**Board of Trustees of the University of Oregon**

**Meeting Summary | March 16 & 17, 2020**

**MARCH 16, 2020 - - EXECUTIVE SESSION ONLY**

**Attendance.**

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| --- | --- | --- | --- | --- | --- |
| Marcia Aaron | Present | Joe Gonyea, III | Present | Jimmy Murray | NA |
| Connie Ballmer | Present | Elisa Hornecker | Present | Ginevra Ralph | Present |
| Peter Bragdon | Present | Ross Kari | Present | Michael Schill | Present |
| Andrew Colas | Absent | Chuck Lillis | Present | Mary Wilcox | Present |
| Allyn Ford | Present | Laura Lee McIntyre | NA | Katharine Wishnia | Present |

The Board of Trustees of the University of Oregon (Board) met in the Ford Alumni Center on the main campus on March 16, 2020. The meeting was called to order by Chair Chuck Lillis at 12:05 p.m. This meeting was only an executive session for the purposes of discussing labor negotiations currently underway with United Academics. This session was closed to the public and the media and was convened as authorized under ORS 192.660(2)(d).

**Labor Negotiations.** Mark Schmelz, chief human resources officer, and Missy Matella, senior director of employee and labor relations discussed current labor negotiations with trustees.

**Adjournment.** The meeting was adjourned at 1:15 p.m.

**MARCH 17, 2020**

**Attendance.**

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| --- | --- | --- | --- | --- | --- |
| Marcia Aaron | Present | Joe Gonyea, III | Present | Jimmy Murray | Present |
| Connie Ballmer | Present | Elisa Hornecker | Present | Ginevra Ralph | Present |
| Peter Bragdon | Present | Ross Kari | Present | Michael Schill | Present |
| Andrew Colas | Present | Chuck Lillis | Present | Mary Wilcox | Present |
| Allyn Ford | Present | Laura Lee McIntyre | Present | Katharine Wishnia | Present |

**Convening and Approval of Minutes.** Chair Chuck Lillis called the meeting to order at 9:31 a.m. A quorum was verified.The Board approved the minutes from December 2019 without amendment. This meeting was conducted with most trustees joining remotely in order to comply with social distancing guidelines from the state and CDC due to the unfolding COVID-19 pandemic.

**Senate Report.** Senate President Elizabeth Skowron provided a written report to the board (in the pre-published packets) and sent regrets for not attending in person.

**Public Comment.** Following is a list of individuals who spoke and the general topic(s) of their remarks. Full remarks are available on the audio recording.

* *Nick Keough (student) – Called for the postponement of this meeting until the COVID-19 crisis has calmed more and to delay the decisions on the agenda such as tuition or the Autzen Stadium video board. Called for a tuition refund and paid time off.*
* *Nick Estes (student) – Spoke to the nature of the time we are in and the importance of taking great care. Spoke to the notion that there are opportunities and challenges with respect to COVID-19 in making decisions.*
* *Sarah (last name not provided (student) – Spoke to the notion that long-term decisions should not be made right now given all of the uncertainties we face; noted that issues of public health should come first and foremost, and that the university should lead in the response. Spoke against guaranteed tuition based on the inability of students to advocate for themselves. Suggested that the meeting should be postponed and that refunds should be offered.*
* *Hannah (last name not provided) (student) – Spoke against the meeting continuing during this time. Also spoke against the Autzen Stadium project and spoke in favor of using funds to help students through freezing tuition or providing other support.*
* *Anna (last name not provided) (student) – Noted that we are in an unprecedented moment and that this meeting should not continue. Leadership should not be making decisions about tuition or other items not related to emergency response, but about how best to respond to COVID-19.*
* *Kristian Kodman (Media/Insurgent) – Suggested the meeting was irresponsible due to size restrictions and asked leaders to ensure they are not acting with students under duress.*

**Seconded Motions from Committee.** Trustee Ross Kari provided an overview of the seconded motions before the Board from the Finance and Facilities Committee.

