

## POLICY CONCEPT FORM

Name and UO  
Title/Affiliation:

Kassy Fisher, Assistant Vice President for Administration and Chief of Staff,  
Finance & Administration

Policy Title & Policy :

Board's Financial Powers, OAR 580.040.0007-10

Submitted on Behalf Of:

Jamie Moffitt, VPFA & CFO

Responsible Executive  
Officer:

Vice President for Finance and Administration

**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):** Sent to Kevin Reed on March 21, 2017

### GENERAL SUBJECT MATTER

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

Board's Financial Powers, <http://policies.uoregon.edu/boards-financial-powers>

### 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.*

-Retention and Delegation of Authority, updated in March 2015

<http://policies.uoregon.edu/vol-1-governance/ch-1-governance-board-affairs/retention-and-delegation-authority>

-Tuition and Fee Policies, updated in March 2017

[http://pages.uoregon.edu/baoforms/bao\\_drupal\\_6/sites/brp.uoregon.edu/files/brp/fees/2017-18%20UO%20Feebook%20\(01192017\).pdf](http://pages.uoregon.edu/baoforms/bao_drupal_6/sites/brp.uoregon.edu/files/brp/fees/2017-18%20UO%20Feebook%20(01192017).pdf)

-Student Housing, currently being updated. Both current and proposed language maintains all housing-related items in this policy.

<http://policies.uoregon.edu/student-housing>

### STATEMENT OF NEED

*What does this concept accomplish and why is it necessary?*

We propose repealing this policy because all aspects of this policy are addressed and documented in the policies cited above with one exception: in the case of section A, "Retainage Processing Charges", this is included in the standardized General Conditions contract language used by Design and Construction.

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**AFFECTED PARTIES**

*Who is impacted by this change, and how?*

All units that have purview over areas addressed by the text of this policy, namely, Design and Construction in the Campus Planning and Facilities Management, University Housing, and Budget and Resource Planning were consulted.

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**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.).)*

<b>Name</b>	<b>Office</b>	<b>Date</b>
Missy Matella	Office of the General Counsel	Jan 2017
Jamie Moffitt	Office of the VPFA/CFO	Jan 2017
Steve Robinson	Student Services and Enrollment Management	Mar 2017
Angela Wilhelms	Board Secretary	Oct 2016
Donna Chittenden, Stuart Laing	Budget and Resource Planning	Oct 2016
Darin Dehle, Rob Basto	Campus Planning and Facilities Management	Oct 2016, Mar 2017

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**CURRENT POLICY- PROPOSED FOR REPEAL**

**Board's Financial Powers**

Reason for Policy:

This policy outlines financial powers of the Board with regard to retaining processing charges and the authority to establish fees and charges.

Entities Affected by this Policy:

General UO audience.

Enactment & Revision History:

Technical revisions enacted by the University Secretary on September 2, 2015.

Became a University of Oregon Policy by operation of law on July 1, 2014.

Former Oregon Administrative Rule Chapter 580 Division 40, Sections 0007-0010.

Policy:

**A. Retainage Processing Charges**

(1) The contractor for a construction contract may elect to have retainage deposited in an interest-bearing bank account, or to deposit securities in lieu of retainage. Contractors exercising one of these options will be charged for the cost of processing transactions related to that option.

(2) The following charges will be accrued and deducted from the final payment to the contractor:

(a) \$50 for setting up initial records;

(b) \$15 for each subsequent transaction regarding the retainage funds or securities. These transactions include but are not limited to: depositing and withdrawing funds and reconciling the bank statement each month; receiving securities or safekeeping receipts for securities; preparing letters or statements to the institution, contractor or financial institution; and releasing funds or securities to the contractor.

**B. Institutional Authority to Establish Fees and Charges**

(1) The Board delegates to the President the authority and responsibility to establish as necessary, but ordinarily not more often than annually, fees for certain services and materials provided or coordinated by the University. The fees are supplemental to required instruction fee, building fee, health service fee, incidental fee and other charges determined and established by the Board. The additional services and materials for which fees and charges may be established include student family, cooperative and miscellaneous housing; instruction-related services; motor vehicle and bicycle parking; hospital, medical, surgical, oral health and clinic services; short courses and workshops; fines for violation of campus regulations; special music, counseling and testing services; and off-campus facilities and services arranged by the institution.

(2) For services and materials other than student family, cooperative and miscellaneous housing, the fees and charges shall be established at levels that assure recovery of the cost of providing the services and materials, including that portion of the operating costs required by legislative action on the Department budget, and in accordance with criteria stated in University policies.

(3) The rates for student family, cooperative and miscellaneous housing shall be the amount necessary to meet, for that type of housing, the operating costs, required assessments, debt service, and the requirements of the Board's building repair reserve and equipment replacement reserve policies. For each type of housing, the rates charged for individual units may reflect differences in the age, quality, location, level of service provided and other factors affecting the relative economic value of the unit.

(4) Residents of each of the three types of housing shall contribute, by means of applicable rental rates, toward the total debt service of that type of housing.

(5) Provision for debt service related to each of the three types of housing is the responsibility of the University.

(6) For housing units scheduled for demolition, the University shall provide a means for timely accumulation of reserves or for the acquisition of other funds sufficient to cover the costs of razing and removal. For this purpose, each of the three types of housing shall be provided for separately.

(7) Fees and charges and amendments thereto that the President has Board-delegated authority to establish shall be adopted only after approval by the President in the manner required by the Oregon Revised Statutes or University Policies.. Copies of all fee schedules, charges, and amendments shall be presented to the Vice President for Finance and Administration for filing in the President's Office.

Responsible Office:

For questions about this policy, please contact the Office of the Secretary at 541-346-3166

Original Source:

Oregon Administrative Rule