

SENATE AMENDMENTS TO SENATE BILL 442

By COMMITTEE ON EDUCATION AND GENERAL GOVERNMENT

April 3

1 In line 2 of the printed bill, after the semicolon insert “creating new provisions; amending ORS
2 351.070; appropriating money;”.

3 After line 2, insert:

4 “Whereas it is the goal of this 2009 Act to support institutions in identifying and achieving cost
5 savings to reduce tuition costs for Oregon’s college students and strengthen the entire Oregon
6 University System; and

7 “Whereas Oregon must do everything possible to maximize opportunity and educational attain-
8 ment for Oregonians across the state; and

9 “Whereas Oregon must not sacrifice the quality of degree programs or student learning in order
10 to maintain access to universities; and

11 “Whereas the Oregon University System must focus on ends, rather than means, both in goals
12 and in policy framework; and

13 “Whereas the preservation or reduction of programs and activities must be based on their abil-
14 ity to advance the universities’ mission; now, therefore,”.

15 Delete lines 4 through 8 and insert:

16 “**SECTION 1. (1) The Joint Boards of Education shall conduct a study of the conversion
17 of some or all state institutions of higher education listed in ORS 352.002 and community
18 colleges to a semester calendar and shall submit a report of its findings and recommen-
19 dations to the appropriate interim legislative committees on higher education no later than
20 October 1, 2010.**

21 “**(2) The Joint Boards of Education shall conduct a study of approaches to increase stu-
22 dent enrollment and student success for rural residents of this state at institutions of higher
23 education listed in ORS 352.002 and community colleges. The Joint Boards of Education shall
24 submit a report of its findings and recommendations concerning structural, legal, funding
25 or other changes necessary to effect such an increase to the appropriate interim legislative
26 committees on higher education prior to October 1, 2010.**

27 “**(3) The State Board of Higher Education shall conduct a study of the combination of
28 enrollment management functions into a single office at each state institution of higher ed-
29 ucation listed in ORS 352.002 whose enrollment is less than 7,500 full-time equivalent stu-
30 dents as defined by the board. The board shall submit a report of its findings and actions to
31 the appropriate interim legislative committees on higher education not later than October
32 1, 2010.**

33 “**(4) The State Board of Higher Education shall conduct a study of the financial viability
34 of the Oregon State University - Cascades Campus in Bend, including a comparison of the
35 education costs per student at the Bend campus to equivalent costs at other state insti-**

1 **tutions of higher education listed in ORS 352.002. The board shall submit a report of its**
2 **findings and recommendations to the appropriate interim legislative committees on higher**
3 **education no later than October 1, 2010.**

4 **“(5)(a) The State Board of Higher Education shall review the missions and programs of**
5 **each institution of higher education listed in ORS 352.002 and shall direct implementation of**
6 **the following measures:**

7 **“(A) Elimination of unnecessary duplication of programs in high-cost disciplines, areas**
8 **of low student demand and graduate level education; and**

9 **“(B) Collaboration among universities to provide education programs to students in all**
10 **parts of this state.**

11 **“(b) The board shall submit a report on changes to the institutions’ missions and pro-**
12 **grams to the appropriate interim legislative committees on higher education not later than**
13 **October 1, 2010.**

14 **“SECTION 2.** ORS 351.070 is amended to read:

15 **“351.070. (1) The Oregon University System, in accordance with rules adopted by the State**
16 **Board of Higher Education, shall implement a personnel system and may engage in collective bar-**
17 **gaining with its employees. All collective bargaining with any certified or recognized exclusive em-**
18 **ployee representative shall be under the direction and supervision of the Chancellor of the Oregon**
19 **University System. The Oregon University System shall have payroll authority pursuant to ORS**
20 **292.043 to 292.180.**

21 **“(2)(a) The board shall establish competitive procedures for the purchasing, procurement and**
22 **contracting of goods, services and information technology, for the benefit of the Oregon University**
23 **System and all the institutions, departments and activities therein. The board may also establish**
24 **exemptions from the competitive procedures when appropriate.**

25 **“(b) The board shall ensure that the hourly rate of wage paid by any contractor upon all public**
26 **improvements contracts undertaken for the board shall not be less than the same rate of wage as**
27 **determined by the Bureau of Labor and Industries for an hour’s work in the same trade or occupa-**
28 **tion in the locality where such labor is performed. Claims or disputes arising under this subsection**
29 **shall be decided by the Commissioner of the Bureau of Labor and Industries.**

30 **“(c) The board shall adopt policies and procedures that achieve results equal to or better than**
31 **the standards existing on July 17, 1995, regarding affirmative action, pay equity for comparable**
32 **work, recycling, the provision of workers’ compensation insurance to workers on contract and the**
33 **participation of emerging small businesses and businesses owned by minorities and women.**

34 **“(3) The board may, for each institution under its control:**

35 **“(a) Appoint and employ a president and the requisite number of professors, teachers and em-**
36 **ployees, and prescribe their compensation and tenure of office or employment.**

37 **“(b) Demand and receive the interest mentioned in ORS 352.510 and all sums due and accruing**
38 **to the institutions of higher education for admission and tuition therein, and apply the same, or so**
39 **much thereof as is necessary, to the payment of the compensation referred to in paragraph (a) of this**
40 **subsection and the other current expenses of the institutions.**

41 **“(c) Prescribe fees for enrollment into the institutions. Such enrollment fees shall include tui-**
42 **tion for education and general services and such other charges found by the board to be necessary**
43 **to carry out its educational programs. The board may award student aid from any fund other than**
44 **the General Fund.**

45 **“(d) Prescribe incidental fees for programs under the supervision or control of the board found**

1 by the board, upon its own motion or upon recommendation of the recognized student government
2 of the institution concerned, to be advantageous to the cultural or physical development of students.
3 Fees realized in excess of amounts allocated and exceeding required reserves shall be considered
4 surplus incidental fees and shall be allocated for programs under the control of the board and found
5 to be advantageous to the cultural or physical development of students by the institution president
6 upon the recommendation of the recognized student government at the institution concerned.

