dent undergraduate enrollment fees of greater than five percent is appropri-
14 ate.

15 “(C) Advise the Governor and the Legislative Assembly on issues of uni-
16 versity governance.

17 “(D) Approve and authorize degrees.

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

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

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

22 “(k) Have the authority to enter into and administer interstate agree-
23 ments regarding the provision of post-secondary distance education. The
24 participation by an educational institution that is not based in this state in
25 distance learning courses or programs that are part of an interstate agree-
26 ment entered into and administered under this paragraph does not constitute
27 operating in this state for purposes of ORS 348.594 to 348.615. The commis-
28 sion, by rule, may impose a fee on any educational institution that seeks to
29 operate under or participate in such interstate agreements. The fee amount
30 shall be established to recover designated expenses incurred by the commis-

1 sion in participating in such agreements.

2 “(L) Coordinate and collaborate with the Chief Education Office as pro-
3 vided by section 1, chapter 519, Oregon Laws 2011.

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

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

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

11 “(C) Investigate and resolve student complaints that relate to state fi-
12 nancial aid;

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

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

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

17 “(b) The commission may refer the investigation and resolution of a stu-
18 dent complaint to:

19 “(A) An appropriate state agency if the complaint alleges that a school
20 has violated a state law concerning consumer protection, civil rights, em-
21 ployment rights or environmental quality;

22 “(B) A school’s accrediting association if the complaint relates to the
23 school’s authorization to offer academic degree programs or to the quality
24 of the school’s academic degree programs; or

25 “(C) The school at which the student is enrolled if the commission de-
26 termines that the complaint should be resolved through the school’s internal
27 review process.

28 “(c) As used in this subsection:

29 “(A)(i) ‘School’ means an independent institution of higher education that
30 meets the requirements of ORS 348.597 (2)(a).

1 “(ii) ‘School’ does not mean a school that is exempt from ORS 348.594 to
2 348.615 under ORS 348.597 (2)(b) or (c).

3 “(B) ‘Student’ means a person who is enrolled at a school for the purpose
4 of obtaining a degree, certificate or other recognized educational credential
5 offered by that school.

6 “(5) A student complaint that is received by the Higher Education Coor-
7 dinating Commission, including but not limited to a student complaint filed
8 under subsection (4) of this section, is not subject to disclosure under ORS
9 192.311 to 192.478.

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

14 “(a) Ensure or improve access to higher education by diverse and under-
15 served populations.

16 “(b) Encourage student success and completion initiatives.

17 “(c) Improve the coordination of the provision of educational services,
18 including:

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

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

21 “(C) Applied baccalaureate and other transfer degrees;

22 “(D) Programs and grants that span multiple institutions; and

23 “(E) Reciprocity agreements with other states.

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

27 “(e) In coordination with the State Workforce and Talent Development
28 Board, local workforce development boards, the Oregon Health and Science
29 University and independent institutions, ensure that the state’s colleges and
30 universities offer programs in high-demand occupations that meet Oregon’s

1 workforce needs.

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

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

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

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

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

21 **“SECTION 4.** ORS 350.075, as amended by section 61, chapter 774, Oregon
22 Laws 2015, section 6, chapter 30, Oregon Laws 2016, section 56, chapter 117,
23 Oregon Laws 2016, section 8, chapter 66, Oregon Laws 2017, section 2, chap-
24 ter 98, Oregon Laws 2017, section 6, chapter 185, Oregon Laws 2017, section
25 22, chapter 297, Oregon Laws 2017, and section 2b, chapter 440, Oregon Laws
26 2017, is amended to read:

27 “350.075. (1) As used in this section, ‘student access programs’ means
28 scholarship, loan, grant and access programs described in ORS chapter 348.

29 “(2) The Higher Education Coordinating Commission shall be guided by
30 the legislative findings in ORS 341.009, 350.001 and 350.005 and the goals and

1 mission of post-secondary education set forth in ORS 350.009 and 350.014.

2 “(3) The Higher Education Coordinating Commission shall:

3 “(a) Develop state goals for the state post-secondary education system,
4 including community colleges and public universities listed in ORS 352.002,
5 and for student access programs.

