



February 6, 2018

TO: House Higher Education and Workforce Development Committee
FROM: Ricardo Lujan-Valerio, OSA Legislative Director
SUBJECT: *HB 4141 – Student Voice and Transparency Act*

Chair Reardon and Members of the Committee:

Good afternoon! My name is Ricardo Lujan-Valerio and I am the Legislative Director for the Oregon Student Association (OSA). I've had the great opportunity for the past four months to work with Rep. Hernandez and student leaders within OSA on HB 4141 – The Student Voice and Transparency Act. It's important to acknowledge that our intent has been to include all higher education stakeholders from the beginning of the drafting process. I truly believe that all individuals in this room have the best intentions for our Oregon students, despite having differences towards this initiative.

House Bill 4141 addresses tuition increases in two ways:

1. It requires public universities to establish a Tuition Advisory Council. This Council will give an institution's governing board a *recommendation* on what they believe tuition should be for the following academic year, and
2. It provides the Higher Education Coordinating Commission (HECC) with a set of criteria when considering tuition increases above 5%, as required by state statute.

Let me tell you what this bill does *not* do:

1. It does not create a tuition cap for public universities;
2. It does not take away the autonomy of a public university's governing board when setting tuition; and
3. It does not create additional barriers that would impede an institution's ability to meet their financial obligations.

According to the Pacifica Law Group Memorandum submitted to this committee, the largest barrier to our universities is the restriction of a governing board's tuition-setting authority. HB 4141 explicitly states that the Tuition Advisory Council will only give a recommendation to an institution's governing board.

The memorandum references scenarios from other states that have damaged the credit rating of their universities; however, it is important to recognize that those scenarios, such as Washington's legislative enactment to "*revokes public universities' authority to set their own undergraduate resident*

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tuition” do not apply to the language or intent of HB 4141. On page 2 – Line 29 of the bill, you will see that we retain the clause that gives ultimate authority to a governing board to set tuition at any rate and that authority may not be delegated to any other entity.

The purpose of the Tuition Advisory Council is to give students a voice towards a process that, although well-intended by universities, has proven to be flawed in advertisement, participation, and recognition. The criterion presented in this bill only addresses the process for the commission to uphold for statutory obligations that already exist when setting tuition, and as stated in the memorandum, statutory obligations that credit rating agencies are already aware of.

To close, I would like to emphasize the fact that we have heard the claims that universities and some students have made in regard to the bill. For that reason, this committee has been provided with an amendment to eliminate terminology that could potentially limit student input. We have also heard the claims made today, and as stated earlier, I look forward towards addressing them in order to make this bill more effective for students.

I urge you to support House Bill 4141, both in this committee and in the House floor. This is a small step towards making our tuition-setting process more transparent and accessible to those students who are financially impacted by these decisions. Thank you for your time and consideration. I’m available for any questions you may have.

Sincerely,

Ricardo Lujan-Valerio
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