7 “(e) Upon recommendation of the recognized student government, collect optional fees author-
8 ized by the institution executive, for student activities not included in paragraph (c) or (d) of this
9 subsection. The payment of such optional fees shall be at the option and selection of the student and
10 shall not be a prerequisite of enrollment.

11 “(f) Confer, on the recommendation of the faculty of any such institution, such degrees as usu-
12 ally are conferred by such institutions, or as they deem appropriate.

13 “(g) Prescribe the qualifications for admission into such institutions.

14 “(4) Subject to such delegation as the board may decide to make to the institutions, divisions
15 and departments under its control, the board, for each institution, division and department under its
16 control:

17 “(a) Shall supervise the general course of instruction therein, and the research, extension, edu-
18 cational and other activities thereof.

19 “(b) Shall adopt rules and bylaws for the government thereof, including the faculty, teachers,
20 students and employees therein.

21 “(c) Shall maintain cultural and physical development services and facilities therefor and, in
22 connection therewith, may cooperate and enter into agreements with any person or governmental
23 agency.

24 “(d) May contract to provide health services at student health centers.

25 “(e) Shall provide health services at student health centers to students.

26 “(f) May provide health services at student health centers to any of the following:

27 “(A) Dependents of students.

28 “(B) Staff.

29 “(C) Faculty.

30 “(g) Shall prescribe and collect charges.

31 “(h) Shall adopt rules relating to the creation, use, custody and disclosure, including access, of
32 student education records of the institutions that are consistent with the requirements of applicable
33 state and federal law. Whenever a student has attained 18 years of age or is attending an institution
34 of post-secondary education, the permission or consent required of and the rights accorded to a
35 parent of the student regarding education records shall thereafter be required of and accorded to
36 only the student.

37 “(5) For each institution under its jurisdiction, the board shall provide opportunities for part-
38 time students to obtain complete undergraduate degrees at unconventional times, which include but
39 are not limited to early morning and noon hours, evenings and weekends. In administering these
40 degree programs, the institution may use any educational facility available for the use of the insti-
41 tution.

42 “(6) For all institutions of higher education listed in ORS 352.002, the board shall, no later
43 than October 1, 2010, and to the extent feasible and cost beneficial, develop and begin im-
44 plementation of:

45 “(a) A common admissions process that permits applicants to be considered for admis-

1 sion to more than one institution;

2 “(b) Universal document imaging and electronic storage of documents; and

3 “(c) For all institutions whose enrollment is less than 7,500 full-time equivalent students
4 as defined by the board, standardized, integrated and common university management and
5 student services software programs and processes, including an integrated database.

6 “**SECTION 3.** The State Board of Higher Education shall report the enrollment, revenue,
7 costs and savings associated with the measures in ORS 351.070 (6) to the Seventy-sixth Leg-
8 islative Assembly before October 1, 2010, and the Seventy-seventh Legislative Assembly be-
9 fore October 1, 2012.

10 “**SECTION 4.** (1) There is established in the State Treasury, separate and distinct from
11 the General Fund, the Oregon University Efficiency Savings Fund. Interest on earnings of
12 the fund shall be credited to the fund. All moneys in the Oregon University Efficiency
13 Savings Fund are continuously appropriated to the State Board of Higher Education for the
14 purposes of:

15 “(a) Tuition reduction for students; and

16 “(b) Providing student services.

17 “(2) The fund consists of moneys realized from savings due to the implementation of ef-
18 ficiency measures at state institutions of higher education listed in ORS 352.002 that result
19 in the consolidation of and creation of uniform elements among services and programs at the
20 institutions.

21 “(3) The board shall allocate moneys from the fund to an institution equal to the amount
22 of savings accruing to the fund through implementation of efficiency measures at the insti-
23 tution.

24 “(4)(a) Prior to October 1 of each even-numbered year, the State Board of Higher Edu-
25 cation shall determine and declare the savings from funds appropriated to the Oregon Uni-
26 versity System for the current biennium resulting from the consolidation of and creation of
27 uniform elements among services and programs at the state institutions of higher education
28 listed in ORS 352.002.

29 “(b) The board shall credit the amount of declared savings to the Oregon University Ef-
30 ficiency Savings Fund.

31 “(c) Prior to November 1 of each even-numbered year, the board shall submit to the ap-
32 propriate legislative interim committees of the Legislative Assembly a report itemizing the
33 declared savings and credits to the fund for the current biennium and estimate projected
34 cost savings and credits to the fund for the next biennium.”.

35 In line 9, delete “2” and insert “5”.
36 _____