

HB 2666 -2 STAFF MEASURE SUMMARY

House Committee On Higher Education and Workforce Development

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Meeting Dates: 3/2, 4/6

WHAT THE MEASURE DOES:

Requires community college boards to collect mandatory incidental fees upon request of the recognized student government. Allows student government to establish process in consultation with the board, and specifies process may include a student body referendum. Authorizes student government to allocate mandatory incidental fees. Allows community college boards or presidents to refuse a mandatory incidental fee, use of the fee, or decision to modify an existing fee if fee assessment or allocation is in violation of local, state and federal law, if allocation conflicts with a preexisting contractual financial commitment, if the total mandatory incidental fees budget would increase more than 5 percent over previous year, or if the fee request is not advantageous to the cultural or physical development of students. Specifies board or president refusal may not be based on considerations about the point of view the funding seeks to advance. Requires student government and board to seek to reach agreement on any dispute involving mandatory incidental fees prior to board decision, using mediation if needed. Establishes process to appeal board decision if agreement cannot be reached. Allows student government to appeal decision to Higher Education Coordinating Commission (HECC) within seven days of board decision. Requires board to submit response to HECC within seven days of appeal. Requires HECC to render decision within seven days of board response receipt.

REVENUE: No revenue impact.

FISCAL: Has minimal fiscal impact.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

- Changes term 'mandatory incidental fee' to 'mandatory student-initiated fee.'
- Defines 'mandatory student-initiated fee' to mean a fee that 1) is initiated by recognized student government of community college, 2) students are required to pay in addition to tuition fees, 3) is collected by board of community college, and 4) is allocated by recognized student government of community college.
- Clarifies that board may require campus referendum in which student body votes on whether to approve the fee. Stipulates that if fee is rejected by student body in a referendum, the recognized student government may not request another mandatory student-initiated fee for remainder of academic year.
- Changes fee increase level at which institution president may refuse the fee from more than five percent of previous year's fee level to a percentage increase greater than the percentage increase in tuition and other fees approved by board for upcoming year.
- Deletes prohibition for board fee refusal based on considerations about point of view that fee funding seeks to advance.
- Changes authority for receipt and refusal of mandatory student-initiated fee requests from community college board to community college president.
- Changes entities involved in appeal process such that decision of the president, rather than board, may be appealed to the board, rather than the Higher Education Coordinating Commission. Authorizes the board to render a final decision on the appeal, prior to the adoption, use or modification of the fee.

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BACKGROUND:

This Summary has not been adopted or officially endorsed by action of the committee.

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Incidental fees are mandatory, non-academic fees paid by all students taking on-campus courses at Oregon post-secondary institutions. Rates vary by institution, and are assessed quarterly to each student. These fees typically fund student programs such as educational and cultural activities, recreational sports, student involvement, student union operations and student government.

In 2013, the Oregon Legislature passed House Bill 3120, which pertained to public universities and mandatory incidental fees. The language of House Bill 2666 (2017) is nearly identical to the language of House Bill 3120 (2013), except that the changes pertain to community colleges.