*ACTION: The seconded motion from the Finance and Facilities Committee authorizing the possible refunding of prior-issued debt was approved by voice vote without dissent.*

*ACTION: The seconded motion from the Finance and Facilities Committee to authorize a capital project installing an audio/video project in Autzen Stadium was approved by voice vote without dissent.*

*ACTION: The seconded motion from the Finance and Facilities Committee authorizing the execution of a revised multi-media agreement with IMG was approved by voice vote without dissent.*

**ASUO Report.** ASUO President Sabinna Pierre spoke to the board about the impacts of various changes on campus to students, including but not limited to, access to technology, access to other services such as office hours or advising, lost work, students with limited resources (e.g., travel home), access to meals. She indicated work being done by ASUO to connect students with resources, such as crisis funds, or administrative support. She brought a petition to the board that asks the board to delay its decision on guaranteed tuition or tuition increases and to lower tuition for spring term. Pierre noted that the university should be focused on working with students and finding solutions right now. She noted the high volume of responses to the petition and that the document provided includes only some of the comments. (The document was provided in person at the meeting and will be shared electronically once received from ASUO in that format.) She emphasized the importance of providing students with good communication and answers to their questions, and that she and ASUO staff are getting a lot of direct inquiries. Pierre also provided an update on specific initiatives ASUO is doing during this time. In particular she highlighted an effort to continue to provide greater food security, even if certain areas or settings to provide food are closing. ASUO is working to raise funds to provide two students jobs that would focus on providing food service options. She also spoke to campaigns they are doing to try and reduce stigma around food or housing insecurity, as well as to provide some additional crisis funds. She noted one issue that faces students is the delay in decision making – recognizing that people are trying to figure out what to do, but that it leaves students in limbo when, for example, housing companies are not providing answers. ASUO is also working on a campaign related to discrimination relating to hair, noting that they were working with legislators to advocate for passage of bills that would prohibit discrimination based on hair, but that these efforts did not come to fruition due to the walkout in the Oregon Legislature.

President Schill thanked Sabinna for her work on food insecurity, noting one correction to her report. She had reported that food service would not be available on campus, but he clarified that the campus will in fact have food service available for students. He also noted that there are several policy questions she raised, which are important and which the university takes seriously, such as employment for students. He also spoke about the Tuition and Fee Advisory Board Process (TFAB), noting there is always room for more feedback and discussion, but you then have to make a decision and move forward. He asked Pierre for the ASUO perspective on guaranteed tuition from a substantive standpoint, giving an opportunity for their position to be on the record prior to the forthcoming tuition discussion.

Pierre shared that she and ASUO has made a lot of effort to go to various student groups and help educate students about the guaranteed tuition proposal. Pierre noted some frustrations with scheduling during TFAB meetings. Pierre said that their primary concern was the speed with which this change was being made. She expressed concerns about impacts on PathwayOregon students, better understanding what other universities are doing, having disparate tuition rates for students in the same course (i.e., a sophomore paying one rate and a freshman paying another rate for the same course), providing enough time for students to be aware that this is a change that is coming, and whether the program should be optional. She asked that guaranteed tuition be postponed to the next set of TFAB meetings. She expressed general concern for the price, noting that students are taking out loans or having to leave the UO due to cost increases. She asked for the board to delay the decision and provide more opportunity for students to provide input into the process.

**The board took a short recess and reconvened at 10:55 a.m.**

**Tuition and Fees.** President Michael Schill provided some opening comments regarding his tuition proposal. He noted his appreciation for the concerns raised by the ASUO, but that he respectfully disagrees, believing that the university had numerous opportunities to engage students and that the university should not delay in making a decision about guaranteed tuition given the need to engage in planning and to provide certainty for students. He emphasized that history demonstrates a pattern of tuition increases that is not likely to break any time soon, and that the proposed program helps smooth that uncertainty for students. Schill also reminded trustees that the program would protect PathwayOregon students because participating students’ tuition and mandatory fees would continue to be covered. He also spoke to the ASUO concern about having inequity in how much students pay for a particular class, noting that there are already certain inequities given that some students are residents, some are nonresidents, and some have various forms of scholarship support. He noted that, among the various positive aspects of the program, he is greatly moved by the notion that a guarantee will help protect the relative value of scholarships awarded to students. He stated that this program is desirable to students because it shifts risks from them to the institution.

