

House Bill 3237

Sponsored by Representatives BUCKLEY, GORSEK; Representatives DOHERTY, FREDERICK, HOLVEY, MCLAIN, NOSSE, PILUSO, REARDON, VEGA PEDERSON

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 **as introduced**.

Requires governing boards of public universities to include graduate student employee and undergraduate student as voting members.

Requires governing board at university with governing board to be responsible for negotiating collective bargaining agreements.

Requires each official university committee to include graduate student employee as voting member.

Permits any individual or entity to submit documents or materials to governing board and requires that all such documents or materials be distributed to all members of board.

Becomes operative October 1, 2015.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to universities with governing boards; creating new provisions; amending ORS 352.076 and
3 352.124; and declaring an emergency.

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

5 **SECTION 1.** ORS 352.076, as amended by section 7, chapter 113, Oregon Laws 2014, is amended
6 to read:

7 352.076. (1) A governing board for a public university must be formed and maintained as pro-
8 vided in this section.

9 (2)(a) Except as provided in subsection (3) of this section, the Governor shall appoint all of the
10 11 to 15 members of the governing board, subject to confirmation by the Senate in the manner pro-
11 vided in ORS 171.562 and 171.565.

12 (b) The governing board must include one person who is [a] **an undergraduate** student enrolled
13 at the university. The **undergraduate** student shall be a voting member of the board.

14 (c) **If the university with a governing board has one or more graduate programs, the**
15 **governing board must include one person who is a graduate student and is employed by the**
16 **university. The graduate student employee shall be a voting member of the board.**

17 [(c)] (d) The governing board must include one person who is a member of the faculty of the
18 university and one person who is a member of the nonfaculty staff of the university. For each ap-
19 pointment made under this paragraph, the Governor may appoint the person as either a voting or
20 nonvoting member of the governing board.

21 (3) The president of the university shall be an ex officio nonvoting member of the governing
22 board.

23 (4)(a) Except as provided in paragraph (b) of this subsection, the term of office for each ap-
24 pointed member of the governing board is four years.

25 (b) The term of office of each student, faculty and nonfaculty staff member of the governing
26 board is two years.

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 (c) A member of the governing board may not be appointed to serve more than two consecutive
 2 full terms.

3 (d) The Governor may remove any appointed member of the governing board at any time for
 4 cause, after notice and public hearing, but may not remove more than three members within a period
 5 of four years, unless it is for corrupt conduct in office.

6 (e) Vacancies shall be filled by appointment by the Governor for the remainder of the unexpired
 7 term.

8 (5) The faculty, [and] nonfaculty staff **and graduate student employee** members of the gov-
 9 erning board may not participate in any discussions or action by the board or attend any executive
 10 session of the board involving collective bargaining issues that affect faculty, [or] nonfaculty staff
 11 **or graduate student employees** at the university.

12 (6) The governing board shall select one of its members as chairperson and another as vice
 13 chairperson for such terms and with duties and powers as the board considers necessary for the
 14 performance of the functions of those offices. The governing board shall adopt bylaws concerning
 15 how a quorum is constituted and when a quorum is necessary.

16 (7) The governing board shall meet at least once quarterly, and may meet at the call of the
 17 chairperson or a majority of the voting members of the board.

18 **SECTION 2.** ORS 352.124 is amended to read:

19 352.124. (1) A university with a governing board shall, **under the direction of the governing**
 20 **board of the university**, engage in collective bargaining with local bargaining organizations of the
 21 employees of the university. **A governing board may not delegate the duties or obligations**
 22 **created under this subsection.**

23 (2) A university with a governing board shall participate in a collective bargaining partnership
 24 with other public universities in this state for the purpose of engaging in collective bargaining with
 25 existing statewide bargaining organizations of the employees of the public university. The collective
 26 bargaining partnership shall be established by written agreement.

27 (3) Subject to the authority of the Secretary of State to audit public accounts, a university with
 28 a governing board may conduct an independent audit if the governing board considers the audit
 29 advisable. Subject to ORS 297.250, the independent audit is subject to the exclusive discretion and
 30 control of the university. The independent audit is subject to disclosure pursuant to ORS 192.410
 31 to 192.505.

32 **SECTION 3.** Sections 4 and 5 of this 2015 Act are added to and made a part of 352.025 to
 33 352.146.

34 **SECTION 4.** (1) **If a university with a governing board has one or more graduate pro-**
 35 **grams, the university must include at least one person who is a graduate student and is**
 36 **employed by the university as a voting member on each official university committee.**

37 (2) **This section does not apply if the committee is organized or managed by students at**
 38 **the university.**

39 **SECTION 5.** **Any individual or entity may submit documents or other materials for re-**
 40 **view to the governing board of a university with a governing board. Any material submitted**
 41 **to a governing board under this section must be distributed to all members of the governing**
 42 **board.**

43 **SECTION 6.** Sections 4 and 5 of this 2015 Act and the amendments to ORS 352.076 and
 44 352.124 by sections 1 and 2 of this 2015 Act become operative on October 1, 2015.

45 **SECTION 7.** Notwithstanding the operative date set forth in section 6 of this 2015 Act,

1 the Governor shall, no later than August 19, 2015, appoint to the governing board of each
2 university with a governing board that has one or more graduate programs a graduate stu-
3 dent who is employed by the university so that these appointees may be confirmed by the
4 Senate in the manner provided in ORS 171.562 and 171.565 by September 30, 2015.

5 SECTION 8. This 2015 Act being necessary for the immediate preservation of the public
6 peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect
7 on its passage.

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