

HOUSE AMENDMENTS TO HOUSE BILL 4125

By COMMITTEE ON HIGHER EDUCATION

February 19

1 On page 1 of the printed bill, line 2, after the semicolon delete the rest of the line and insert
2 “and declaring an emergency.”.

3 Delete lines 4 through 26 and delete pages 2 and 3 and insert:

4 **“SECTION 1. (1) As used in this section, ‘governing board’ has the meaning given that**
5 **term in ORS 352.029.**

6 **“(2) The Legislative Policy and Research Director shall conduct a procurement and enter**
7 **into a contract with a qualified vendor with subject matter expertise in higher education, a**
8 **capability to obtain data and information that is national in scope for comparative analysis**
9 **and the experience and expertise to conduct a study described in this section and prepare the**
10 **draft report described in this section. Pursuant to this contract, the vendor shall conduct a**
11 **study to determine the impact of the implementation of chapter 637, Oregon Laws 2011 (En-**
12 **rolled Senate Bill 242), and chapter 768, Oregon Laws 2013 (Enrolled Senate Bill 270), on**
13 **higher education in this state. The study must:**

14 **“(a) Include a comparative analysis between the stated goals of chapter 637, Oregon Laws**
15 **2011, and chapter 768, Oregon Laws 2013, and actual outcomes realized since chapter 768,**
16 **Oregon Laws 2013, was enacted, including but not limited to:**

17 **“(A) An assessment of governing boards’ provision of transparency, public accountability**
18 **and support for their universities;**

19 **“(B) The extent to which governing boards are close to and closely focused on their in-**
20 **dividual universities;**

21 **“(C) The extent to which implementation of chapter 768, Oregon Laws 2013, has led to**
22 **greater access and affordability for Oregon residents and has not disadvantaged Oregon**
23 **students relative to out-of-state students;**

24 **“(D) The extent to which each governing board has acted in the best interests of both**
25 **the university and the State of Oregon as a whole;**

26 **“(E) Whether governing boards promote the academic success of students in support of**
27 **the mission of all education beyond high school as described in ORS 350.014;**

28 **“(F) An assessment of the economy-of-scale benefits that are attributable to having a**
29 **coordinated university system;**

30 **“(G) An assessment of benefits from shared services that are or could be shared among**
31 **public universities; and**

32 **“(H) The extent to which governing boards have succeeded in fulfilling their missions,**
33 **compacts and principles as provided in ORS 352.025; and**

34 **“(b) Identify any trends in the public universities in this state, and compare with relevant**
35 **national trends or other national context, since the enactment of chapter 768, Oregon Laws**

1 2013, including the following:

2 “(A) Trends in tuition costs and student debt, as adjusted for inflation, for each academic

3 year from 2013 to 2023, including:

4 “(i) Undergraduate tuition;

5 “(ii) Graduate tuition;

6 “(iii) Online tuition;

7 “(iv) Certificate program tuition;

8 “(v) Resident and nonresident tuition rates; and

9 “(vi) State and federal scholarships, grants, financial aid, philanthropic resources and

10 other forms of student financial support;

11 “(B) Trends in enrollment and graduation for each academic year from 2013 to 2023, in-

12 cluding:

13 “(i) Types of degrees awarded;

14 “(ii) Programs offered or eliminated;

15 “(iii) Graduation attainment and demographics; and

16 “(iv) Additional cost of attendance, cost of living and on-campus or off-campus housing

17 statistics for regions surrounding each campus, as available;

18 “(C) Trends in the workforce at public universities in this state, including:

19 “(i) Percentages of undergraduate, graduate, online and certificate program classes

20 taught by full-time tenured faculty, aggregated annually for each year from 2013 to 2023;

21 “(ii) Percentages of undergraduate, graduate, online and certificate program classes

22 taught by adjunct part-time faculty who are not tenure track faculty, aggregated annually

23 for each year from 2013 to 2023;

24 “(iii) Percentages of undergraduate, graduate, online and certificate program classes