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

9 “(c) Coordinate the post-secondary elements of data collection and struc-
10 ture, with the advice and recommendation of the state’s independent insti-
11 tutions, community colleges and public universities, as appropriate, in order
12 to construct a state longitudinal data system.

13 “(d) Adopt a strategic plan for achieving state post-secondary education
14 goals, taking into consideration the contributions of this state’s independent
15 institutions, philanthropic organizations and other organizations dedicated
16 to helping Oregonians reach state goals. State post-secondary education
17 goals as described in this section should include, but need not be limited to:

18 “(A) Increasing the educational attainment of the population;

19 “(B) Increasing this state’s global economic competitiveness and the
20 quality of life of its residents;

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

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

24 “(E) Tracking progress toward meeting the state’s post-secondary educa-
25 tion goals established in the strategic plan described in this paragraph.

26 “(e)(A) Each biennium, after receiving funding requests from the state’s
27 community colleges and public universities as authorized by law, recommend
28 to the Governor a consolidated higher education agency request budget
29 aligned with the strategic plan described in paragraph (d) of this subsection,
30 including appropriations for:

1 “(i) Student access programs;
2 “(ii) Public universities listed in ORS 352.002, including but not limited
3 to education and general operations, statewide public services and state-
4 funded debt service;
5 “(iii) Community colleges, including but not limited to education and
6 general operations and state-funded debt service;
7 “(iv) New facilities or programs;
8 “(v) Capital improvements and deferred maintenance;
9 “(vi) Special initiatives and investments; and
10 “(vii) Any other program, duty or function a public university listed in
11 ORS 352.002 is authorized to undertake.

12 “(B) In the development of the consolidated higher education agency re-
13 quest budget:

14 “(i) Determine the costs necessary to provide quality post-secondary edu-
15 cation;

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

19 “(iii) Solicit public input regarding educational priorities.

20 “(f) Adopt rules governing the distribution of appropriations from the
21 Legislative Assembly to community colleges, public universities listed in
22 ORS 352.002 and student access programs. These rules must:

23 “(A) Be based on allocation formulas developed in consultation with the
24 state’s community colleges and public universities, as appropriate[.]; and

25 “(B) **Include provisions to increase the amount allocated to com-**
26 **munity colleges and public universities that the commission deter-**
27 **mines are in full compliance with the requirements set forth in ORS**
28 **350.404 by:**

29 “(i) **Providing awards for transfer student completions;**

30 “(ii) **Providing bonuses to community colleges or public universities**

1 **that have enrolled students transfer to other community colleges or**
2 **public universities; or**

3 **“(iii) Any other mechanism the commission determines may incre-**
4 **mentally reward community colleges and public universities, to the**
5 **degree practicable, for the successful transfer or baccalaureate com-**
6 **pletion of a student.**

7 “(g) Approve or disapprove any significant change to the academic pro-
8 gram of a community college or a public university listed in ORS 352.002. In
9 reaching a decision under this paragraph, the commission shall consider the
10 recommendation from the community college or public university seeking to
11 make the change to an academic program that is issued pursuant to the ob-
12 ligation of the governing board of a community college or public university
13 to review and approve academic programs. The commission shall ensure that
14 approved programs:

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

17 “(B) Do not unnecessarily duplicate academic programs offered by
18 Oregon’s other community colleges or public universities;

19 “(C) Are not located in a geographic area that will cause undue hardship
20 to Oregon’s other community colleges or public universities; and

21 “(D) Are allocated among Oregon’s community colleges and public uni-
22 versities to maximize the achievement of statewide needs and requirements.

23 “(h) For public universities listed in ORS 352.002:

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

26 “(B) Review and determine whether a proposed annual increase of resi-
27 dent undergraduate enrollment fees of greater than five percent is appropri-
28 ate.

29 “(C) Advise the Governor and the Legislative Assembly on issues of uni-
30 versity governance.

1 “(D) Approve and authorize degrees.

