



Faculty Senate
Portland State University

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21 March 2013

Senate Committee on Education and Workforce Development
Oregon State Capitol
900 Court Street NE, Room 453
Salem, Oregon 97301
Email: Kristalyn.cassell@state.or.us

RE: Senate Bill 270-1

Dear Senator Hass and Members of the Committee,

As the Presiding Officer of the Portland State University Faculty Senate I am submitting the following statement on the proposed amendment SB-270-1 to the Senate Committee on Education and Workforce Development.

President Wiewel charged a 2011-2012 Faculty Senate committee to study the creation of institutional boards. At the conclusion of its study the committee proposed a resolution outlining two principles on which the PSU Faculty support for institutional boards rests. The resolution was unanimously passed by the PSU Faculty Senate on June 4th, 2012. Included in this letter is the text of the June 4 resolution.

At the March 7 meeting of the Oregon Senate Workforce committee the SB 270-1 amendment was proposed. The new version of SB 270 took a most disappointing step.

“SECTION 6: "(4) Except for the president of the university and the student member of the governing board, no member of the board may be an employee of the university.”

Should Section 6(4) stand as written, SB 270-1 would be inconsistent with the PSU Faculty Senate's resolution supporting institutional boards. The restriction statutorily reduces the weight of the faculty voice at the board-level to zero and conflicts with position B) in the June 4 PSU Faculty resolution. With such a board composition, the PSU Faculty's unanimous support for institutional boards would be impossible to maintain.

Respectfully submitted,
Robert Daasch, 2012-2013 Presiding Officer
Portland State University Faculty Senate

Preamble PSU Faculty Support for the Creation of a PSU Governing Board

Creation of a PSU institutional board is a significant structural change in the overall governance of PSU. The introduction of a new board redistributes the governance roles of the OUS State Board of Higher Education and other legislative boards and committees, the PSU President and PSU administration and the PSU Faculty. PSU Faculty support for a PSU institutional board rests upon preserving Article III of the PSU Faculty Constitution. Two principles and three tests of these principles are proposed. Including these principles in an institutional board's charter will reserve the role of PSU Faculty in shared-governance. In addition to the two principles, three tests are offered to gauge the fidelity of the board's charter to these principles.

The first principle draws from the PSU Faculty's primary function of setting and executing Portland State University's educational and research mission. The second principle draws from the tradition of shared-governance between PSU Faculty and PSU and OUS administrations as defined through Oregon Administrative Rules and the law.

The first test is an explicit declaration in the board's charter of the role of PSU Faculty as defined by the PSU Faculty Constitution. The second test is that the PSU board's charter should only redistribute authority already reserved to the state through the law and Oregon Administrative Rules, or authority previously retained by OUS or by the PSU administration. If so, then the board's charter is likely consistent with these principles. At this writing, it is generally acknowledged selected faculty will serve as full-voting board members and the Governor will select some or all board members. What is less clear is the nomination of possible board members. The final test of the charter's fidelity to shared-governance is that the nomination of PSU Faculty is defined and carried out by PSU Faculty.

Resolution passed unanimously PSU Faculty Senate June 4, 2012

Whereas SB 242 and HB 4061 anticipates and calls for significant restructuring of Oregon University System institutional governance.

Whereas Portland State University has expressed its intent to pursue the formation of a Portland State University Institutional Governing Board.

Whereas HB 4061 calls upon the special legislative committee to collect input from faculty at the institutions considering a new governing board.

Whereas restructuring OUS institutions with governing boards will

- provide PSU more flexibility and less bureaucracy, allowing a more efficient use of resources,
- establish permanent PSU Faculty representation at the governing board level, and
- create new opportunities for PSU to engage in the Portland metropolitan area.

The Portland State Faculty Senate supports the creation of a Portland State University institutional board. In accordance with the PSU Faculty Constitution, Portland State Faculty support rests on the assumption of explicit support for shared-governance in the board's charter.

- A. A PSU institutional board charter must reserve to the PSU Faculty the power to act in matters of educational policy and to enact rules on matters of establishment, or major alteration of the educational function of Portland State University.
- B. A PSU institutional board charter must reserve to the PSU Faculty the weight of the PSU Faculty voice in fundamental areas of curriculum, subject matter, methods of instruction and research, faculty status and aspects of student life relating to the educational process.