

# Senate Bill 423

Sponsored by Senator DEMBROW; Senators CAMPOS, JAMA, Representatives GRAYBER, NELSON (Pre-session filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires that faculty and nonfaculty staff members of governing board at public university are voting members of board.

Expands composition of Oregon Health and Science University Board of Directors to include one member of faculty and one member of nonfaculty staff as voting members of board.

## A BILL FOR AN ACT

1  
2 Relating to composition of governing boards at post-secondary institutions of education; creating  
3 new provisions; and amending ORS 352.076 and 353.040.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 352.076 is amended to read:

6 352.076. (1) A governing board for a public university must be formed and maintained as pro-  
7 vided in this section.

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

11 (b) The governing board must include one person who is a student enrolled at the university.  
12 The student shall be a voting member of the board.

13 (c) The governing board must include one person who is a member of the faculty of the univer-  
14 sity and one person who is a member of the nonfaculty staff of the university. **Each person ap-**  
15 **pointed under this paragraph shall be a voting member of the governing board.***[For each*  
16 *appointment made under this paragraph, the Governor may appoint the person as either a voting or*  
17 *nonvoting member of the governing board.]*

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

20 (4)(a) Except as provided in paragraph (b) of this subsection, the term of office for each ap-  
21 pointed member of the governing board is four years.

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

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

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

29 (e) Vacancies shall be filled by appointment by the Governor for the remainder of the unexpired  
30 term.

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.  
New sections are in **boldfaced** type.

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

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

8 (7) The governing board shall meet at least four times per year, and may meet at the call of the  
9 chairperson or a majority of the voting members of the board.

10 **SECTION 2.** ORS 353.040 is amended to read:

11 353.040. (1) There is established an Oregon Health and Science University Board of Directors  
12 consisting of [*nine*] **11** members. The directors, except for the president of the university, shall be  
13 appointed by the Governor and shall be confirmed by the Senate in the manner prescribed in ORS  
14 171.562 and 171.565.

15 **(2)(a) The term of office of each person described in subsection (3)(a) of this section is**  
16 **four years.**

17 **(b)** Except for the president of the university, the term of office of each **member other than**  
18 **a person described in subsection (3)(a) of this section** [*nonstudent member is four years. The term*  
19 *of office of the student member*] is two years.

20 **(c)** Before the expiration of the term of a member, the Governor shall appoint a successor whose  
21 term begins on October 1 next following. A member is eligible for reappointment for one additional  
22 term. If there is a vacancy for any cause, the Governor shall make an appointment to become ef-  
23 fective immediately for the unexpired term. The board shall nominate a slate of candidates whenever  
24 a vacancy occurs or is announced and shall forward the recommended candidates to the Governor  
25 for consideration. To assist the Governor in appointing the student member, the duly organized and  
26 recognized entity of student government shall submit a list of nominees to the Governor for con-  
27 sideration.

28 (3) The membership of the board shall be as follows:

29 (a) Seven representatives who, in the discretion of the Governor, have experience in areas re-  
30 lated to the university missions or that are important to the success of Oregon Health and Science  
31 University, including but not limited to higher education, health care, scientific research, engineer-  
32 ing and technology and economic and business development. **Representatives appointed under this**  
33 **paragraph shall be voting members of the board.**

34 (b) One representative who is a student enrolled at the university. **The student shall be a**  
35 **voting member of the board.**

36 (c) **One representative who is a member of the faculty of the university. The faculty**  
37 **member shall be a voting member of the board.**

38 (d) **One representative who is a member of the nonfaculty staff of the university. The**  
39 **nonfaculty staff member shall be a voting member of the board.**

40 [(c)] (e) The president of the university, who shall be an ex officio voting member.

41 (4) Directors must be citizens of the United States. [*Except for the president of the university, no*  
42 *voting member may be an employee of the university.*]

43 **(5) The faculty and nonfaculty staff members of the board may not participate in any**  
44 **discussions or action by the board or attend any executive session of the board involving**  
45 **collective bargaining issues that affect faculty or nonfaculty staff at the university.**

1        [(5)] (6) The board shall select one of its members as chairperson and another as vice chair-  
2 person for such terms and with such duties and powers as the board considers necessary for per-  
3 formance of the functions of those offices. The board shall adopt bylaws concerning how a quorum  
4 shall be constituted and when a quorum shall be necessary.

5        [(6)] (7) The board shall meet at least once every three months at Oregon Health and Science  
6 University. The board shall meet at such other times and places specified by the chairperson or by  
7 a majority of the members of the board.

8        [(7)] (8) The Governor may remove any member of the board at any time for cause, after notice  
9 and public hearing, but not more than three members shall be removed within a period of four years,  
10 unless it is for corrupt conduct in office.

11        **SECTION 3. The amendments to ORS 352.076 and 353.040 by sections 1 and 2 of this 2023**  
12 **Act apply to appointments made on or after the effective date of this 2023 Act.**