

Requested by Representative HERNANDEZ

**PROPOSED AMENDMENTS TO
HOUSE BILL 4141**

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**
4 **of ORS 352.025 to 352.146.**

5 **“SECTION 2. (1) Each public university listed in ORS 352.002 shall**
6 **have an advisory body to advise the president of the university on the**
7 **president’s recommendations to the governing board regarding tuition**
8 **and mandatory enrollment fees for the upcoming academic year.**

9 **“(2) The public university shall:**

10 **“(a) Establish a process to ensure that the advisory body required**
11 **under subsection (1) of this section is composed of no fewer than:**

12 **“(A) Two administrators of the university;**

13 **“(B) Two faculty members of the university;**

14 **“(C) Two students representing the recognized student government**
15 **of the university; and**

16 **“(D) Two students representing historically underserved students**
17 **of the university, as defined by the public university.**

18 **“(b) Establish a written document describing the role of the advi-**
19 **sory body and the relationship of the advisory body to the public uni-**
20 **versity, president of the university and the governing board.**

21 **“(3) The public university shall ensure that all members of the ad-**

1 **visory body receive training on:**

2 **“(a) The budget of the public university;**

3 **“(b) The mechanisms by which moneys are appropriated by the**
4 **Legislative Assembly to the Higher Education Coordinating Commis-**
5 **sion for allocation to public universities; and**

6 **“(c) Historical data regarding the relationship between the amount**
7 **of tuition and mandatory enrollment fees charged by the public uni-**
8 **versity and the amount of state appropriations that the commission**
9 **allocates to the public university.**

10 **“(4) In order to assist the advisory body in making its recommen-**
11 **dations, the public university shall provide the advisory body with:**

12 **“(a) A plan for how the governing board and the public university’s**
13 **administration are managing costs on an ongoing basis; and**

14 **“(b) A plan for how tuition and mandatory enrollment fees will be**
15 **decreased if the public university receives more moneys from the state**
16 **than anticipated.**

17 **“(5) Before making a recommendation to the president of the uni-**
18 **versity regarding tuition and mandatory enrollment fees, the advisory**
19 **body must document its consideration of:**

20 **“(a) Whether historically underserved students, as defined by the**
21 **public university, will be better served by the tuition and mandatory**
22 **enrollment fees that the advisory body intends to recommend to the**
23 **president of the public university than by a smaller increase in tuition**
24 **and mandatory enrollment fees; and**

25 **“(b) Alternative scenarios that involve smaller increases in tuition**
26 **and mandatory enrollment fees than the advisory body intends to re-**
27 **commend to the president of the public university.**

28 **“(6) The advisory body shall:**

29 **“(a) Provide meaningful opportunities for members of the recog-**
30 **nized student government and other students enrolled at the public**

1 **university to participate in the process and deliberations of the advisory**
2 **sory body; and**

3 **“(b) At a time established by the public university, provide a written**
4 **report to the president of the university that sets forth the recommendations,**
5 **deliberations and observations of the advisory body regarding tuition and**
6 **mandatory enrollment fees for the upcoming academic year. The written report**
7 **must include any minority report requested by a member of the advisory body**
8 **and any documents produced or received by the advisory body under subsections**
9 **(4) and (5) of this section.**

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

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

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

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

20 **“352.102. (1) Except as set forth in this section, the governing board may**
21 **authorize, establish, eliminate, collect, manage, use in any manner and expend**
22 **all revenue derived from tuition and mandatory enrollment fees.**

23 **“(2) The governing board shall establish a process for determining tuition**
24 **and mandatory enrollment fees. The process must [*provide for participation***
25 ***of enrolled students and the recognized student government of the***
26 ***university.*]:**

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

29 **“(b) Ensure that the governing board receives and considers all**
30 **written reports and minority reports, including all recommendations,**

1 **deliberations and observations of the advisory body that are provided**
2 **to the president of the university under section 2 of this 2018 Act.**

3 “(3) The governing board shall request that the president of the university
4 transmit to the board the joint recommendation of the president and the re-
5 cognized student government before the board authorizes, establishes or
6 eliminates any incidental fees for programs under the supervision or control
7 of the board and found by the board to be advantageous to the cultural or
8 physical development of students.

9 “(4) In determining tuition and mandatory enrollment fees for under-
10 graduate students who are enrolled in a degree program and are qualified to
11 pay resident tuition:

12 “(a) The governing board may not increase the total of tuition and man-
13 datory enrollment fees by more than five percent annually unless the board
14 first receives approval from:

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

16 “(B) The Legislative Assembly.

17 “(b) The governing board shall attempt to limit annual increases in tui-
18 tion and mandatory enrollment fees for undergraduate students who are en-
19 rolled in a degree program and have established residency in Oregon to a
20 percentage that is not greater than the percentage increase in the Higher
21 Education Price Index, as compiled by the Commonfund Institute.

22 **“(5) If the governing board of a public university requests that the**
23 **commission approve an increase in the total amount of tuition and**
24 **mandatory enrollment fees of more than five percent under subsection**
25 **(4)(a) of this section, the public university shall provide to the com-**
26 **mission:**

27 **“(a) All written reports and minority reports, including all recom-**
28 **mendations, deliberations and observations of the advisory body that**
29 **are provided to the president of the university under section 2 of this**
30 **2018 Act; and**

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

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

8 **“SECTION 4. Section 2 of this 2018 Act and the amendments to ORS**
9 **352.102 by section 3 of this 2018 Act first apply to the process used to**
10 **establish tuition and mandatory enrollment fees for the 2019-2020 aca-**
11 **demic year.**

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

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