

Requested by Senator FREDERICK

**PROPOSED AMENDMENTS TO
SENATE BILL 854
(INCLUDING AMENDMENTS TO RESOLVE CONFLICTS)**

1 On page 1 of the printed bill, delete lines 5 through 21.

2 On page 2, delete lines 1 through 36 and insert:

3 **“SECTION 1.** ORS 352.076 is amended to read:

4 “352.076. (1) A governing board for a public university must be formed and
5 maintained as provided in this section.

6 “(2)(a) Except as provided in subsection (3) of this section, the Governor
7 shall appoint all of the 11 to 15 members of the governing board, subject to
8 confirmation by the Senate in the manner provided in ORS 171.562 and
9 171.565.

10 “(b) The governing board must include one person who is a student en-
11 rolled at the university. The student shall be a voting member of the board.

12 “(c) The governing board must include one person who is a member of the
13 faculty of the university and one person who is a member of the nonfaculty
14 staff of the university. For each appointment made under this paragraph, the
15 Governor may appoint the person as either a voting or nonvoting member
16 of the governing board.

17 “(3) The president of the university shall be an ex officio nonvoting
18 member of the governing board.

19 “(4)(a) Except as provided in paragraph (b) of this subsection, the term
20 of office for each appointed member of the governing board is four years.

1 “(b) The term of office of each student, faculty and nonfaculty staff
2 member of the governing board is two years.

3 “(c) A member of the governing board may not be appointed to serve more
4 than two consecutive full terms.

5 “(d) The Governor may remove any appointed member of the governing
6 board at any time for cause, after notice and public hearing, but may not
7 remove more than three members within a period of four years, unless it is
8 for corrupt conduct in office.

9 “(e) Vacancies shall be filled by appointment by the Governor for the re-
10 mainder of the unexpired term.

11 “(5) The faculty and nonfaculty staff members of the governing board may
12 not participate in any discussions or action by the board or attend any
13 executive session of the board involving collective bargaining issues that
14 affect faculty or nonfaculty staff at the university.

15 “(6) The governing board shall select one of its members as chairperson
16 and another as vice chairperson for such terms and with duties and powers
17 as the board considers necessary for the performance of the functions of
18 those offices. The governing board shall adopt bylaws concerning how a
19 quorum is constituted and when a quorum is necessary.

20 “(7) **Each member of the governing board must have an official**
21 **electronic mail address that is publicly available and posted on the**
22 **website of the public university.**

23 “[7] (8) The governing board shall meet at least four times per year, and
24 may meet at the call of the chairperson or a majority of the voting members
25 of the board. **At each meeting, the governing board shall:**

26 “(a) **Allow a representative from official student, faculty and non-**
27 **faculty staff organizations to each make a presentation or report to**
28 **the board;**

29 “(b) **Allow faculty and nonfaculty staff union representatives to**
30 **each make a presentation or report to the board; and**

1 **“(c) Establish a designated time at which members of the faculty,**
2 **nonfaculty staff and student body may comment on any issue before**
3 **the board.”.**

4 On page 3 of the printed bill, delete lines 8 through 15.

5 In line 16, restore “(4)” and delete “(5)”.

6 In line 18, delete “(6)(a)” and insert “(5)(a)”.

7 In line 41, restore the first “and” and delete “and alumni”.

8 On page 5, delete lines 18 through 45.

9 On page 6, delete lines 1 through 6 and insert:

10 **“SECTION 5. The Higher Education Coordinating Commission shall,**
11 **in the manner and to the extent deemed necessary by the commission,**
12 **convene individuals who represent the administration and personnel**
13 **of each public post-secondary institution of education in this state and**
14 **the membership of each governing board of a public university listed**
15 **in ORS 352.002 in order to ensure a cohesive and coordinated system**
16 **of higher education public policy in this state.**

17 **“SECTION 6. (1) The amendments to ORS 352.096 by section 2 of this**
18 **2021 Act that relate to the hiring or appointment of a secretary for the**
19 **governing board of a public university listed in ORS 352.002 apply 91**
20 **days after the effective date of this 2021 Act.**

21 **“(2)(a) Except as provided in paragraph (b) of this subsection, the**
22 **amendments to ORS 350.050 by section 3 of this 2021 Act apply to ap-**
23 **pointments to the Higher Education Coordinating Commission that are**
24 **made on or after the effective date of this 2021 Act.**

25 **“(b)(A) The Governor shall make any appointments necessary to**
26 **ensure that all of the members of the commission have been confirmed**
27 **by the Senate in the manner prescribed in ORS 171.562 and 171.565 by**
28 **January 1, 2022.**

29 **“(B) The term of office for each member of the commission who is**
30 **confirmed by the Senate under subparagraph (A) of this paragraph for**

1 a position on the commission that was a position for a nonvoting
2 member of the commission before the effective date of this 2021 Act
3 shall end on the same date that the term of office for the nonvoting
4 member was scheduled to end.

5 “(3) The amendments to ORS 352.089 by section 4 of this 2021 Act
6 apply to any major course of study or minor course of study in which
7 students are currently enrolled at a public university listed in ORS
8 352.002 on the effective date of this 2021 Act, regardless of whether a
9 public announcement to eliminate the course of study has been made
10 by the public university or whether new students are permitted to
11 enroll in the course of study.

12 “SECTION 7. If Senate Bill 712 becomes law, section 1, chapter __,
13 Oregon Laws 2021 (Enrolled Senate Bill 712) (amending ORS 350.050),
14 and section 2, chapter __, Oregon Laws 2021 (Enrolled Senate Bill 712),
15 are repealed.”.

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