

2020 ADMINISTRATIVE RULES REPORT ORS 183.403



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EXECUTIVE SUMMARY

ORS 183.403 requires state agencies to submit a report summarizing all rules adopted, amended, repealed or suspended during the preceding 12-month period.

The Higher Education Coordinating Commission administrative rules are included in the following chapters:

- Chapter 575: HECC Office of Student Access and Completion (OSAC)
- Chapter 583: HECC Office of Degree Authorization (ODA)
- Chapter 589: HECC Office of Community Colleges and Workforce Development (CCWD)
- Chapter 715: Higher Education Coordinating Commission

Rules adopted, amended or repealed in accordance with ORS 183.335(2) and (3)

During the 2020 calendar year, HECC adopted 3 rules, amended 36 rules, and repealed 3 rules in accordance with ORS 183.335(2) and (3).

Temporary rules adopted, amended or suspended in accordance with ORS 183.335(5)

During the 2020 calendar year, HECC adopted 3 temporary rules, amended 8 temporary rules, and repealed zero temporary rules in accordance with ORS 183.335(5).

INTRODUCTION

ORS 183.403 requires state agencies to submit a report no later than February 1 of each year regarding all rules that the agency adopted, amended, repealed or suspended during the preceding 12-month period. This report highlights the Higher Education Coordinating Commission's rulemaking activity during the 2020 calendar year. For permanent rules, the statute requires information only on the number of rules adopted, amended, or repealed. For temporary rules, statute requires information on the number of rules, a statement of need for the rules, and an explanation as to why the agency needed to utilize temporary rulemaking authority.

PERMANENT RULES ADOPTED, AMENDED OR REPEALED [ORS 183.335(2) AND (3)]

CHAPTER 575: HECC OFFICE OF STUDENT ACCESS AND COMPLETION

Action	Quantity of Rules
Adopted	None
Amended	20
Repealed	None

CHAPTER 583: HECC OFFICE OF DEGREE AUTHORIZATION

Action	Quantity of Rules
Adopted	2
Amended	None
Repealed	None

CHAPTER 589: HECC OFFICE OF COMMUNITY COLLEGES AND WORKFORCE DEVELOPMENT

Action	Quantity of Rules
Adopted	None
Amended	10
Repealed	None

CHAPTER 715: HIGHER EDUCATION COORDINATING COMMISSION

Action	Quantity of Rules
Adopted	1
Amended	6
Repealed	3

TEMPORARY RULES ADOPTED, AMENDED OR SUSPENDED [ORS 183.335(5)]

CHAPTER 575: HECC OFFICE OF STUDENT ACCESS AND COMPLETION (OSAC)

Number of Rules: Five - Amended

List of Rules:

575-035-0030, 575-039-0020, 575-039-0070, 575-065-0065, 575-095-0045: Increasing flexibility of state administered financial aid eligibility requirements due to COVID-19.

Statement of Need:

575-035-0030, 575-039-0020, 575-039-0070, 575-065-0065, 575-095-0045: The rules are required to provide flexibility in financial aid awarding and the maintenance of financial eligibility for students whose education is or may be disrupted either due to either school, institution, or state actions or personal circumstances that arise from Coronavirus.

For each rule, an explanation of why proceeding under ORS 183.335(5) was the most appropriate method for adopting, amending, or suspending the rule and why it was not appropriate to proceed in accordance with ORS 183.335(2) and (3):

575-035-0030, 575-039-0020, 575-039-0070, 575-065-0065, 575-095-0045: The Coronavirus emergency and related medically necessary restrictions and interventions were unforeseen, immediate, wide-ranging, and disruptive to student experiences in higher education.

575-035-0030 and 575-065-0065 were filed permanent 7/10/2020.

575-039-0020, 575-039-0070 were filed permanent 12/21/2020.

575-095-0045 is expected to be filed permanent 2/12/2021.

CHAPTER 583: HECC OFFICE OF DEGREE AUTHORIZATION (ODA)

Number of Rules: 2 - Adopted

List of Rules:

583-030-0064: Providing for limited, temporary authorization to provide instruction to Oregon resident students.

583-030-0059: Providing for temporary closure mechanism for institutions regulated by the Office of Degree Authorization.

Statement of Need:

583-030-0064: The rules are required to provide flexibility to institutions whose operations are significantly but temporarily impacted by Coronavirus.

583-030-0059: The rules are required to provide flexibility to institutions whose operations are significantly but temporarily impacted by Coronavirus.

For each rule, an explanation of why proceeding under ORS 183.335(5) was the most appropriate method for adopting, amending, or suspending the rule and why it was not appropriate to proceed in accordance with ORS 183.335(2) and (3):

583-030-0064: The Coronavirus emergency and related medically necessary restrictions and interventions were unforeseen, immediate, wide-ranging, and disruptive to student experiences in higher education.

583-030-0064 was filed permanent 583-030-0063 11/19/2020.

583-030-0059: The Coronavirus emergency and related medically necessary restrictions and interventions were unforeseen, immediate, wide-ranging, and disruptive to student experiences in higher education.

583-030-0059 was filed permanent 7/10/2020.

CHAPTER 589: HECC OFFICE OF COMMUNITY COLLEGES AND WORKFORCE DEVELOPMENT (CCWD)

Number of Rules: Zero

List of Rules:

No temporary rules were adopted, amended or suspended in 2020.

Statement of Need:

Not Applicable

For each rule, an explanation of why proceeding under ORS 183.335(5) was the most appropriate method for adopting, amending, or suspending the rule and why it was not appropriate to proceed in accordance with ORS 183.335(2) and (3):

Not Applicable

CHAPTER 715: HIGHER EDUCATION COORDINATING COMMISSION

Number of Rules: 1 – Adopted/Repealed/Amended

List of Rules:

715-100-0005: Oregon Youth Corps Support Voucher. Adopted.

715-045-0007, 715-045-0029, 715-045-0062: Providing licensure and regulatory flexibility to licensed schools in response to COVID-19. Amended temporary/Repealed/Adopted permanent.

Statement of Need:

715-100-0005: The rules are required to implement statutory authorities provided to HECC to issue vouchers to individuals for successful completion of certain Oregon Youth Corps programing.

715-045-0007, 715-045-0029, 715-045-0062: Providing licensure and regulatory flexibility to licensed schools in response to COVID-19.

For each rule, an explanation of why proceeding under ORS 183.335(5) was the most appropriate method for adopting, amending, or suspending the rule and why it was not appropriate to proceed in accordance with ORS 183.335(2) and (3):

715-100-0005: ORS 418.658 requires the Commission to have rules governing the distribution of support vouchers under the statute. The next voucher issuance period would occur prior to the adoption of permanent rules without the adoption of temporary rules.

715-100-0005 was filed as permanent rule 715-100-0004 11/19/20.

715-045-0007: The rule establishes license fees and provides for a no-cost license extension process for periods when school operations may be restricted due to emergency declarations and executive orders.

715-045-0007 was filed as a permanent rule 9/23/20.

715-045-0029: Establishes the Tuition Protection fund and requirements related to schools making payments to the fund.

715-045-0029 was filed as a permanent rule 9/23/20.

715-045-0062: Application for Private Career School License Renewal.

715-045-0062 was filed as a permanent rule 9/23/20.

