

# Senate Bill 229

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Education)

## 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 **as introduced**.

Integrates foundational curricula and unified statewide transfer agreements into Transfer Student Bill of Rights and Responsibilities.

Requires Higher Education Coordinating Commission to develop standards for minimizing complexity of unified statewide transfer agreements and to develop processes for resolving requests for variances to unified statewide transfer agreements or disputes over what courses are included in unified statewide transfer agreements. Requires commission to annually report to committees of Legislative Assembly on number, nature and determinations reached regarding requests for variances to unified statewide transfer agreements or disputes over courses to be included in unified statewide transfer agreements.

Requires commission to establish advisory committee to advise commission staff on designing standards to implement Transfer Student Bill of Rights and Responsibilities and developing electronic system for disseminating information regarding foundational curricula and unified statewide transfer agreements.

Directs commission to convene specified persons for purpose of assisting in alignment of credits earned through dual credit programs with requirements of foundational curricula. Requires reports to interim committees of Legislative Assembly related to education.

Directs commission to collect data related to acceptance of credits from foundational curriculum.

Permits commission to use moneys from Oregon Opportunity Grant program to pay for scholarships for children of public safety officers if other sources of moneys are insufficient to fully fund scholarships.

Appropriates moneys from General Fund to Higher Education Coordinating Commission for carrying out provisions of this Act.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to higher education; creating new provisions; amending ORS 348.280, 350.395 and 350.412  
3 and section 1, chapter 113, Oregon Laws 2018; and declaring an emergency.

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

5 **SECTION 1.** ORS 350.395 is amended to read:

6 350.395. (1) As used in this section:

7 (a) "Associate transfer degree" means an associate degree that is awarded by a community  
8 college and that is intended to allow a student to apply the credits earned for the degree toward a  
9 baccalaureate degree.

10 (b) "Community college" means a community college operated under ORS chapter 341.

11 (c) **"Foundational curriculum" means a curriculum established under ORS 350.400.**

12 [(c)] (d) "Public university" means a public university listed in ORS 352.002.

13 [(d)] (e) "Transfer program" means a one-year program that is designed to allow a student to  
14 apply the credits earned through the program toward a baccalaureate degree.

15 (f) **"Unified statewide transfer agreement" means an agreement established under ORS**  
16 **350.404.**

17 (2) The Higher Education Coordinating Commission shall develop standards related to the ability

**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 of students to apply credits earned through courses of study at community colleges to baccalaureate  
 2 degrees awarded by public universities. The standards shall be known as the “Transfer Student Bill  
 3 of Rights and Responsibilities.” **In developing these standards, commission staff shall consult  
 4 with the advisory committee established in section 3 of this 2021 Act.**

5 (3) The standards developed under this section must include:

6 (a) Admission standards to public universities for students who have earned an associate trans-  
 7 fer degree **or who have attained the optimal number of academic credits identified in a unified  
 8 statewide transfer agreement.**

9 (b) Processes to align requirements for community college courses and public university courses  
 10 to ensure that credits earned for completion of sufficiently similar courses are fully transferable  
 11 between all community colleges and public universities.

12 (c) Processes to minimize the number of credits that students who have **either** earned an asso-  
 13 ciate transfer degree **or who have completed all coursework in a transfer program, founda-  
 14 tional curriculum or unified statewide transfer agreement** would need to complete prior to  
 15 receiving various types of baccalaureate degrees at public universities[, *including identifying majors  
 16 in baccalaureate degree programs that require more than two years to complete after a student has  
 17 earned an associate transfer degree*].

18 [(d) Processes to minimize the number of credits that students who have completed a transfer pro-  
 19 gram would need to complete prior to receiving various types of baccalaureate degrees at public uni-  
 20 versities.]

21 **(d) Methods for minimizing the complexity of unified statewide transfer agreements.**

22 **(e) Processes requiring:**

23 **(A) The chief academic officer of a community college or public university requesting a  
 24 variance to an established unified statewide transfer agreement to, at the request of the  
 25 advisory committee established in section 3 of this 2021 Act, provide information to the  
 26 committee on the pedagogical requirements supporting the position of the community college  
 27 or public university; and**

28 **(B) The chief academic officers of community colleges or public universities who disagree  
 29 over the inclusion or exclusion of courses in a unified statewide transfer agreement to, at  
 30 the request of the advisory committee established in section 3 of this 2021 Act, provide in-  
 31 formation to the committee on the pedagogical requirements supporting the positions of the  
 32 community colleges or public universities.**

33 [(e)] **(f)** Processes by which a community college would award an associate degree to a student  
 34 upon completion of necessary credits, regardless of whether the student applied to receive the de-  
 35 gree or whether the student earned the credits for the degree at a community college or a public  
 36 university.

