

Docket Item:

(AMENDED) Motion to Propose Beginning Formal Proceedings to Change the Boundaries of COCC and KCC

Summary:

At the August 2019 Commission meeting, the Commission directed staff to explore the feasibility of transitioning the northernmost territory of Lake County from the service district of Central Oregon Community College (COCC) to Klamath Community College (KCC). This directive was contained in a broader motion rejecting the petition from residents of North Lake County seeking to be detached from the COCC Service District.

Since the August meeting, HECC staff Patrick Crane and Kyle Thomas have consulted with representatives of COCC, KCC, and the Oregon Community College Association to gauge initial interest from these parties in facilitating a transfer of the North Lake territory from COCC to KCC. All parties expressed interest in the transfer.

ORS 341.565 states “The Commission on its own motion ... may propose changes in the boundaries of a community college district.” Statute then directs the commission to set dates for a public hearing in the territory in question and in the district in which the territory shall be included. The statute requires hearings be held before the Commission can issue a final order and advise the legislature of the Commission’s action.

Statute also requires that, in the event two community college districts are affected, state appropriations for the remainder of the biennium in which the legislature approves the change order must be apportioned to the districts affected on the basis of the total district population as of the most recent federal census. This statutory requirement, created in 1971, is nonsensical in the context of today’s allocation of CCSF funds by the Commission to colleges on an FTE basis. It would be disruptive to the operations of COCC and KCC, and would likely cause both institutions to change their position of the transfer of the territory.

This statute and distribution methodology is only triggered in the event of a transfer of territory. It appears it is not triggered if a territory is removed from a district and, by later action, is added to a different district. Staff is highly likely to pursue a statutory change in 2021 to align these outdated statutes to current practice. In the meantime, however, all parties have expressed interest in resolving the future of N. Lake County.

Therefore, the staff recommendation is for the Commission to pass two motions. The first motion opens the process required to consider removing N. Lake County from the COCC district. The second motion also opens the process required to consider adding N. Lake County to the KCC district. This second motion is contingent upon the legislature approving the initial order.

The motions do not propose final action. After public hearings, further discussion with stakeholders, and additional guidance from the Commission’s counsel, staff will return with further analysis and potential recommendations for the Commission.

HIGHER EDUCATION COORDINATING COMMISSION

October 9, 2019

Docket item #: 6.0a

Staff Recommendation:

Staff recommends the Commission approve the following motions:

1. The Commission moves to propose that the territory included in voting precincts 13 and 14 of Lake County be removed from the Central Oregon Community College Service District and that a public hearing be held in the affected Lake County territory on a date to be determined by staff.
2. The Commission moves to propose that, in the event the legislature approves a final order by the Commission to remove the territory included in voting precincts 13 and 14 of Lake County from the Central Oregon Community College Service District, that the same unincorporated territory be annexed by the Klamath Community College Service District, and that a public hearing be held in the affected Lake County territory and in the principal city of the Klamath Community College Service District on dates to be determined by staff.