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

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

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

6 “(k) Have the authority to enter into and administer interstate agree-
7 ments regarding the provision of post-secondary distance education. The
8 participation by an educational institution that is not based in this state in
9 distance learning courses or programs that are part of an interstate agree-
10 ment entered into and administered under this paragraph does not constitute
11 operating in this state for purposes of ORS 348.594 to 348.615. The commis-
12 sion, by rule, may impose a fee on any educational institution that seeks to
13 operate under or participate in such interstate agreements. The fee amount
14 shall be established to recover designated expenses incurred by the commis-
15 sion in participating in such agreements.

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

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

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

23 “(C) Investigate and resolve student complaints that relate to state fi-
24 nancial aid;

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

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

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

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

1 “(A) An appropriate state agency if the complaint alleges that a school
2 has violated a state law concerning consumer protection, civil rights, em-
3 ployment rights or environmental quality;

4 “(B) A school’s accrediting association if the complaint relates to the
5 school’s authorization to offer academic degree programs or to the quality
6 of the school’s academic degree programs; or

7 “(C) The school at which the student is enrolled if the commission de-
8 termines that the complaint should be resolved through the school’s internal
9 review process.

10 “(c) As used in this subsection:

11 “(A)(i) ‘School’ means an independent institution of higher education that
12 meets the requirements of ORS 348.597 (2)(a).

13 “(ii) ‘School’ does not mean a school that is exempt from ORS 348.594 to
14 348.615 under ORS 348.597 (2)(b) or (c).

15 “(B) ‘Student’ means a person who is enrolled at a school for the purpose
16 of obtaining a degree, certificate or other recognized educational credential
17 offered by that school.

18 “(5) A student complaint that is received by the Higher Education Coor-
19 dinating Commission, including but not limited to a student complaint filed
20 under subsection (4) of this section, is not subject to disclosure under ORS
21 192.311 to 192.478.

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

26 “(a) Ensure or improve access to higher education by diverse and under-
27 served populations.

28 “(b) Encourage student success and completion initiatives.

29 “(c) Improve the coordination of the provision of educational services,
30 including:

1 “(A) Transfers and coenrollment throughout the higher education system;
2 “(B) Accelerated college credit programs for high school students;
3 “(C) Applied baccalaureate and other transfer degrees;
4 “(D) Programs and grants that span multiple institutions; and
5 “(E) Reciprocity agreements with other states.

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

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

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

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

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

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

28 “(10) The Higher Education Coordinating Commission may exercise only
29 powers, duties and functions expressly granted by the Legislative Assembly.
30 Except as otherwise expressly provided by law, all other authorities reside

1 at the institutional level with the respective boards of the post-secondary
2 institutions.

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

9 “350.075. (1) As used in this section, ‘student access programs’ means
10 scholarship, loan, grant and access programs described in ORS chapter 348.

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

14 “(3) The Higher Education Coordinating Commission shall:

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

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

21 “(c) Coordinate the post-secondary elements of data collection and struc-
22 ture, with the advice and recommendation of the state’s independent insti-
23 tutions, community colleges and public universities, as appropriate, in order
24 to construct a state longitudinal data system.

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

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

1 “(B) Increasing this state’s global economic competitiveness and the
2 quality of life of its residents;

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

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

6 “(E) Tracking progress toward meeting the state’s post-secondary educa-
7 tion goals established in the strategic plan described in this paragraph.

8 “(e)(A) Each biennium, after receiving funding requests from the state’s
9 community colleges and public universities as authorized by law, recommend
10 to the Governor a consolidated higher education agency request budget
11 aligned with the strategic plan described in paragraph (d) of this subsection,
12 including appropriations for:

13 “(i) Student access programs;

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

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

19 “(iv) New facilities or programs;

20 “(v) Capital improvements and deferred maintenance;

21 “(vi) Special initiatives and investments; and

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

24 “(B) In the development of the consolidated higher education agency re-
25 quest budget:

26 “(i) Determine the costs necessary to provide quality post-secondary edu-
27 cation;

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

1 “(iii) Solicit public input regarding educational priorities.

