

HB 3564 B STAFF MEASURE SUMMARY**Carrier:** Sen. Dembrow**Senate Committee On Education****Action Date:** 05/11/23**Action:** Do pass with amendments to the A-Eng bill. (Printed B-Eng.)**Vote:** 5-0-1-1**Yeas:** 5 - Anderson, Dembrow, Frederick, Gelsner Blouin, Weber**Exc:** 1 - President Wagner**Abs:** 1 - Robinson**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Ellen O'Brien, LPRO Analyst**Meeting Dates:** 5/2, 5/11**WHAT THE MEASURE DOES:**

Modifies membership of Higher Education Coordinating Commission (HECC) by adding one member from Oregon's sixth congressional district and removing one member of general public. Applies to appointments of members made on or after effective date. Transfers responsibility from Office of Community Colleges and Workforce Development to HECC for receiving written notice of plant closing or mass layoff under federal law. Adds federally recognized tribes to list of entities eligible to receive grants under Oregon Conservation Corps Program. Adds career pathways to goals of Access to Student Assistance Programs in Reach of Everyone (ASPIRE) within HECC. Requires ASPIRE programs providing financial aid instruction to middle school, high school, and college students to work directly with community-based organizations and other entities serving historically underserved communities and permits ASPIRE programs to provide grants and other support to these organizations. Expands definition of diploma mill and authorizes HECC to terminate enrollment of Oregon students in diploma mills operating in or from Oregon. Modifies language related to institutional accreditation by post-secondary accrediting agencies and exemptions for religious or theological degree programs. Requires only students who are eligible to file Free Application for Federal Student Aid (FAFSA) to complete and submit FAFSA application in order to be eligible for certain aid programs for students who are current or former foster child or homeless youth. Reauthorizes HECC to review and act on student complaints regarding any school operating in Oregon. Applies to any student complaint filed with HECC on or after July 1, 2021. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Compliance with federal regulations regarding student complaint investigations at private institutions

EFFECT OF AMENDMENT:

Reauthorizes Higher Education Coordinating Commission (HECC) to review and act on student complaints regarding any school operating in Oregon. Applies to any student complaint filed with HECC on or after July 1, 2021. Declares emergency, effective on passage.

BACKGROUND:

The Higher Education Coordinating Commission, established in 2011 by Senate Bill 242, consists of 15 Governor-appointed members. The number of members was reduced to nine in 2013 by House Bill 3120, and increased again to 15 with the passage of Senate Bill 712 (2021), which also added student, faculty, and nonfaculty staff members to the commission. House Bill 3564 B modifies membership to account for the addition of Oregon's sixth congressional district.

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According to the [U.S. Department of Labor](#), the Worker Adjustment and Retraining Notification (WARN) Act (P.L. 100-379) was enacted by Congress in 1988 and became effective on February 4, 1989. Under the Act, employers are required to provide appropriate notice when ordering a plant closing or mass layoff. Notice must be given to employees as well as the state dislocated worker unit and the chief elected official of the local government where the employment site is located. In Oregon, the Department of Community Colleges and Workforce Development was formerly the designated body that received notice under WARN. Under House Bill 3120 (2013), HECC became responsible for coordinating the activities of the department, and the department was transferred to the current Office of Community Colleges and Workforce Development (CCWD) within HECC under House Bill 4018 (2014). House Bill 3564 B transfers responsibility for receiving notice under WARN from the CCWD to HECC.

The Oregon Conservation Corps (OCC) Program was established by Senate Bill 762 (2021), an omnibus bill related to wildfire protection and mitigation. OCC provides grant funding in accordance with [OAR 715-101](#) to aid in reducing wildfire risk and to provide workforce training. The Legislative Assembly appropriated a maximum of \$1 million to match private donations to the program. House Bill 3564 B adds federally recognized tribes to organizations and entities eligible to receive grants under OCC.

The Access to Student Assistance Programs in Reach of Everyone (ASPIRE) program is a statewide career and college readiness program that offers education, resources, and mentoring to students located in high schools, middle schools, and community-based organizations. The Legislative Assembly created ASPIRE with House Bill 2729 (2007). [OAR 575-076](#) codifies rules for administration of the program. House Bill 3564 B adds assistance with career pathways to the goals of ASPIRE in statute, and directs ASPIRE programs to work with community-based organizations serving historically underserved communities.

The U.S. Department of Education issued new regulations for post-secondary accreditation on November 1, 2019, which took effect July 1, 2020 ([84 FR 58834](#)). House Bill 3564 B aligns statutory language with the federal definitions of "diploma mill" and "post-secondary accrediting agency" and replaces references to "regional" accreditation with "institutional" accreditation to conform with new federal accreditation categories.

Since the passage of House Bill 3471 (2011), public institutions of higher education have been required to waive tuition and fees for current or former foster children under 25 years of age. ORS 350.300 contains current statutes governing the program. Applicants are currently required to complete the Free Application for Federal Student Aid (FAFSA) each academic year in order to receive a tuition waiver. House Bill 3564 B clarifies that only those students who are eligible to file the FAFSA must meet this requirement.

House Bill 3564 B makes technical changes, aligns statutory language, and modifies programs administered by the Higher Education Coordinating Commission.