Roger Thompson, vice president for Student Services and Enrollment Management, provided some introductory comments about the move to a guarantee tuition program at this particular moment in time, given the COVID-19 pandemic. He emphasized that providing more certainty to students and families is valuable and would give those individuals some small assurances during this time. Thompson also noted the unique nature of admissions and recruiting during this pandemic, emphasizing that his team will engage in virtual opportunities to continue providing prospective students with access to the information they need as they make a decision about college.

Kevin Marbury, vice president of Student Life and co-chair of TFAB, provided an overview of the process used to come up with a TFAB recommendation. He summarized the structure and meeting schedule of TFAB (details are available in the meeting materials and on <https://tuition.uoregon.edu>.) He also discussed the feedback opportunities available to students, including forums, all-student emails sent to the student body, access to information on the tuition website, and an online comment tool.

Marbury then provided an overview of tuition and fee revenue in FY20, to ensure trustees have context for the various sources of revenue. He also provided a review of the last several years of tuition and mandatory fee rates for UO students, both resident and non-resident, and then provided comparative information (against our public AAU peers) for state support per FTE, state support per resident FTE, tuition and mandatory fees, and staffing levels.

Jamie Moffitt, vice president for Finance and Administration and CFO, took trustees through some data regarding the Education and General (E&G) Fund specifically, noting that 78% of this $563 million budget is funded through tuition. She reminded trustees that we have a $10.4 million expected deficit at the end of FY20 (current year), although she noted that this was calculated prior to the current pandemic which will cause yet to be determined financial impacts. Moffitt then provide an overview of the major anticipated cost drivers for next year (FY21), which total $18 million. A majority of this is due to anticipated cost increases to faculty, staff and graduate employee salary and wages ($11.6M) and medical benefit cost ($2.5M). She reminded trustees that this is not a year when we anticipate a large PERS increase as those happen every two years (thus, FY22 would be the next major increase year), and that the UO is actually anticipating a slight decrease in retirement costs in FY21.

Moffitt then moved into an explanation of the proposed guaranteed tuition model, outlining the framework as proposed. Key elements she highlighted are below (details are available in the meeting materials and on the tuition website).

* For each entering class year, there is a set resident and non-resident tuition rate per student credit hour (SCH) and this rate would be guaranteed or locked for five years – no matter what.
* Also locked would be the differential tuition for the Clark Honors College and Lundquist College of Business and those mandatory fees controlled by the administration (i.e., it does not include the mandatory incidental fee which is managed by ASUO).
* If a student takes more than five cohort years to graduate, their tuition rate would then—in the sixth year—become that of the cohort behind them (and so forth for any additional years).
* Key advantages of the program to students include financial predictability, peace of mind, and the protection of scholarship value.

Moffitt and Thompson reviewed information regarding comparator institutions, including data about universities that have some type of tuition guarantee or tuition freeze program. Moffitt described the reserve fund recommended as part of the guaranteed tuition program, which is being set at $20 million upon the recommendation of external auditors. The funding for this is largely driven by philanthropy.

Trustees engaged in questions regarding the size of the deficit relative to the overall budget, the pros and cons of moving forward with a guaranteed tuition program right now given financial uncertainties related to COVID-19, impacts other institutions experienced related to nonresident enrollment upon implementation of a guaranteed tuition program , and how the university’s tuition pricing compares to other schools.

With regard to proposed rates for FY21, Moffitt reviewed the rates proposed in the meeting materials. For undergraduate students, these include the following. Detailed tuition and fee schedules are available in the meeting materials.

