

Governance

OSU Board of Trustees

January 20, 2023

Background

- Senate Bill 270 (2013)
- OSU becomes an “independent public body” with its own institutional governing board
- Legislation effective July 1, 2014

SB 854

- Introduced but not enacted because universities agreed to engage in a comprehensive review of analysis of governance
- Elements of the bill included:
 - changes to board appointment process and make-up,
 - [publicly posted email addresses for individual trustees](#);
 - requirement for public comment periods and standing reports
 - requirement for presidential hiring committees to include a student, staff and faculty member
 - board conducted biannual presidential reviews
 - prohibits the board secretary from begin a member of the university administration
 - expands the make up of the HECC to include additional faculty and student designees;
 - designates the elimination of degrees or programs as being a significant change; and
 - creates a HECC appeal process of board decisions.

Joint Board Secretaries' Response

- **Schedule public comment periods at regular meetings;**
- **Allow a representative from official student, faculty and non-faculty governance organizations to provide comment at regular board meetings;**
- **Allow a representative from official campus labor organizations to provide comment or report to the full board at regular board meetings upon request;**
- **Inclusion of at least one member of each of the faculty, the non-faculty staff, and the student body on presidential search committees;**
- Provide all trustees with institutional e-mail addresses and posting them to the universities' websites immediately; and
- Engage in a collaborative review of best practices for institutional boards related to transparency and access, including review of the provisions in SB 854.

AGB Governance Review of Oregon's Public Universities

- Conducted at the request of the Oregon Senate Education Committee
- Commissioned by the Oregon Higher Education Coordinating Commission (HECC).
- Reviewed the governance structure and bylaws of Oregon's seven public universities
- Emphasis for the review was on the alignment with best practices, transparency and public access of the universities' governance policies and practices.
- Included review of bylaws and policies, interviews, virtual listening sessions and written comments and an inventory of board outreach and engagement practices

[Link to AGB Report](#)

AGB Findings

- The assessment found widespread support for the local governance structure that was put in place in 2014
- Many of the identified best practices already ingrained in board operations, bylaws and policies.
- Opportunities at some universities to better engage and be responsive to those bringing issues to the board
- Shared governance not well understood by many of those interviewed
- Emphasis on the fact that trustees must be fiduciaries responsible to the institution as a whole and not individuals representing constituencies

AGB recommendations

- Establishment of a Governance Committee;
- New board member orientation/continuing education opportunities;
- Scheduling of “learning sessions” as part of the board meeting agendas;
- Campus based education programs on the fiduciary duties/responsibilities of governing board;
- Signaling of openness and respect for the voices of internal stakeholders;
- Opportunities to learn about statewide higher education policy;
- Assessing governance practices and progress on best practices;
- Development of systematic process for responding to public comments;
- Regular engagement between board chairs;
- Review the Board Outreach & Engagement Practices and work to expand practices for building relationships;
- Presidential search committees to includes members of faculty, staff and students; and
- Board policies to advance names to the Governor for all positions should be transparent.

Public University Governance Work Group

- Convened in Fall 2022 by Sen. Michael Dembrow
- Broad stakeholder representation (legislators, trustees, university presidents, faculty, students, staff, board secretaries)
- Tasked with assessing current status of public university governance and how it can be further enhanced and strengthened
- Reviewed/discussed AGB report and recommendations
- Final meeting scheduled to review potential proposed recommendations; to be achieved through MOU and/or statutory changes