37 [(f)] **(g)** Processes to evaluate and make recommendations for the development of associate  
 38 transfer degrees **or unified statewide transfer agreements** in specific areas of study[, *including  
 39 engineering*].

40 [(g)] **(h)** Any other issues identified by the Higher Education Coordinating Commission that re-  
 41 late to courses of study at community colleges and the ability of a student to transfer credits to a  
 42 community college or a public university, to be admitted to a public university or to earn a degree  
 43 at a community college or a public university.

44 [(h)] **(i)** Requirements that students must meet in order to benefit from the standards described  
 45 in paragraphs (a) to [(g)] **(h)** of this subsection.

1 (4) *[Each community college and public university shall submit annual reports to]* The Higher  
 2 Education Coordinating Commission *[related to]* **shall annually submit a report in the manner**  
 3 **provided by ORS 192.245 to the appropriate interim committees of the Legislative Assembly**  
 4 **setting forth:**

5 (a) The number of students who attend a community college and then a public university<sup>1</sup>*[, or a*  
 6 *public university and then a community college].*

7 (b) The number of students who attend one community college and then a different community  
 8 college.

9 (c) The number of students who transfer from a community college to a public university and  
 10 who have an associate transfer degree or have completed a transfer program.

11 (d) The average number of credits students have when they transfer from a community college  
 12 to a public university **and the average number of credits accepted by the public university.**

13 (e) The average number of credits students have when they attend one community college and  
 14 then a different community college.

15 (f) The average number of credits that a student earning an associate transfer degree completed  
 16 at a community college.

17 (g) The average number of credits students who have transferred from a community college to  
 18 a public university must earn prior to receiving a baccalaureate degree compared to the average  
 19 number of credits students who did not transfer from a community college must earn prior to re-  
 20 ceiving a baccalaureate degree.

21 **(h)(A) The number and nature of the requests submitted under subsection (3)(e) of this**  
 22 **section to the advisory committee established in section 3 of this 2021 Act; and**

23 **(B) The determination reached by the committee for each request described in subpara-**  
 24 **graph (A) of this paragraph.**

25 **SECTION 2.** ORS 350.412 is amended to read:

26 350.412. (1) The Higher Education Coordinating Commission shall regularly convene represen-  
 27 tatives from community colleges and public universities listed in ORS 352.002 in order to:

28 (a) Facilitate the coordination and establishment of foundational curricula described in ORS  
 29 350.400; and

30 (b) Facilitate the development, and ensure the continued alignment, of the unified statewide  
 31 transfer agreements described in ORS 350.404.

32 (2) The commission shall provide staffing for each meeting held under subsection (1) of this  
 33 section.

34 (3) The commission shall seek to ensure that community colleges, public universities listed in  
 35 ORS 352.002 and students are informed and engaged on the current status and developments of  
 36 foundational curricula and unified statewide transfer agreements.

37 (4) Each community college and public university listed in ORS 352.002 shall report annually to  
 38 the commission, for each unified statewide transfer agreement established under ORS 350.404, the  
 39 number of academic credits that were successfully transferred in that major course of study by  
 40 students who transfer from a community college to a public university.

41 (5) *[To the extent relevant data is available,]* The commission shall report annually to the Legis-  
 42 lative Assembly on:

43 (a) Whether existing unified statewide transfer agreements are meeting the goals set forth in  
 44 ORS 350.404 (2)<sup>1</sup>*;*

45 (b) **Whether, in meeting the goals set forth in ORS 350.404 (2), there are differences in**

1 outcomes for students on a disaggregated basis;

2 (c) The rates and numbers of completion of the foundational curricula and unified state-  
3 wide transfer agreements on a disaggregated basis; and

4 (d) Recommendations for improving the equity, consistency and efficiency of credit  
5 transfer.

6 (6) Each community college and public university listed in ORS 352.002 shall timely pro-  
7 vide the commission with any requested data necessary for the commission to comply with  
8 the reporting requirements set forth in subsection (5) of this section.