2 “(f) Adopt rules governing the distribution of appropriations from the
3 Legislative Assembly to community colleges, public universities listed in
4 ORS 352.002 and student access programs. These rules must:

5 “(A) Be based on allocation formulas developed in consultation with the
6 state’s community colleges and public universities, as appropriate[.]; and

7 “(B) **Include provisions to increase the amount allocated to com-**
8 **munity colleges and public universities that the commission deter-**
9 **mines are in full compliance with the requirements set forth in ORS**
10 **350.404 by:**

11 “(i) **Providing awards for transfer student completions;**

12 “(ii) **Providing bonuses to community colleges or public universities**
13 **that have enrolled students transfer to other community colleges or**
14 **public universities; or**

15 “(iii) **Any other mechanism the commission determines may incre-**
16 **mentally reward community colleges and public universities, to the**
17 **degree practicable, for the successful transfer or baccalaureate com-**
18 **pletion of a student.**

19 “(g) Approve or disapprove any significant change to the academic pro-
20 gram of a community college or a public university listed in ORS 352.002. In
21 reaching a decision under this paragraph, the commission shall consider the
22 recommendation from the community college or public university seeking to
23 make the change to an academic program that is issued pursuant to the ob-
24 ligation of the governing board of a community college or public university
25 to review and approve academic programs. The commission shall ensure that
26 approved programs:

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

29 “(B) Do not unnecessarily duplicate academic programs offered by
30 Oregon’s other community colleges or public universities;

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

3 “(D) Are allocated among Oregon’s community colleges and public uni-
4 versities to maximize the 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
7 public university.

8 “(B) Review and determine whether a proposed annual increase of resi-
9 dent undergraduate enrollment fees of greater than five percent is appropri-
10 ate.

11 “(C) Advise the Governor and the Legislative Assembly on issues of uni-
12 versity governance.

13 “(D) Approve and authorize degrees.

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

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

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

18 “(k) Have the authority to enter into and administer interstate agree-
19 ments regarding the provision of post-secondary distance education. The
20 participation by an educational institution that is not based in this state in
21 distance learning courses or programs that are part of an interstate agree-
22 ment entered into and administered under this paragraph does not constitute
23 operating in this state for purposes of ORS 348.594 to 348.615. The commis-
24 sion, by rule, may impose a fee on any educational institution that seeks to
25 operate under or participate in such interstate agreements. The fee amount
26 shall be established to recover designated expenses incurred by the commis-
27 sion in participating in such agreements.

28 “(4) In addition to the duties described in subsections (2) and (3) of this
29 section, the Higher Education Coordinating Commission shall advise the
30 Legislative Assembly, the Governor, community colleges, public universities

1 and other state boards and commissions on policies in order to:

2 “(a) Ensure or improve access to higher education by diverse and under-
3 served populations.

4 “(b) Encourage student success and completion initiatives.

5 “(c) Improve the coordination of the provision of educational services,
6 including:

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

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

9 “(C) Applied baccalaureate and other transfer degrees;

10 “(D) Programs and grants that span multiple institutions; and

11 “(E) Reciprocity agreements with other states.

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

15 “(e) In coordination with the State Workforce and Talent Development
16 Board, local workforce development boards, the Oregon Health and Science
17 University and independent institutions, ensure that the state’s colleges and
18 universities offer programs in high-demand occupations that meet Oregon’s
19 workforce needs.

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

22 “(5) The Higher Education Coordinating Commission, in a manner con-
23 sistent with ORS chapter 183, may adopt administrative rules.

24 “(6) With the exception of the rulemaking authority granted in subsection
25 (5) of this section, the Higher Education Coordinating Commission may del-
26 egate any of its powers, duties or functions to a committee of the commission
27 or to the executive director of the commission.

28 “(7) The Higher Education Coordinating Commission may, subject to the
29 Public Contracting Code, enter into contracts and agreements, including
30 grant agreements, with public and private entities for those higher education

1 and workforce development activities that are consistent with ORS 350.001
2 and 350.005, with the policies set forth in ORS chapters 341 and 348 and with
3 statutory policies related to career schools and public universities.

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

9 In line 7, delete “3” and insert “6”.

10 _____