

B-Engrossed
House Bill 4061

Ordered by the House February 29
Including House Amendments dated February 9 and February 29

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Higher Education)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Establishes Special Committee on University Governance. Directs special committee to analyze higher education governance and coordination and consolidation of elements of higher education system with other education programs and missions. Requires special committee to submit recommendations to Governor and Legislative Assembly no later than November 1, 2012.

Sunset special committee on date of convening of 2013 regular session of Legislative Assembly. Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to higher education governance; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) The Special Committee on University Governance is established, con-**
5 **sisting of 10 members appointed as follows:**

6 **(a) The President of the Senate shall appoint four members from among members of the**
7 **Senate.**

8 **(b) The Speaker of the House of Representatives shall appoint four members from among**
9 **members of the House of Representatives.**

10 **(c) The Governor shall appoint two members who are members of the Oregon Education**
11 **Investment Board.**

12 **(2) The special committee shall review, discuss and analyze:**

13 **(a) Issues of governance within the higher education system; and**

14 **(b) Coordination and consolidation among elements of that system with other education**
15 **programs and missions.**

16 **(3) To promote accountability, administrative streamlining and the ability to provide the**
17 **best quality education possible for the amount of state dollars spent, the Legislative As-**
18 **sembly recognizes the potential benefit of individual public university boards. The special**
19 **committee shall consult with national experts to examine best practices in models of uni-**
20 **versity governance.**

21 **(4) The special committee shall recommend legislation for the creation of local governing**
22 **boards at public universities listed in ORS 352.002. The plan for implementing local boards**
23 **shall:**

24 **(a) Provide opportunity for local governance at universities that request local governance**
25 **and demonstrate preparation for local governance responsibility.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **(b) Define the authority that will be granted to local boards regarding the following spe-**
2 **cific elements of that authority:**

3 **(A) Hiring, evaluation and dismissal of university presidents;**

4 **(B) Tuition and fees for resident and nonresident students;**

5 **(C) In consultation with the office of the State Treasurer, financial management, in-**
6 **cluding the issuance of bonds;**

7 **(D) Personnel policies for faculty and staff;**

8 **(E) Achievement compacts with the Oregon Education Investment Board or the Higher**
9 **Education Coordinating Commission;**

10 **(F) Acquisition, management and disposal of real, personal and intangible property;**

11 **(G) Capital projects prioritization and authorization;**

12 **(H) Legal affairs and advocacy with the state;**

13 **(I) Coordination with the State Board of Higher Education or other systemwide governing**
14 **body on degree programs, colleges and schools within each university; and**

15 **(J) Coordination with other universities in the Oregon University System and the Higher**
16 **Education Coordinating Commission to mitigate potential adverse impacts of new academic**
17 **programs.**

18 **(c) Define how local boards will be appointed, ensuring that students, faculty and other**
19 **university staff will be represented.**

20 **(d) Define a rapid timetable for implementation of local boards.**

21 **(e) Ensure that the creation of a local board is the result of a careful analysis of the**
22 **costs and benefits of such action.**

23 **(f) In consultation with all seven presidents of Oregon's public universities, identify po-**
24 **tential impacts upon other public universities and develop a detailed plan to address those**
25 **impacts.**

26 **(g) Ensure that the public mission of Oregon's public universities, including access and**
27 **affordability for residents of this state, is maintained and enhanced.**

28 **(5) A majority of the voting members of the special committee constitutes a quorum for**
29 **the transaction of business.**

30 **(6) Official action by the special committee requires the approval of a majority of the**
31 **voting members of the committee.**

32 **(7) The special committee shall elect three of its members to serve as cochairs, one from**
33 **the Senate and two from the House of Representatives.**

34 **(8) If there is a vacancy for any cause, the appointing authority shall make an appoint-**
35 **ment to become immediately effective.**

36 **(9) The special committee shall meet at times and places specified by the call of the**
37 **cochairs or of a majority of the voting members of the committee.**

38 **(10) The special committee may adopt rules necessary for the operation of the commit-**
39 **tee.**

40 **(11)(a) The special committee shall convene and begin work no later than April 15, 2012.**

41 **(b) The special committee shall consult with representatives from the Oregon University**
42 **System, students, faculty, alumni and other stakeholders in formulating the committee's**
43 **recommendations.**

44 **(c) The special committee shall complete a first draft of its recommendations and report**
45 **to an interim committee of the Legislative Assembly related to higher education no later**

1 **than August 15, 2012.**

2 **(d) The special committee shall allow 30 days for public comment after the first draft of**
3 **the recommendations is complete.**

4 **(e) After reviewing public comments, the special committee shall finalize and submit**
5 **recommendations to the Governor and Legislative Assembly no later than November 1, 2012.**

6 **(12) The Legislative Administration Committee shall provide staff support to the special**
7 **committee.**

8 **(13) Members of the special committee who are not members of the Legislative Assembly**
9 **are not entitled to compensation.**

10 **(14) All agencies of state government, as defined in ORS 174.111, are directed to assist**
11 **the special committee in the performance of its duties and, to the extent permitted by laws**
12 **relating to confidentiality, to furnish such information and advice as the members of the**
13 **committee consider necessary to perform their duties.**

14 **(15) The special committee may accept contributions of funds and assistance from any**
15 **source, public or private, for the purposes of the consultation with national experts required**
16 **by subsection (3) of this section.**

17 **SECTION 2. Section 1 of this 2012 Act is repealed on the date of the convening of the 2013**
18 **regular session of the Legislative Assembly as specified in ORS 171.010.**

19 **SECTION 3. This 2012 Act being necessary for the immediate preservation of the public**
20 **peace, health and safety, an emergency is declared to exist, and this 2012 Act takes effect**
21 **on its passage.**

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