25 taught by full-time instructional faculty who are not tenure track faculty, aggregated annu-

26 ally for each year from 2013 to 2023;

27 “(iv) Percentage increases, if any, in unclassified administrative costs, salaries and em-

28 ployment numbers in each year from 2013 to 2023;

29 “(v) Year-by-year actual numbers of employed part-time adjunct faculty, full-time faculty

30 who are not tenure track faculty, full-time tenured or tenure track faculty, undergraduate

31 employees, graduate employees and classified staff; and

32 “(vi) Average salary, as adjusted for inflation, for each group of employees identified in

33 sub-subparagraph (v) of this subparagraph; and

34 “(D) Trends in institutional finance, including:

35 “(i) Institutional debt, bonds, endowments and overall financial health of each public

36 university in this state;

37 “(ii) Trends in state funding for each public university in this state, including state

38 funding as a percentage of total operating costs, as adjusted for inflation;

39 “(iii) Spending on student support services, including but not limited to student mental

40 and physical health, food assistance or other assistance programs; and

41 “(iv) Other cost drivers in higher education, including but not limited to capital im-

42 provements, campus development, insurance or legal compliance.

43 “(3) The vendor may include in the study described in subsection (2) of this section ad-

44 ditional prior year data, as is available, for:

45 “(a) Trends in tuition costs and student debt as described in subsection (2)(b)(A) of this

1 section;

2 “(b) Trends in enrollment and graduation as described in subsection (2)(b)(B) of this
3 section;

4 “(c) Percentages of classes taught by full-time tenured faculty as described in subsection
5 (2)(b)(C)(i) of this section;

6 “(d) Percentages of classes taught by full-time instructional faculty who are not tenure
7 track faculty as described in subsection (2)(b)(C)(iii) of this section; and

8 “(e) Percentage increases in unclassified administrative costs, salaries and employment
9 numbers as described in subsection (2)(b)(C)(iv) of this section.

10 “(4) The vendor shall include in the study conducted under subsection (2) of this section
11 a consideration of governance models for public universities in this state in light of the data
12 identified under subsection (2) of this section, and shall compare and contrast data from
13 governance models used in this state with governance models used in each of the other
14 states of the United States. The vendor shall examine the potential positive and negative
15 aspects of the ability of each model to meet the goals stated in ORS 352.025 and 352.039 and
16 shall examine various models’ abilities to direct or manage decisions regarding athletic pro-
17 grams, degree programs, capacity, campus expansions and other state oversights, including
18 considering the following alternatives:

19 “(a) No change to the current governance model for public universities in this state;

20 “(b) Returning to the system of governance in effect for public universities prior to the
21 enactment of chapter 768, Oregon Laws 2013, under which oversight of and direction to public
22 universities is provided by a state board of higher education;

23 “(c) A hybrid model of governance for public universities that retains aspects of the
24 current governance model and includes oversight and direction by a centralized state agency
25 with limitations on the authority of governing boards;

26 “(d) A governance model of public universities that consolidates governing boards among
27 public universities or creates a consortium of governing boards;

28 “(e) Providing for elections of members of governing boards; or

29 “(f) Other current or emergent governance models used in any other state.

30 “(5) The vendor shall prepare a draft report of the study described in this section and
31 shall submit the draft report to the director prior to November 15, 2024. The vendor may
32 include any additional recommendations, contextual information or suggestions that the
33 vendor determines are helpful or warranted. The director shall review the draft report,
34 confer with the vendor if necessary and finalize the report. The director shall submit the
35 final report in the manner provided by ORS 192.245 to the interim committees of the Legis-
36 lative Assembly related to higher education no later than November 30, 2024.

37 “(6) The Higher Education Coordinating Commission and each public university shall
38 provide the vendor with any assistance required by the vendor that the vendor determines
39 is necessary to complete the study and report in the manner described in this section.

40 “SECTION 2. This 2024 Act being necessary for the immediate preservation of the public
41 peace, health and safety, an emergency is declared to exist, and this 2024 Act takes effect
42 on its passage.”.