9 **SECTION 3.** The Higher Education Coordinating Commission shall establish an advisory  
10 committee consisting of faculty, staff and administration representatives from community  
11 colleges and public universities listed in ORS 352.002, and any other parties the commission  
12 deems necessary. The advisory committee shall provide advice and recommendations to  
13 commission staff on:

14 (1) Designing standards to effectively implement ORS 350.395;

15 (2) Developing an electronic system for the dissemination of information regarding  
16 foundational curricula established under ORS 350.400 and unified statewide transfer agree-  
17 ments established under ORS 350.404; and

18 (3) Any other needs and processes that may be required for the implementation of ORS  
19 350.395 to 350.412.

20 **SECTION 4.** Not later than December 15, 2021, the Higher Education Coordinating Com-  
21 mission shall submit a report to the interim committees of the Legislative Assembly related  
22 to education describing any additional legislation or funding that is required to develop an  
23 electronic system for the dissemination of information regarding foundational curricula and  
24 unified statewide transfer agreements in the manner set forth in section 3 (2) of this 2021  
25 Act.

26 **SECTION 5.** (1) As used in this section:

27 (a) “Dual credit programs” includes dual credit programs, sponsored dual credit pro-  
28 grams and assessment-based learning credit programs, as those terms are defined by the  
29 Higher Education Coordinating Commission by rule.

30 (b) “Foundational curricula” means curricula established for public post-secondary insti-  
31 tutions of education in this state under ORS 350.400.

32 (2) No later than December 1, 2021, the commission shall convene:

33 (a) High school teachers of courses that are offered as part of a dual credit program;

34 (b) Administrators at high schools that offer dual credit programs;

35 (c) Faculty at community colleges and public universities listed in ORS 352.002 that teach  
36 courses as part of a dual credit program; and

37 (d) Administrators at community colleges or public universities listed in ORS 352.002 that  
38 are in a partnership to offer dual credit programs.

39 (3) The persons convened as provided by subsection (2) of this section shall assist in  
40 aligning credits earned through dual credit programs with requirements of foundational  
41 curricula by:

42 (a) Prescribing guidance for determining which courses offered in dual credit programs  
43 are aligned with foundational curricula.

44 (b) Documenting dual credit program courses that are within foundational curricula.

45 (c) Identifying criteria that support articulation of credits earned through dual credit

1 **programs offered in high school to credits accepted by community colleges and public uni-**  
2 **versities listed in ORS 352.002.**

3 **(d) Developing additional foundational curricula lists upon approval of unified statewide**  
4 **transfer agreements developed under ORS 350.404.**

5 **(4) The commission shall submit reports detailing its compliance with this section to the**  
6 **interim committees of the Legislative Assembly related to education as follows:**

7 **(a) A preliminary report no later than March 31, 2022.**

8 **(b) A final report no later than August 31, 2022.**

9 **SECTION 6. Sections 4 and 5 of this 2021 Act are repealed on December 31, 2022.**

10 **SECTION 7. Section 1, chapter 113, Oregon Laws 2018, as amended by section 3, chapter 113,**  
11 **Oregon Laws 2018, is amended to read:**

12 **Sec. 1.** (1) As used in this section:

13 (a) "Accelerated college credit program" has the meaning given that term in [*section 6 of this*  
14 *2018 Act*] **ORS 350.420.**

15 (b) "Credit toward general education" has the meaning given that term in [*section 6 of this 2018*  
16 *Act*] **ORS 350.420.**

17 (2) The Higher Education Coordinating Commission shall prepare an annual report on acceler-  
18 ated college credit programs in the manner provided by this section.

19 (3) For the purpose of the report required by this section, the commission shall collaborate with  
20 public post-secondary institutions of education in this state to determine the method for providing  
21 a representative sampling of:

22 (a) Students from each institution who are:

23 (A) Graduates of a high school in this state;

24 (B) Enrolled in the first year at a post-secondary institution of education for the first time, ex-  
25 cept for any enrollment related to an accelerated college credit program; and

26 (C) Seeking a post-secondary certificate or degree.

27 (b) The number of credits from an accelerated college credit program that a student attempted  
28 to transfer to the post-secondary institution of education.

