

HOUSE AMENDMENTS TO HOUSE BILL 4141

By COMMITTEE ON HIGHER EDUCATION AND WORKFORCE DEVELOPMENT

February 16

- 1 On page 1 of the printed bill, delete lines 5 through 27.
2 Delete pages 2 and 3 and insert:
3 **“SECTION 1. Section 2 of this 2018 Act is added to and made a part of ORS 352.025 to**
4 **352.146.**
5 **“SECTION 2. (1) Each public university listed in ORS 352.002 shall have an advisory body**
6 **to advise the president of the university on the president’s recommendations to the govern-**
7 **ing board regarding tuition and mandatory enrollment fees for the upcoming academic year.**
8 **“(2) The public university shall:**
9 **“(a) Establish a process to ensure that the advisory body required under subsection (1)**
10 **of this section is composed of no fewer than:**
11 **“(A) Two administrators of the university;**
12 **“(B) Two faculty members of the university;**
13 **“(C) Two students representing the recognized student government of the university; and**
14 **“(D) Two students representing historically underserved students of the university, as**
15 **defined by the public university.**
16 **“(b) Establish a written document describing the role of the advisory body and the re-**
17 **lationship of the advisory body to the public university, president of the university and the**
18 **governing board.**
19 **“(3) The public university shall ensure that all members of the advisory body receive**
20 **training on:**
21 **“(a) The budget of the public university;**
22 **“(b) The mechanisms by which moneys are appropriated by the Legislative Assembly to**
23 **the Higher Education Coordinating Commission for allocation to public universities; and**
24 **“(c) Historical data regarding the relationship between the amount of tuition and man-**
25 **datory enrollment fees charged by the public university and the amount of state appropri-**
26 **ations that the commission allocates to the public university.**
27 **“(4) In order to assist the advisory body in making its recommendations, the public uni-**
28 **versity shall provide the advisory body with:**
29 **“(a) A plan for how the governing board and the public university’s administration are**
30 **managing costs on an ongoing basis; and**
31 **“(b) A plan for how tuition and mandatory enrollment fees will be decreased if the public**
32 **university receives more moneys from the state than anticipated.**
33 **“(5) Before making a recommendation to the president of the university regarding tuition**
34 **and mandatory enrollment fees, the advisory body must document its consideration of:**
35 **“(a) Whether historically underserved students, as defined by the public university, will**

1 be better served by the tuition and mandatory enrollment fees that the advisory body intends
2 to recommend to the president of the public university than by a smaller increase in tuition
3 and mandatory enrollment fees; and

4 “(b) Alternative scenarios that involve smaller increases in tuition and mandatory en-
5 rollment fees than the advisory body intends to recommend to the president of the public
6 university.

7 “(6) The advisory body shall:

8 “(a) Provide meaningful opportunities for members of the recognized student government
9 and other students enrolled at the public university to participate in the process and delib-
10 erations of the advisory body; and

11 “(b) At a time established by the public university, provide a written report to the pres-
12 ident of the university that sets forth the recommendations, deliberations and observations
13 of the advisory body regarding tuition and mandatory enrollment fees for the upcoming ac-
14 ademic year. The written report must include any minority report requested by a member
15 of the advisory body and any documents produced or received by the advisory body under
16 subsections (4) and (5) of this section.

17 “(7) Each public university shall ensure that the process of establishing tuition and
18 mandatory enrollment fees at the public university is described on the Internet website of
19 the public university. This material must include, but is not limited to:

20 “(a) The written document produced by the public university under subsection (2)(b) of
21 this section; and

22 “(b) All relevant documents, agendas and data that are considered by the advisory body
23 during its deliberations.

24 “**SECTION 3.** ORS 352.102 is amended to read:

25 “352.102. (1) Except as set forth in this section, the governing board may authorize, establish,
26 eliminate, collect, manage, use in any manner and expend all revenue derived from tuition and
27 mandatory enrollment fees.

28 “(2) The governing board shall establish a process for determining tuition and mandatory en-
29 rollment fees. The process must *[provide for participation of enrolled students and the recognized*
30 *student government of the university.]*:

31 “(a) **Include the use of an advisory body in the manner set forth in section 2 of this 2018**
32 **Act; and**

33 “(b) **Ensure that the governing board receives and considers all written reports and mi-**
34 **nority reports, including all recommendations, deliberations and observations of the advisory**
35 **body that are provided to the president of the university under section 2 of this 2018 Act.**

36 “(3) The governing board shall request that the president of the university transmit to the board
37 the joint recommendation of the president and the recognized student government before the board
38 authorizes, establishes or eliminates any incidental fees for programs under the supervision or con-
39 trol of the board and found by the board to be advantageous to the cultural or physical development
40 of students.

41 “(4) In determining tuition and mandatory enrollment fees for undergraduate students who are
42 enrolled in a degree program and are qualified to pay resident tuition:

43 “(a) The governing board may not increase the total of tuition and mandatory enrollment fees
44 by more than five percent annually unless the board first receives approval from:

45 “(A) The Higher Education Coordinating Commission; or

1 “(B) The Legislative Assembly.

2 “(b) The governing board shall attempt to limit annual increases in tuition and mandatory en-
3 rollment fees for undergraduate students who are enrolled in a degree program and have established
4 residency in Oregon to a percentage that is not greater than the percentage increase in the Higher
5 Education Price Index, as compiled by the Commonfund Institute.

6 **“(5) If the governing board of a public university requests that the commission approve
7 an increase in the total amount of tuition and mandatory enrollment fees of more than five
8 percent under subsection (4)(a) of this section, the public university shall provide to the
9 commission:**

10 **“(a) All written reports and minority reports, including all recommendations, deliber-
11 ations and observations of the advisory body that are provided to the president of the uni-
12 versity under section 2 of this 2018 Act; and**

13 **“(b) Any other information or materials the commission determines are necessary in
14 order for the commission to determine whether to approve the proposed increase in the total
15 amount of tuition and mandatory enrollment fees.**

16 “[(5)] (6) The governing board may not delegate authority to determine tuition and mandatory
17 enrollment fees for undergraduate students who are enrolled in a degree program and are qualified
18 to pay resident tuition.

19 **“SECTION 4. Section 2 of this 2018 Act and the amendments to ORS 352.102 by section
20 3 of this 2018 Act first apply to the process used to establish tuition and mandatory enroll-
21 ment fees for the 2019-2020 academic year.**

22 **“SECTION 5. This 2018 Act being necessary for the immediate preservation of the public
23 peace, health and safety, an emergency is declared to exist, and this 2018 Act takes effect
24 on its passage.”.**

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