

POLICY CONCEPT FORM

Name and UO Title/Affiliation:	Kathie Stanley, Associate Vice President & Chief of Staff, Student Life
Current Title/# (if applicable):	580.010.0100-140 Student Building Fee Project Process
Submitted on Behalf Of:	Andrew Dunn, Undergraduate Student, ASUO External Director of Staff
Responsible Executive Officer:	Vice President of Student Life

SELECT ONE: New Policy Revision Repeal

Click the box to select

HAS THE OFFICE OF GENERAL COUNSEL REVIEWED THIS CONCEPT: Yes No

If yes, which attorney(s): Missy Matella

GENERAL SUBJECT MATTER

Include the policy name and number of any existing policies associated with this concept.

580.010.0100-140 Student Building Fee Project Process

RELATED STATUTES, REGULATIONS, POLICIES, ETC.

List known statutes, regulations, policies (including unit level policies), or similar related to or impacted by the concept. Include hyperlinks where possible, excerpts when practical (e.g. a short statute), or attachments if necessary. Examples: statute that negates the need for or requires updates to an existing policy; unit level policy(ies) proposed for University-wide enactment; or existing policies used in a new, merged and updated policy.

Current Policy: <https://policies.uoregon.edu/student-building-fee-project-process>

STATEMENT OF NEED

What does this concept accomplish and why is it necessary?

The language in the current policy differs from that of the Clark Document, an ASUO governing document, and lacks specificity as to why and how the SPCC is incorporated into the UO's capital construction process. The revision is intended to reconcile the two documents.

AFFECTED PARTIES

Who is impacted by this change, and how?

Students, Capital Construction Process: clearly defines the role of the student planning and construction committee's role in the University Capital Construction budget and the scope of its review and recommendations.

CONSULTED STAKEHOLDERS

Which offices/departments have reviewed your concept and are they confirmed as supportive? (Please do not provide a list of every individual consulted. Remain focused on stakeholders (e.g. ASUO, Office of the Provost, Registrar, Title IX Coordinator, etc.).)

Name	Office	Date
Kassy Fisher	VPFA, Campus Planning and Facilities Management	5/19/17
Missy Matella	General Counsel	5/23/17

Clean Version:

New Title: Use of Student Building Fees

The Associated Students of the University of Oregon (ASUO) shall establish and convene a Student Planning and Construction Committee (SPCC), to review proposals and make recommendations on capital projects proposed to be funded, in whole or in part, from income from the student building fee and on projects impacting a facility in which operations are or will be funded, in whole or in part, from Incidental Fee income.

The University of Oregon shall recognize the role of the SPCC and will incorporate the SPCC's recommendations into the approval process before decisions are made on capital construction projects funded, in whole or in part, from Student Building Fee income and any major renovations and new construction projects in which operations are or will be funded, in whole or in part, from Incidental Fee income, insofar as these projects might require an increased appropriation of operational funds. Any SPCC decision impacting the appropriation of the Incidental Fee shall require ASUO consideration and recommendation, in accordance with the Incidental Fee Authorization policy.

Specifically, the SPCC shall review capital projects presented by the university and recommend whether each such project should be approved and the relative priority of each such project. The committee may also request consideration of additional projects or project modifications that the committee or student government identifies independently.

The SPCC shall be comprised of seven members: three (3) students appointed by the ASUO President no later than September 1 of each year; one (1) representative of the Student Senate, to be designated by

the Student Senate no later than October 1 of each year; one (1) graduate student representative, to be appointed by the ASUO President no later than September 1 of each year; one (1) at-large member elected by the student body during the prior year's regular spring ASUO elections, and; the ASUO Vice President, who shall serve as an ex-officio non-voting member, except in case of a tie, when the ASUO Vice President shall cast the tie-breaking vote. In the event the seat of the at-large elected representative becomes vacant, the ASUO President shall appoint a replacement in accordance with the ASUO governing documents. The ASUO President (or designee) shall provide a list of SPCC members to the University President (or designee) no later than October 15 each year.

