



Testimony on HB 4125
House Higher Education Committee
February 6, 2024

Chair Lively, Vice-Chairs McIntire and Ruiz, and members of the Committee. My name is Kyle Thomas and I am the Director of Legislative and Policy Affairs for the Higher Education Coordinating Commission (HECC). Thank you for the opportunity to submit testimony on HB 4125.

Higher education governance, broadly, is the structure, processes, responsibilities, and authorities by which colleges and universities are managed and operated. Decisions related to the issue of governance cover the very foundational aspects of how public colleges and universities function within or alongside other legal structures, such as state and local governments. These decisions are important ones, as they affect institutional autonomy, mission, responsiveness to the needs and wants of various constituencies, and ability to move various legal and policy levers to meet not just the needs of public institutions, but also their students and the states of which they are a part.

Oregon began the process of altering the governance structure of its public universities about 13 years ago, and in the years that followed has completed a shift that has seen seven public universities that once operated under a consolidated board and agency now operating independently under the direction of gubernatorially-appointed Boards of Trustees. A state coordinating body (HECC) operates alongside them, exercising only the certain, specific, and limited authorities over those institutions provided by the legislature, and otherwise playing certain policymaking, academic coordination, budgeting, and coordinating roles.

With these new governance structures having matured, and the formal and informal relationships between all governing bodies, officers, students, employees, and partners now more or less firmly established, it is reasonable to ask about the effects of the governance change, and whether or not modifications could be made that serve what should be the primary goal of public higher education regardless of governance model: to equitably improve the lives and outcomes of individual students and support the economic development and viability of all regions of the state.

That analysis must be comprehensive, even-handed, and goals- and data-driven. To this end, HECC recommends any study incorporate the following principles:

1. A study needs to be appropriately contextualized: The shift in governance models in Oregon occurred in a broader state and national context of changing appropriations, a changing economy, shifts in perspectives on the worth and value of a degree, and shifting demographics, all of which, alongside myriad other factors, affect how institutions perform. This context is important, and history and experiences in other states can offer

additional insight as to what governance structures can impact and how, subject to other constraints that may exist.

2. Researchers should be allowed latitude to determine study methodology: The current bill is specific about the data points that are required to be included in an analysis on governance, but many are likely most impacted not by governance, but by the two main drivers of revenue available to institutions: appropriations and enrollment. By being less restrictive and specific about individual data points, researchers will be able to follow data where it leads.

Similarly, there are more than just the four alternative governance structures mentioned in the bill, and an endless number of variables that can be set within one structure that affect how a system of governance may operate. The study should allow for consideration of a greater diversity of potential alternatives.

By allowing the eventual consulting firm to apply their own expertise to designing the analysis, it may be improved.

3. Governance should follow goals: Different governance structures can produce different points of emphasis within higher education, and different authorities and abilities to tackle problems. This leads to a differing ability overcome certain challenges and for institutions to impact state goals in different ways. A shift in governance models should be analyzed relative to how it may impact those goals, considering the historical, cultural, structural, and other factors that make the state a unique place to teach and learn.

Thank you for your time today.