

# Memorandum

PREPARED FOR: Oregon State Senate

DATE: May 9, 2023

BY: Leslie Porter, Analyst

RE: Legislative Review of Executive Appointments



**LPRO**  
LEGISLATIVE POLICY  
AND RESEARCH OFFICE

## BOARD OF TRUSTEES OF THE OREGON INSTITUTE OF TECHNOLOGY

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The Governor has appointed the following individuals to the Board of Trustees for the Oregon Institute of Technology subject to Senate confirmation.<sup>1</sup>

### New Appointees

Cecilia Amuchastegui of Klamath Falls

David Cauble of Klamath Falls

Vijay Dhir of Santa Monica, CA

Johnnie Early II of Tallahassee, FL

Don Gentry of Klamath Falls

### Terms

All appointees: July 1, 2023 – June 30, 2027

### Appointment/Confirmation Authority

[ORS 352.054 and 352.076 \(2021\)](#)

### Statement of Economic Interest<sup>2</sup>

Not required.

### Statutory Requirements<sup>3</sup>

The Governor appoints 11 to 15 members of the governing board who are subject to confirmation by the Senate (BIRD, **CAUBLE**, DAVIS, **DHIR**, **EARLY**, **GENTRY**, GOPALPUR, JONES, **AMUCHASTEGUI**, NÚÑEZ-FLORES, STARR).<sup>4</sup> Membership must include:

- one student enrolled at the university who is a voting member of the board (WICHMANN);
- one member of the faculty of the university who the Governor may appoint as either a voting or nonvoting member of the board (NGUYEN);
- one member of the nonfaculty staff of the university who the Governor may appoint as either a voting or nonvoting member of the board (VITALI); and

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<sup>1</sup> [Or. Const. art. III sect. 4](#), [ORS 171.562 and 171.565 \(2021\)](#).

<sup>2</sup> [ORS 244.050 \(2021\)](#).

<sup>3</sup> [ORS 182.100 \(2021\)](#) for affirmative action policy and [ORS 236.115 \(2021\)](#) for diversity criteria.

<sup>4</sup> [ORS 352.076 \(2021\)](#).

- the president of the university who is an ex officio, nonvoting member (NAGANATHAN).

Members serve four-year terms, except for student, faculty, and nonfaculty staff members who serve two-year terms. Members may not serve more than two consecutive terms. The Governor may remove any appointed member of the governing board at any time for cause, after notice and public hearing, but may not remove more than three members within a period of four years, unless it is for corrupt conduct in office. Faculty and nonfaculty staff board members may not participate in any discussions or action by the board or attend any executive session of the board involving collective bargaining issues that affect faculty or nonfaculty staff at the university.

The board must select one of its members as chairperson and another as vice chairperson for such terms and with duties and powers as the board considers necessary for the performance of the functions of those offices. The governing board shall adopt bylaws concerning how a quorum is constituted and when a quorum is necessary. The board must meet at least four times per year and may meet at the call of the chairperson or a majority of the voting members of the board.

## **Duties and Authority**

Oregon's seven public universities have governing boards that:<sup>5</sup>

- provide transparency, public accountability, and support for the university;
- are close to and closely focused on the individual university;
- lead to greater access and affordability for Oregon residents and do not disadvantage Oregon students relative to out-of-state students;
- act in the best interests of both the university and the State of Oregon as a whole; and
- promote the academic success of students in support of the mission of all education beyond high school.

The governing board of each university must:<sup>6</sup>

- adopt the budget for the university;
- in consultation with the Governor, appoint, employ, and supervise a president of the university to serve as the executive and governing officer of the university;

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<sup>5</sup> [ORS 352.025 and 352.054 \(2021\)](#).

<sup>6</sup> [ORS 352.087 to 352.309 \(2021\)](#).



- establish a process for determining tuition and mandatory enrollment fees within statutory guidelines;
- have custody and control of and care for all real and personal property used for university purposes;
- ensure that sufficient collateral secures any amount of funds on deposit that exceeds the limits of the coverage of the Federal Deposit Insurance Corporation or the National Credit Union Administration;
- adopt standards governing employee outside employment and activities, including potential conflicts of interest, and procedures for reporting and hearing potential or actual conflicts of interest;
- provide group insurance and deferred compensation plans to employees of the university;
- adopt minimum standards for the university's comprehensive alcohol and drug abuse policy and implementation plan;
- exempt a student who is not a citizen or a lawful permanent resident of the United States, or financially dependent on a person who is not a citizen or a lawful permanent resident of the United States, from paying nonresident tuition and fees under specified conditions; and
- adopt standards for the administration of statutes assigned to the board.

