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TEMPORARY ADMINISTRATIVE ORDER
INCLUDING STATEMENT OF NEED & JUSTIFICATION

ODA 2-2020
CHAPTER 583
HIGHER EDUCATION COORDINATING COMMISSION
OFFICE OF DEGREE AUTHORIZATION

FILED
05/14/2020 3:17 PM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Providing for limited, temporary authorization to provide instruction to Oregon resident students

EFFECTIVE DATE: 05/14/2020 THROUGH 09/30/2020

AGENCY APPROVED DATE: 05/14/2020

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Filed By:
Karen Howard
Rules Coordinator

NEED FOR THE RULE(S):

The rules are required to provide flexibility to institutions whose operations are significantly but temporarily impacted by Coronavirus.

JUSTIFICATION OF TEMPORARY FILING:

The Coronavirus emergency and related medically necessary restrictions and interventions were unforeseen, immediate, wide-ranging, and disruptive to student experiences in higher education.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

N/A

ADOPT: 583-030-0064

RULE TITLE: Emergency State Authorization for Non-Oregon, Non-Authorized Schools

RULE SUMMARY: Establishes a mechanism for non-Oregon, non-authorized schools to seek temporary authorization to continue teaching Oregon resident students online for the duration of a declared emergency that requires that school to close its campus.

RULE TEXT:

(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.

STATUTORY/OTHER AUTHORITY: 348.606, 350.075

STATUTES/OTHER IMPLEMENTED: 348.606, 350.075, 348.597, 348.603