

What LC210 does:

Creates Independent Boards for the University of Oregon and Portland State University.

Background:

LC210 (1/12/12) builds on 2011 SB242 and SB909 to establish the University of Oregon (UO) and Portland State University (PSU) as independent public universities governed by separate university boards of directors. It utilizes the systems and facilities contemplated in SB242 to maintain control of issues of statewide interest in boards that have a state-wide and education enterprise wide perspective, the Education Investment Board (OEIB) and the Higher Education Coordinating Commission (HECC) while delegating other governance functions of the universities to their own, mostly Governor appointed, boards.

The bill will allow and encourage the universities to build on their different strengths to provide excellent access and education to Oregon's students, support innovation, invention and discovery, and provide educated workers for the economy of the future. The bill is fully consistent with the Legislature's and Governor's plans to streamline and coordinate our education for the future and will not interfere with the further development of those plans found in other bills this session or in the 2013 Regular session.

Frequently Asked Questions:

Q: Why do we need a local board for the University of Oregon and Portland State University?

A: UO and PSU have needs that are distinctly different from that of each other and the other State Universities. The State Board of Higher Education by nature cannot adequately meet those needs because its charge to manage seven universities with distinctly different strengths and problems prevents it from managing them effectively.

Q: What are the benefits of having a local board for University of Oregon and Portland State University?

A: Aligned interests, greater accountability both locally and state-wide, and more flexibility to achieve goals.

Q: Is there a model in the state for this type of structure?

A: Yes, The Oregon Health Sciences University has its own local board and is a highly successful and thriving institution.

Q: Who will be on the Board?

A: The Board will consist of at least 12 members who will be appointed by Governor and confirmed by senate including a faculty member, a student, a regular employee, 1 OEIB member appointed by the OEIB, 1 member of the University of Oregon Foundation Board of trustees appointed by UOB, and the non-voting President of the respective Universities.

Q: Will the UO and PSU still be public institutions?

A: Yes.

Q: Why are only University of Oregon and Portland State University included?

A: They were the two Universities that seem to be ready to make the change.

Q: Why now?

A: UO needs to hire a top notch, entrepreneurial president who can focus solely on the UO, its students, and its unique statewide mission. PSU is ready to make the change in the measured way this bill contemplates. Other universities have concerns about how they would function with a local independent public university board and are not included.

Q: Why is this bill so long?

A: Most of the bill is conforming current statutes to the existence of the new boards. Only a few pages are actually new legislation. Those are primarily sections 1-10 and 65-74 that describe the purpose of the change and actually set up the boards. Otherwise, the new sections primarily restate current law and apply it to these institutions. With that in mind, the bill presents only a few issues. Below is a description of most of the sections as a guide to the reader.

The full text of the bill can be found at: <http://tinyurl.com/7llxduo>.

Summary:

University of Oregon

§§ 1-2 Establishes UO as a public university

§ 3 Purpose and policy of the University

§§ 4-5 Board of Directors (UOB), 12 appointed by Governor confirmed by senate including a faculty member, a student, a regular employee, 1 OEIB member appointed by the OEIB, 1 member of the University of Oregon Foundation Board of trustees appointed by UOB, and the non-voting President of the University of Oregon

§ 6 Time line for appointment of initial UOB

§ 7 UOB responsible for governance of the UO with limitations. HECC must approve degree programs and policies re transferability of credits. OEIB must approve increases in tuition or student fees over 5 percent annually. Changes in use or amount of student fees requires joint recommendation of UO President and the “recognized student government”

§ 8 President appointed by UOB and ratified by OEIB

§ 10 Applicability of collective bargaining agreements. Current practice continues until UOB and labor agree to a separate agreement

§11 re qualified agencies for individuals with disabilities (transfer existing law)

§ 12 UOB reports annually to OEIB, HECC, Legislature and Governor

§§ 13-15 UOB to control real property, forestlands, have condemnation power (transfer existing)

§ 16 Re alcohol and drug abuse policy

§ 17 contract policies (transfer existing requirements to UOB)

§ 18 UOB submits budget request to DAS. Internal UO budget controlled by UOB

§ 19 Audits

§§ 20-36 Applies existing law to UOB and UO re campus police, traffic and parking, criminal records checks, streets, student records, religious beliefs, members of the military services and veterans, students with disabilities, personnel records, compensation, faculty rights and responsibilities, existing bonds and financial obligations.

§§ 37-50 Applies existing law to UOB re revenue bonds approved by OEIB, refunding bonds, authority of State Treasurer, other financing agreements, property taxation, acceptance of grants and donations.

§ 51 OEIB adopt performance benchmarks for UO separately from other institutions. OUB will coordinate with OUS re academic programs. HECC has final authority for new degree programs.

§ 52 re venture grant programs

§§ 53-64 Continuation of existing relationships, authority, rights and obligations from “former” UO to new UO beginning July 1, 2012.

Portland State University

§§ 65-114 Equivalent sections to §§1-52 above but applying to PSU. The board is constituted slightly differently, see § 68.

§115-126 Continuation of existing relationships, authority, rights and obligations of “former” PSU to new PSU beginning on July 1, 2012.

Report to Legislature

§ 127 OEIB reports to Legislature December 1, 2016 on impact of changes brought about by this bill and suggests changes it recommends in university governance.

Miscellaneous Provisions

§§ 128-285 Conforming changes

§ 286 Repeals redundant provision for UO streets in Eugene this bill replaces and the sunset of the OEIB

§§ 287-288 Renumbers sections of ORS to establish portions applicable to the PSU and separately to the UO.

§§ 290-292 Transitions from SBHE to the separate university boards. New boards are in charge as of July1, 2013.

§ 293 Emergency Clause.