The SPCC shall be responsible for formulating and revising its own operating bylaws, in accordance with ASUO governance documents, University policy, and applicable law. These bylaws must not conflict with or impede the university's capital construction process. All student projects will follow university processes and procedures, including Campus Planning Committee, Design Review Board, and any other formal parts of the capital project process.

The ASUO President shall convey the recommendations of the SPCC in writing to the University President (or designee). The University President shall review the recommendation(s) of the SPCC with the ASUO President prior to the deadline for submitting recommendation(s) to the University's Board of Trustees. If the University President does not agree with the recommendations of the SPCC, the University President and ASUO President shall make good a faith effort to reach an agreement. This agreement may be conveyed in the form of a memorandum of understanding or other form of written communication deemed appropriate. If agreement is not reached, the University President and the ASUO President may submit their recommendations for the allocation of the Student Building Fee to the Board of Trustees separately. The University President shall disclose that agreement has not been reached with the ASUO President.

Nothing in this policy is intended to preclude the University President from submitting capital construction projects to the Board of Trustees or limit any of the authority the Board reserved for itself in PRDA § 1.7 (i.e. capital projects exceeding \$5 million).

New Title: Use of Student Building Fees

The Associated Students of the University of Oregon ~~Policy by operation of law on July 1, 2014. Former Oregon Administrative Rule Chapter 580 Division 10, Sections 0100 through 0140.~~
Policy:-

~~A.~~ (ASUO) shall establish and convene a Student Planning and Construction Committee

~~(1) Each student government shall establish a student campus planning and construction committee. The University shall incorporate the campus planning and construction committee into the established campus planning process for (SPCC), to review proposals and make recommendations on capital projects proposed to be funded, in whole or in part, from income from the student building fee.~~

~~(2) For and on projects proposed to impacting a facility in which operations are or will be funded, in whole or in part, from Incidental Fee income.~~

~~The from the student building fee, the student planning and construction committee shall recommend to the appropriate official(s) of the student government, as described in Section C, University of Oregon shall recognize the role of the SPCC and will incorporate the SPCC's recommendations into the approval process before decisions are made on capital construction projects funded, in whole or in part, from Student Building Fee income and any major renovations and new construction projects in which operations are or will be funded, in whole or in part, from Incidental Fee income, insofar as these projects might require an increased appropriation of operational funds. Any SPCC decision impacting the appropriation of the Incidental Fee shall require ASUO consideration and recommendation, in accordance with the Incidental Fee Authorization policy.~~

~~Specifically, the SPCC shall review capital projects presented by the university and recommend whether each such project should be approved and the relative priority of each such project. The committee may also request consideration of additional projects or project modifications that the committee or student member(s) government identifies independently.~~

~~(3) If a project affects a facility in which operations are or will be funded, in whole or in part, from student incidental fee income, the committee will seek the recommendation of the University's incidental fee committee before making its recommendation to the appropriate student government official(s).~~

~~B. Incidental Fee Committee Review and Recommendation~~

~~The University's Incidental Fee Committee will be given reasonable opportunity, to be specified in the guidelines and procedures of the student government, to review any project that affects a facility whose operations are or are intended to be funded, in whole or in part, from student incidental fee income. The Incidental Fee Committee shall recommend to the student planning and construction committee whether it believes the project should be approved and estimate, based upon the project's scope and~~

~~schedule, the anticipated effect that the operation of the completed project will have on incidental fee amounts charged to students.~~

~~C. Recommendations of Appropriate Student Government Official(s)~~

~~The SPCC shall be comprised of seven members: three (3) students appointed by the ASUO President no later than September 1 of each year; one (1) representative of the Student Senate, to be designated by the Student Senate no later than October 1 of each year; one (1) graduate student representative, to be appointed by the ASUO President no later than September 1 of each year; one (1) at-large member elected by the student body during the prior year's regular spring ASUO elections, and; the ASUO Vice President, who shall serve as an ex-officio non-voting member, except in case of a tie, when the ASUO Vice President shall cast the tie-breaking vote. In the event the seat of the at-large elected representative becomes vacant, the ASUO President shall appoint a replacement in accordance with the ASUO governing documents. The ASUO President (or designee) shall provide a list of SPCC members to the University President (or designee) no later than October 15 each year.~~

