

Requested by Representative CHAICHI

**PROPOSED AMENDMENTS TO
HOUSE BILL 4125**

1 On page 1 of the printed bill, line 2, after the semicolon delete the rest
2 of the line and insert “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**
5 **meaning given that term in ORS 352.029.**

6 **“(2) The Legislative Policy and Research Director shall conduct a**
7 **procurement and enter into a contract with a qualified vendor with**
8 **subject matter expertise in higher education, a capability to obtain**
9 **data and information that is national in scope for comparative analy-**
10 **sis and the experience and expertise to conduct a study described in**
11 **this section and prepare the draft report described in this section.**
12 **Pursuant to this contract, the vendor shall conduct a study to deter-**
13 **mine the impact of the implementation of chapter 637, Oregon Laws**
14 **2011 (Enrolled Senate Bill 242), and chapter 768, Oregon Laws 2013**
15 **(Enrolled Senate Bill 270), on higher education in this state. The study**
16 **must:**

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

21 **“(A) An assessment of governing boards’ provision of transparency,**

1 **public accountability and support for their universities;**

2 **“(B) The extent to which governing boards are close to and closely**
3 **focused on their individual universities;**

4 **“(C) The extent to which implementation of chapter 768, Oregon**
5 **Laws 2013, has led to greater access and affordability for Oregon resi-**
6 **dents and has not disadvantaged Oregon students relative to out-of-**
7 **state students;**

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

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

13 **“(F) An assessment of the economy-of-scale benefits that are at-**
14 **tributable to having a coordinated university system;**

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

17 **“(H) The extent to which governing boards have succeeded in ful-**
18 **filling their missions, compacts and principles as provided in ORS**
19 **352.025; and**

20 **“(b) Identify any trends in the public universities in this state, and**
21 **compare with relevant national trends or other national context, since**
22 **the enactment of chapter 768, Oregon Laws 2013, including the follow-**
23 **ing:**

24 **“(A) Trends in tuition costs and student debt, as adjusted for in-**
25 **flation, for each academic year from 2013 to 2023, including:**

26 **“(i) Undergraduate tuition;**

27 **“(ii) Graduate tuition;**

28 **“(iii) Online tuition;**

29 **“(iv) Certificate program tuition;**

30 **“(v) Resident and nonresident tuition rates; and**

1 “(vi) State and federal scholarships, grants, financial aid,
2 philanthropic resources and other forms of student financial support;

3 “(B) Trends in enrollment and graduation for each academic year
4 from 2013 to 2023, including:

5 “(i) Types of degrees awarded;

6 “(ii) Programs offered or eliminated;

7 “(iii) Graduation attainment and demographics; and

8 “(iv) Additional cost of attendance, cost of living and on-campus
9 or off-campus housing statistics for regions surrounding each campus,
10 as available;

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

13 “(i) Percentages of undergraduate, graduate, online and certificate
14 program classes taught by full-time tenured faculty, aggregated an-
15 nually for each year from 2013 to 2023;

16 “(ii) Percentages of undergraduate, graduate, online and certificate
17 program classes taught by adjunct part-time faculty who are not ten-
18 ure track faculty, aggregated annually for each year from 2013 to 2023;

19 “(iii) Percentages of undergraduate, graduate, online and certificate
20 program classes taught by full-time instructional faculty who are not
21 tenure track faculty, aggregated annually for each year from 2013 to
22 2023;

23 “(iv) Percentage increases, if any, in unclassified administrative
24 costs, salaries and employment numbers in each year from 2013 to
25 2023;

26 “(v) Year-by-year actual numbers of employed part-time adjunct
27 faculty, full-time faculty who are not tenure track faculty, full-time
28 tenured or tenure track faculty, undergraduate employees, graduate
29 employees and classified staff; and

30 “(vi) Average salary, as adjusted for inflation, for each group of

1 employees identified in sub-subparagraph (v) of this subparagraph; and

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

3 “(i) Institutional debt, bonds, endowments and overall financial
4 health of each public university in this state;

5 “(ii) Trends in state funding for each public university in this state,
6 including state funding as a percentage of total operating costs, as
7 adjusted for inflation;

8 “(iii) Spending on student support services, including but not lim-
9 ited to student mental and physical health, food assistance or other
10 assistance programs; and

11 “(iv) Other cost drivers in higher education, including but not lim-
12 ited to capital improvements, campus development, insurance or legal
13 compliance.

14 “(3) The vendor may include in the study described in subsection
15 (2) of this section additional prior year data, as is available, for:

16 “(a) Trends in tuition costs and student debt as described in sub-
17 section (2)(b)(A) of this section;

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

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

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

25 “(e) Percentage increases in unclassified administrative costs, sala-
26 ries and employment numbers as described in subsection (2)(b)(C)(iv)
27 of this section.

28 “(4) The vendor shall include in the study conducted under sub-
29 section (2) of this section a consideration of governance models for
30 public universities in this state in light of the data identified under

1 subsection (2) of this section, and shall compare and contrast data
2 from governance models used in this state with governance models
3 used in each of the other states of the United States. The vendor shall
4 examine the potential positive and negative aspects of the ability of
5 each model to meet the goals stated in ORS 352.025 and 352.039 and
6 shall examine various models' abilities to direct or manage decisions
7 regarding athletic programs, degree programs, capacity, campus ex-
8 pansions and other state oversights, including considering the follow-
9 ing alternatives:

10 “(a) No change to the current governance model for public univer-
11 sities in this state;

12 “(b) Returning to the system of governance in effect for public
13 universities prior to the enactment of chapter 768, Oregon Laws 2013,
14 under which oversight of and direction to public universities is pro-
15 vided by a state board of higher education;

16 “(c) A hybrid model of governance for public universities that re-
17 tains aspects of the current governance model and includes oversight
18 and direction by a centralized state agency with limitations on the
19 authority of governing boards;

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

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

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

26 “(5) The vendor shall prepare a draft report of the study described
27 in this section and shall submit the draft report to the director prior
28 to November 15, 2024. The vendor may include any additional recom-
29 mendations, contextual information or suggestions that the vendor
30 determines are helpful or warranted. The director shall review the

1 **draft report, confer with the vendor if necessary and finalize the re-**
2 **port. The director shall submit the final report in the manner provided**
3 **by ORS 192.245 to the interim committees of the Legislative Assembly**
4 **related to higher education no later than November 30, 2024.**

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

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

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