

HB 2666 A STAFF MEASURE SUMMARY**Carrier:** Rep. Nosse**House Committee On Higher Education and Workforce Development****Action Date:** 04/06/17**Action:** Do pass with amendments. (Printed A-Eng.)**Vote:** 8-1-0-0**Yeas:** 8 - Alonso Leon, Bynum, Clem, Heard, Johnson, Reardon, Sollman, Whisnant**Nays:** 1 - Reschke**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Laura Kentnesse, LPRO Analyst**WHAT THE MEASURE DOES:**

Requires community college boards to collect mandatory student-initiated fees upon request of the recognized student government. 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. Allows student government to establish collection process in consultation with the board, and authorizes student government to allocate mandatory incidental fees. 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. Allows community college president to refuse a mandatory student-initiated 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 student-initiated fees budget would increase by a percentage that is greater than the percentage increase in tuition and other fees approved by board for upcoming academic year, or if the fee request is not advantageous to the cultural or physical development of students. Requires student government and president seek to reach agreement on any dispute involving mandatory student-initiated fees, if necessary with aid of a process established by board, prior to a decision by the president. Allows student government to appeal the decision of the president to community college board. Authorizes board to render final decision prior to adoption, use or modification of a mandatory student-initiated fee.

ISSUES DISCUSSED:

- Recognized student governments at public universities currently have a mandatory student-initiated fee process, and recognized student governments at community colleges do not have a similar, uniform process
- Student ability to choose to request fee increases for student services
- Clarification that student body support is needed in order to raise fees

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

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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.

BACKGROUND:

Student-initiated 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 Legislative Assembly passed House Bill 3120, which established a process for public university boards to collect mandatory incidental fees upon request of the recognized student government. The language of HB2666 (2017) is similar to the language of HB3120 (2013), with the major difference being that HB 2666 pertains to community colleges.