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**TEMPORARY ADMINISTRATIVE ORDER**  
INCLUDING STATEMENT OF NEED & JUSTIFICATION

**ODA 1-2020**  
CHAPTER 583  
HIGHER EDUCATION COORDINATING COMMISSION  
OFFICE OF DEGREE AUTHORIZATION

**FILED**  
04/10/2020 3:58 PM  
ARCHIVES DIVISION  
SECRETARY OF STATE  
& LEGISLATIVE COUNSEL

FILING CAPTION: Providing for temporary closure mechanism for institutions regulated by the Office of Degree Authorization.

EFFECTIVE DATE: 04/10/2020 THROUGH 10/06/2020

AGENCY APPROVED DATE: 04/09/2020

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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: 583-030-0059

RULE TITLE: Temporary Closure

RULE SUMMARY: Establishes a mechanism for regulated institutions to temporarily cease operations while retaining state authorization.

RULE TEXT:

The Commission may designate a school as temporarily closed if the following conditions are met:

- (1) The school must request "temporary closure" designation in writing from the Commission, subject to approval of the Executive Director. That request must state the reason(s) for the request for temporary closure status as set forth in (1)(b), including providing any documentation in support of the request as required by the Commission, and a projected timeline for the resumption of educational operations.
- (2) The Commission may grant temporary closure status if the requesting school ceases educational operations due to unforeseeable or exigent circumstances including, but not limited to, property loss or damage due to fire, flood, or other

natural disaster; or inability of the owner, manager, or other key staff to perform their duties due to extended illness or injury, as determined by the Executive Director.

(3) The Commission may grant temporary closure status to a school for not longer than twelve months from the date of first request for the designation. Temporary closure status shall not result in the revocation of the school's authorization so long as the school is in compliance with all relevant laws.

(4) Schools granted temporary closure status shall provide notice, teach out, transfer and refund arrangements for currently enrolled students if the Commission directs the school to do so.

(5) Schools in temporary closure status must respond in writing to requests from students and the Commission for information, updates, and records within ten calendar days.

(6) Schools in temporary closure status must maintain state authorization, including a letter of credit or surety bond.

(7) Schools in temporary closure status must maintain continuous accreditation with the current regional or national accreditor, or its successor.

STATUTORY/OTHER AUTHORITY: ORS 348.606, ORS 350.075

STATUTES/OTHER IMPLEMENTED: ORS 348.606, ORS 350.075