29 (4) The report required by this section must include the following information from the repre-  
30 sentative sampling based on the previous school year:

31 (a) The number and percentage of students who attempted to transfer a credit from an acceler-  
32 ated college credit program to a public post-secondary institution of education in this state.

33 (b) Of the students identified under paragraph (a) of this subsection, the number and percentage  
34 of students whose credits were accepted.

35 (c) Of the credits accepted, the number and percentage that were accepted as credit toward  
36 general education.

37 (d) Of the students identified under paragraph (a) of this subsection, the number and percentage  
38 of students whose credits were not accepted.

39 (e) Of the students identified under paragraph (a) of this subsection, the high schools from which  
40 the students graduated, if available.

41 **(f) Of the students identified under paragraph (a) of this subsection, the number and**  
42 **percentage of students whose credits from the foundational curriculum established under**  
43 **ORS 350.400 were accepted or not accepted.**

44 (5) To the extent practicable, and in addition to the information described in subsection (4) of  
45 this section, the report must include, from all students in this state described in subsection (3)(a)

1 of this section, the number of students who attempted to transfer a credit from an accelerated col-  
 2 lege credit program to a public post-secondary institution of education in this state.

3 (6) To the extent practicable, the information collected under subsections (4) and (5) of this  
 4 section must be disaggregated by:

5 (a) The student's characteristics, including race, ethnicity and gender;

6 (b) The post-secondary institution of education that accepted or did not accept a transfer of a  
 7 credit from an accelerated college credit program;

8 (c) The type of accelerated college credit program in which the student participated; and

9 (d) The class of the accelerated college credit program in which the student participated.

10 (7) No later than September 1 of each year, each public post-secondary institution of education  
 11 must provide to the Higher Education Coordinating Commission the information required under this  
 12 section.

13 (8) No later than December 1 of each year, the report required under this section must be:

14 (a) Submitted to the Governor, the Department of Education, the interim committees of the  
 15 Legislative Assembly related to education, the board of education of each community college district  
 16 in this state and the governing board of each public university listed in ORS 352.002; and

17 (b) Made available to each school district in this state.

18 (9) Nothing in this section is intended to supersede the authority of a post-secondary institution  
 19 of education, or the faculty of an institution, to prescribe an educational program or a course of  
 20 study as provided by ORS 341.290 (3) or 352.146.

21 **SECTION 8.** ORS 348.280 is amended to read:

22 348.280. (1) The Higher Education Coordinating Commission shall:

23 (a) Determine which students are eligible to receive scholarships under ORS 348.270 and 348.272.

24 (b) Grant the appropriate scholarships under ORS 348.270 and 348.272.

25 (c) Make necessary rules for application and distribution of the benefits available under ORS  
 26 348.270 and 348.272 and this section.

27 (d) In awarding scholarships pursuant to its authority under ORS 348.520, give priority to stu-  
 28 dents who are eligible to receive scholarships under ORS 348.270 and 348.272.

29 **(2) If the accounts established or designated by the State Treasurer under ORS 131A.360**  
 30 **and 131A.365 do not contain sufficient moneys to provide scholarships to each student who**  
 31 **is eligible to receive a scholarship under ORS 348.270, the commission shall:**

32 (a) **Use all moneys available in the accounts established or designated by the State**  
 33 **Treasurer under ORS 131A.360 and 131A.365 to provide scholarships to students who are eli-**  
 34 **gible to receive a scholarship under ORS 348.270; and**

35 (b) **Award moneys from the Oregon Opportunity Grant program to students who are el-**  
 36 **igible to receive a scholarship under ORS 348.270.**

37 [(2)] (3) The [*Higher Education Coordinating*] commission shall establish rules and procedures  
 38 necessary to carry out the provisions of ORS 348.270 and 348.272 and this section, including but not  
 39 limited to the usual and customary rules for analyzing financial need.

40 **SECTION 9. In addition to and not in lieu of any other appropriation, there is appropri-**  
 41 **ated to the Higher Education Coordinating Commission, for the biennium ending June 30,**  
 42 **2023, out of the General Fund, the amount of \$555,749 for the purpose of carrying out the**  
 43 **provisions of sections 3 to 5 of this 2021 Act and the amendments to statutes and session law**  
 44 **by sections 1, 2, 7 and 8 of this 2021 Act.**

45 **SECTION 10. This 2021 Act being necessary for the immediate preservation of the public**

1 **peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect**  
2 **on its passage.**

3

---