

Docket Item:

May Legislative Update

Summary:

Legislative Concept Development Timeline

While the 2021 legislative session is especially hard to predict given the upheaval of the last two months, the HECC agency has begun the process of developing legislative concepts for potential introduction in the 2021. The timeline for the review and submission of concepts is as follows:

June 3:	Submit proposed legislative concept requests to DAS.
July 15:	DAS provides approval for concepts that can be submitted to Legislative Counsel for drafting. Legislative Counsel begins to draft concepts and provides drafts to agency for refinement. Agencies have one opportunity to refine each concept
October 2:	Last day for agencies to submit redraft requests
November 6:	Legislative Counsel stops work on agency concepts
November 12:	Commission approves final concept list
November 13:	Final agency concept packages due to Governor
December 18:	Governor-approved legislative concepts pre-filed with legislature for introduction as 2021 legislative session bills

Concepts under Development

The following is an introductory summary of legislative concepts being developed by agency staff.

Financial Aid – Staff is developing a concept to revamp student financial aid programs to provide greater differentiation in the type of support being offered to pipeline students and returning adults, and to shift state financial aid to a model that promotes equity by providing students state awards on a first-dollar basis. The Commission has a docket item on its agenda today to review these alterations. These proposed alterations are significant because they will allow policymakers to make decisions about how to balance the needs of pipeline students and adult learners, and the tools to specifically fund learners that are participating in high-need, sustainable-wage programs.

Transfer – With the failure of the 2020 Legislature to achieve a quorum, a bill that would have emphasized the principles of minimizing variance in major transfer agreements and provided the required seed funding necessary to determine the requirements of a system intended to communicate pathways to students and provide institutions with tools to evaluate transfer student transcripts did not pass. Staff are pursuing reintroduction of the same or a similar concept for 2021.

Youth Employment – Staff is developing a legislative concept to make a number of modifications to the state youth employment system that would allow the Oregon Youth Employment Program to issue grants to other programs under the youth employment umbrella, allow shorter internship programs, add a minimum wage requirement to funded programs, add a requirement that programs focus on demand sectors, add an underrepresented community service requirement, alter the Oregon Youth Corps funding stream either by transitioning to state general funds or by modifying the amusement device tax, and to codify the Workforce and Talent Development Board employability skills and artificial intelligence subcommittees and add legislative reporting requirements. This concept began development prior to the Coronavirus outbreak, and is likely to be refined due to budgetary conditions.

Community College Boundary Changes – In addition to reintroducing the Commission's previously issued order to shift a portion of Lake County from Central Oregon Community College to Klamath Community College, and the reserving of a concept to address a potential Lane Community College boundary change

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question should the Commission elect to proceed on the matter, staff has developed a package of changes to the statutes that govern the community college boundary change process.

The statutes governing community college boundary changes were written in the 1970s, and it has taken a large amount of back and forth with the Department of Justice to attempt to interpret them correctly. They are outdated, fail to specify process where it's needed, and in one part specify funding formula changes for colleges that dramatically depart from today's Community College Support Fund (CCSF) FTE formula-driven approach. The concept proposes to make adjustments to the petition requirements, public hearing requirements, the remonstrance procedures, address the holding of elections when required, and the division of assets and liabilities amongst districts and territories.

Management of the Cosmetology Curriculum – The HECC private postsecondary unit licenses and regulates private career schools from a student and consumer protection lens. In executing those functions, the agency requires schools to prove they have adequate balance sheets, detailed academic policies, and qualified instructors. HECC does not approve curriculum for schools, except for the field of cosmetology. No HECC staff have experience in the field.

Cosmetology, like other professional fields, has a state licensing board that is comprised of appointed experts that develop requirements for licensure. In other fields, schools examine license requirements and develop curriculum to prepare students to meet them. Staff proposes shifting the curriculum approval requirements from HECC to the Board of Cosmetology within the Health Licensing Office (HLO). HLO supports the shift.

Funding Dependents of Deceased and Disabled Public Safety Officers - In 2018 the Legislature made changes to a program that provides grants to students that are dependents of deceased and disabled public safety officers. One of those changes was to add a funding mechanism. HECC now receives 10% of the proceeds of civil asset forfeitures. HECC realized through the passage of the bill in 2018 that the authority OSAC had as an independent agency to use OOG funds to pay for these awards no longer exists. Currently, the proceeds from civil asset forfeiture are not sufficient to pay all awards. HECC has been awarding students anyways, utilizing OOG funds, so as not to punish students for this technical problem, and the concept makes those awards allowable by requiring we first use the civil asset proceeds available to us, and then provide for the remaining demand with OOG money.

Concept Placeholders

In addition to the concepts that are significantly build out, staff has requested concepts that are best described as placeholders. These are concepts that will be used to reserve 'relating-to clauses.' As bills move through the legislative process, all amendments to a bill must be germane to the bill's subject as expressed through its relating-to clause. Staff have submitted placeholder concepts relating to equity and open educational resources to provide additional time for work on these issues to continue.

At this early stage, staff have also submitted concepts that touch on the nature of the higher education and workforce system in Oregon as well as how education is delivered. At this early stage of a potential 'new normal,' it is more likely than not that, owing in part to budgetary challenges that the state faces, in part due to slow, phased return to group, in-person activity, and in part due to shifting student preferences and behavior, that HECC will collaborate with the Governor's office, institutions, stakeholders, and the Legislature to modify Oregon higher education in order to stabilize institutions and maintain the equitable delivery of post-secondary opportunity. These concepts will reserve the right to introduce bills on these topics that would be reflective of work that may occur over the coming months.

Staff Recommendation:

For discussion purposes only.