~~The SPCC shall be responsible for formulating and revising its own operating bylaws, in accordance with ASUO governance documents, University policy, and applicable law. These bylaws must not conflict with or impede the university's capital construction process. All student projects will follow university processes and procedures, including Campus Planning Committee, Design Review Board, and any other formal parts of the capital project process.~~

~~The ASUO President shall convey the recommendations of the SPCC in writing to the University President (or designee). The University President shall review the recommendation(s) of the SPCC with the ASUO President prior to the deadline for submitting recommendation(s) to the University's Board of Trustees. If the University President does not agree with the~~

~~The student government of the University shall determine which of its elected officials will be charged with making recommendations to the President regarding capital construction projects proposed to be funded, in whole or in part, from student building fee income and shall so notify the President. Such appropriate student government official(s) shall review the recommendations of the incidental fee and student planning and construction committees. Efforts shall be made by both the appropriate student government official(s) and the representatives of the University administration SPCC, the University President and ASUO President shall make good a faith effort to reach common an agreement. This agreement may be conveyed in the form of a memorandum of understanding and consensus on such recommendations. However, the appropriate student government official(s) may make recommendations to the President even if such consensus has not been reached.~~

~~D. Agreement between Student Government and Institution President~~

~~(1) The President shall review the recommendation of the appropriate student government official(s) prior to approving the institution's capital construction budget request for the upcoming biennium. If~~

the President does not agree with a recommendation or priority ranking of the appropriate student government official(s), the President and the appropriate student government official(s) shall make good faith efforts to reach agreement.

~~(2) or other form of written communication deemed appropriate.~~ If agreement is not reached, the President and the appropriate student government official(s) shall submit the matter to a Hearings Board in the manner described in Section (G)(3)(h) of UO Policy 580.010.0080-90. The hearing must be completed prior to the deadline for the President to submit the institution's request to the Board.

~~(3) If agreement has not been reached even after a hearing, the President shall submit the institution's capital construction budget request.~~ University President and the ASUO President may submit their recommendations for the allocation of the Student Building Fee to the Board and of Trustees separately.

The University President shall disclose that agreement has not been reached with the appropriate student government official(s). ASUO President.

~~E. Capital Construction Budget Recommendations of Vice Chancellor for Finance and Administration~~

~~1) The Vice Chancellor for Finance and Administration or designee shall discuss with the parties any matters of disagreement between the institution president and the appropriate student government official(s) and shall take the information provided into account in making the Chancellor's capital construction budget recommendations regarding projects to be financed from the building fee to the Board of Higher Education. If the Chancellor's recommendation includes projects on which the institution and appropriate student government official(s) have not reached agreement, the Chancellor's Office shall disclose that a disagreement exists to the Board of Higher Education at the time of its capital construction budget recommendation.~~

~~(2) The Vice Chancellor for Finance and Administration shall base these recommendations on the following criteria:~~

~~(a) Demonstrated project need and beneficial use to students;~~

~~(b) Campus student support for the project;~~

~~(c) Protection of asset investment and compliance with code requirements;~~

~~(d) Co-funding availability; and~~

~~(e) The historical share of building fee projects at a given campus compared to the System as a whole.~~

~~(3) The Vice Chancellor, within a reasonable time of receiving a request, shall provide a written report that specifies how criteria listed in subsection (2) of this rule were considered in the evaluation of a project.~~

Chapter/Volume:-

Responsible Office:-

For questions about this policy, please contact the Office of Student Life at 541-346-3216

Original Source:-

Oregon Administrative Rule

Nothing in this policy is intended to preclude the University President from submitting capital construction projects to the Board of Trustees or limit any of the authority the Board reserved for itself in PRDA § 1.7 (i.e. capital projects exceeding \$5 million).