

Docket Item:

Temporary Rule Changes related to COVID-19

Summary:

COVID-19, the associated deterioration in fiscal and economic conditions, and public health related restrictions have created significant hardship for students and institutions in attending courses and operating in a rapidly changing, largely remote education environment.

In the spirit of providing as much flexibility as possible, within the confines of statutory and budgetary flexibility afforded to the agency, staff have examined all rules administered by the agency to determine where waivers, deferments, and the temporary relaxation of current requirements will benefit students, institutions, and regulated schools. The following are proposed changes by program, with an explanation of the current rule and the effect of the modification.

FINANCIAL AID

Barbers and Hairdressers Grant

Current Rule: Restricts the period of grant receipt to 15 months.

Proposal: Allow an extension of the 15 month period in the event of a declaration of emergency or executive order interferes with a student's ability to complete. Limit the extension to an equivalent of the period of time such orders are in effect.

Oregon Promise

Current Rule: Requires a new Promise student to have a 2.5 GPA or equivalent in high school or other program.

Proposal: Allow for a waiver of this requirement only in the event a school district takes action relative to local or state emergency orders that impedes the ability of a student to achieve the GPA.

Current Rule: Requires new Promise students to enroll within 6 months of completion of their high school program, GED, or period of custody in a correctional facility. Allows for a hardship waiver if a student can demonstrate hardship to the Commission

Proposal: Deem that all students who must enroll in spring 2020 for Promise eligibility have demonstrated a significant hardship. Ties this designation to emergency orders issued by the Governor. Allows students who do not enroll or do enroll but are not half-time to maintain eligibility to enter the program until fall 2020.

Current Rule: Requires continuing Oregon Promise students to maintain a 2.5 GPA, complete a first year experience course, and be enrolled half-time each term to maintain their eligibility.

Proposal: For any term beginning or ending under an emergency order, waive the requirements. Waive the half-time requirement automatically, and waive the GPA and FYE requirements under certain institutionally driven conditions (such as course cancellation or a move to pass/fail).

Foster Student Grant

Current Rule: Requires full time enrollment and limits eligibility to 12 quarters or eight semesters.

Proposal: Allow grant recipients to qualify if enrolled half time or greater for terms beginning or ending under an emergency order and extend the maximum eligibility timeline for students that so enroll under the half-time provision. Allow students who do not meet the enrollment requirement to be eligible for renewal.

HIGHER EDUCATION COORDINATING COMMISSION

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Child Care Grant

Current Rule: Requires continuous half-time enrollment and submission of childcare expenses for the renewal of award.

Proposal: Waives both requirements for terms that begin or end under an emergency order.

REGULATION OF PRIVATE SCHOOLS

Office of Degree Authorization

Current Rule: There are no provisions that allow a private, degree granting school to retain licensure if they enter a period of temporary closure. The Commission previously adopted provisions for temporary closure of private career schools.

Proposal: Allow schools to retain their license provided the school can meet certain conditions, maintain accreditation, be responsive to student and state inquiries, and reopen within one year.

Private Career Schools

Current Rule: Requires schools to pay a license fee before a license can be issued.

Proposal: HECC cannot statutorily defer these fees, however, HECC can extend licenses. The rule allows for three month license extensions, not to exceed the duration of the emergency, without fee.

Upon expiration of the emergency, schools will be required to pay the annual license fee for a license one year after the initial renewal date.

Current Rule: Requires payments to the Tuition Protection Fund by cash, check, or money order.

Proposal: Allows for interest and penalty free deferment of payments for the duration of the emergency, and allows for electronic payments.

Current Rule: Provides potential authority for HECC to allow a school additional time to submit an application for license renewal.

Proposal: Clarifies that HECC can provide additional time for the completion of an application package upon request.

Material:

Text of Temporary Rule Changes

Staff Recommendation:

Staff recommends the Commission approve the attached temporary rule changes, to take effect upon filing with the Secretary of State.