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**Docket Item:**

Permanent Rule Adoption for Emergency State Authorization for Non-Oregon, Non-Authorized Schools

**Summary:**

- New Rule                       Temporary  
 Amend Existing Rule         Permanent  
 Repeal Rule

Prompted by:

- State law changes  
 Federal law changes  
 Other

The rules are required to provide flexibility to institutions whose operations are significantly but temporarily impacted by COVID-19. This rule allows students whose residential instruction has been interrupted by a declared emergency in the state of their institution to return to Oregon and continue study online, even if the school is not authorized in Oregon. Such authorization is temporary, expiring upon the removal of the order or emergency declaration, and upon the resumption of normal campus operations. Temporary authorization does not allow schools to recruit new students or offer new programs to Oregonians.

This was presented and approved as a temporary rule at the May 14, 2020, HECC Commission meeting. There have been no changes since that approval.

**Material:**

Text of Permanent Rule Adoption

**Staff Recommendation:**

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

## NEW RULE

### Emergency State Authorization for Non-Oregon, Non-Authorized Schools

OAR 583-030-0064

(1) In the event the Governor of a non-Oregon school's home state issues a declaration of emergency or executive orders that directly lead to the temporary cessation of on-campus educational activity, and as a result, one or more currently enrolled Oregon resident students return to Oregon, the Commission may provide for state authorization that is temporary and limited for such schools to allow continuation of education solely for such students through online or other remote instruction as determined by the Commission. The school must make the request for such authorization to the Commission in writing, citing any declarations or orders that exist in their home state that affect the school. The school must provide all information and documentation requested by the Commission. The Commission must respond in writing regarding approval within ten calendar days after the school has provided all information requested by the Commission.

(2) Such school shall notify the Commission in writing within ten calendar days of the release or cancellation of the declaration of emergency or executive order or the return to normal on-campus residential instruction. The temporary state authorization shall expire thirty days following the release, cancellation, or return to on-campus instruction, and the school shall cease all remote instruction to Oregon resident students upon expiration of the authorization.

(3) The recruitment or enrollment of new students within the state of Oregon by a school receiving temporary authorization pursuant to this rule is prohibited.

(4) Nothing in this rule shall apply to non-Oregon schools that are members of an interstate agreement as defined in ORS 350.075.