The governing board of each university may:<sup>7</sup>

- authorize, establish, eliminate, collect, manage, use in any manner, and expend all revenue derived from tuition and mandatory enrollment fees;
- police, control, and regulate traffic and parking of vehicles on university property;
- establish a police department and commission one or more employees as police officers with the same authority and immunity of a municipal police department;
- commission special campus security officers;
- sell forest products on university lands and conduct experimental or research projects in the field of forestland management or for forest product utilization on forestlands in the same manner as the State Forester;
- undertake the construction of any building or structure for higher education when the board conservatively estimates that the public university will have sufficient revenues to pay the operating costs and any indebtedness for the building or structure and enter into contracts for the acquisition, erection, improvement, repair, equipping, and furnishing of buildings and structures;

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<sup>7</sup> [ORS 352.087 to 352.313 \(2021\)](#).



- adopt standards and specific orders by or through the president of each public university governing access to personnel records of the public university or office, department or activity that are less than 25 years old;
- authorize receipt of compensation for any officer or employee from private or public resources;
- contract with the Armed Forces of the United States to furnish educational service to active members of the Armed Forces of the United States; and
- perform any other acts that in the judgment of the governing board are required, necessary, or appropriate to accomplish the rights and responsibilities granted to the governing board by law.



## Oregon Institute of Technology, Board of Trustees of the

Agency: **Oregon Department of Education**

Authorization: **ORS 352.076**

Min Members: **11** Max Members: **14**

Term Length: **4** Term Limit: **2**

Senate Confirmation Required?: **Yes**

Policy Area: **Unknown**

Board Admin: **Dr. Ken Fincher**

Address:

**Oregon Institute of Technology**

**3201 Campus Drive**

**Klamath Falls, OR 97601**

**541-885-1118**

**ken.finch@oit.edu**

## Current Appointments

**Mr Brown, Jeremy D**

At-Large

Position Number: **1**

Term(s): **7/1/2018 - 6/30/2022**  
**9/19/2014 - 6/30/2018**

**Dhir, Vijay**

At-Large

Position Number: **1**

Term(s): **7/1/2023 - 6/30/2027**

**Wichmann, Mason**

Student

Position Number: **2**

Term(s): **9/28/2022 - 6/30/2024**

**Mr Gopalpur, Chandrakanth "Kanth" C**

At-Large

Position Number: **3**

Term(s): **7/1/2022 - 6/30/2026**

**Ms Vitali, Michele**

Staff

Position Number: **4**

Term(s): **7/1/2021 - 6/30/2023**  
**10/1/2020 - 6/30/2021**

**Ms Hill, Kathleen S**

At-Large

Position Number: **5**

Term(s): **7/1/2018 - 6/30/2022**  
**9/19/2014 - 6/30/2018**

**Gentry, Don**

At-Large

Position Number: **5**

Term(s): **7/1/2023 - 6/30/2027**

**Mrs Morris, Kelley M**

At-Large

Position Number: **6**

Term(s): **7/1/2018 - 6/30/2022**  
**9/19/2014 - 6/30/2018**

<b>Amuchastegui, Cecilia "Cec"</b> At-Large Position Number: <b>6</b>	Term(s):	<b>7/1/2023 - 6/30/2027</b>
<b>Ms Núñez-Flores, Celia</b> At-Large Position Number: <b>10</b>	Term(s):	<b>7/1/2022 - 6/30/2026</b> <b>7/1/2018 - 6/30/2022</b> <b>9/19/2014 - 6/30/2018</b>
<b>Mr Starr, Michael "Mike" A</b> At-Large Position Number: <b>7</b>	Term(s):	<b>7/1/2022 - 6/30/2026</b> <b>12/17/2018 - 6/30/2022</b>
<b>Nguyen, Phong</b> Faculty Position Number: <b>8</b>	Term(s):	<b>9/28/2022 - 6/30/2024</b>
<b>Mr Davis, John C</b> At-Large Position Number: <b>9</b>	Term(s):	<b>7/1/2022 - 6/30/2026</b>
<b>Mr Jones, Vincent</b> At-Large Position Number: <b>11</b>	Term(s):	<b>7/1/2022 - 6/30/2026</b> <b>7/1/2018 - 6/30/2022</b> <b>6/1/2016 - 6/30/2018</b>
<b>Bird, Stefan</b> At-Large Position Number: <b>12</b>	Term(s):	<b>7/1/2022 - 6/30/2026</b>
<b>Mr Ziari, Fred</b> At-Large Position Number: <b>13</b>	Term(s):	<b>7/1/2018 - 6/30/2022</b> <b>12/12/2014 - 6/30/2018</b>
<b>Cauble, David</b> At-Large Position Number: <b>13</b>	Term(s):	<b>7/1/2023 - 6/30/2027</b>
<b>Ms Mason, Jill D</b> At-Large Position Number: <b>14</b>	Term(s):	<b>7/1/2019 - 6/30/2023</b> <b>10/1/2015 - 6/30/2019</b>
<b>Dr. Early II, Johnnie</b> At-Large Position Number: <b>14</b>	Term(s):	<b>7/1/2023 - 6/30/2027</b>

## Vacant Positions