* A 9.75% increase on resident tuition for the incoming cohort (then locked for five years).
* A 7.5% increase on nonresident tuition for the incoming cohort (then locked for five years).
* A 3% increase on *existing/returning* students per year for the next four years.
* Overall, total mandatory fees controlled by the administration would increase by the following rates:
  + 3.5% for graduate students
  + 3.0% per year for continuing undergraduate students (set at 3% increases per year for four years)
  + 5.4% for new incoming undergraduate students (this rate is then locked for five cohort years as part of the guaranteed tuition program)
* Increases to the individual administratively controlled mandatory fees are:
  + Tech Fee, Building Fee, Health Center Fee, and Rec Center Bond Fee – no increases
  + Rec Center Fee –16.7% for graduate students, 12.5% for current undergraduate students, and 28.5% for new incoming undergraduate students (this rate locked for five cohort years)
  + EMU Fee –10% for graduate students, 10% for current undergraduate students, and 12.2% for new incoming undergraduate students (this rate locked for five cohort years)
* The ASUO has recommended a 4.8% increase in the Incidental Fee.
* Per university practice, the Honors College differential tuition is proposed to increase by the same rate as undergraduate resident tuition (9.75% for new students (then locked for five cohort years); 3.0% per year for continuing students)

Graduate tuition varies by program and detailed rates are articulated in the meeting materials. Key items of note included:

* Rate increases ranged from 0% to 3.1% for al graduate programs except for the School of Law and certain programs in the Lundquist College of Business (LCB).
* Within LCB, most programs have 2% or 0% increases proposed. The exception was Sports Product Management, which is aligning all of its programs to the same tuition structure, has proposed various rate increases for residents, non-residents, and those in the hybrid program.
* The School of Law has proposed a 7% increase for the JD program, a 5% increase in the LLM program, and a 3.5% increase in the Conflict and Dispute Resolution program. These increase are to support academic success, diversity, and career development initiatives.

Trustees asked whether there will be any developed criteria for when to use the reserve fund for guaranteed tuition and how to replenish the fund. President Schill noted that these are policy decisions that need to be ironed out and he does not have all of the answers at this point. He noted that he expects to use the reserve for things such as a significant reduction to state appropriation, not other typical types of possible cost increases or budget problems. They also asked about relative risk and whether there is any level of risk that would make this program untenable. Schill articulated two primary risks: a reduction in state appropriation due to a recession or a reduction in tuition revenue due to changes in enrollment behavior. He articulated that the reserve is designed to help with the former, and that the latter is significant whether we have a guaranteed tuition structure or not, and that this program may actually mitigate the latter risk because students and parents will find the new guaranteed tuition program attractive.

Trustees offered support for the resolution and thanked the group for their work on this issue, noting that it is important that we do not lose track of long-term strategic matters before the university amid the short term chaos.

*ACTION: The resolution to authorize a guaranteed tuition program and proposed FY21 tuition and fee rates was moved by Kari, seconded by Ralph, and passed by a vote of 13-0 (Wishnia absent).*

**The board took a short recess and reconvened at 1:20 p.m.**

**CVOID-19 Planning and Response.** Andre Le Duc, associate vice president and chief resilience officer, began by thanking his team and the many people around the UO who are working tirelessly though this situation. He provided a quick recap of the Incident Management Team (IMT), including its history, protocols, goals and work. He went through six objectives of the group’s work: protecting health, developing risk mitigation strategies, keeping the campus informed, assessing financial impacts, monitoring and evaluating the supply chain, and fully preparing for spring term. Le Duc then provided trustees with an overview of the IMT structure, including the policy group, command staff, central communications, and various sections focused on planning, logistics, finance, safety, and multiple operations areas. Those in charge of each section provided a brief update to the trustees about their work. Below is a non-comprehensive list of items reported; full audio is available.

* Academic continuity team is working on ensuring finals can be fully executed and that the institution is prepared for spring term. They are also working with IT and accessible education on various solutions for faculty and students.
* Human Resources is working on issues relating to low leave balances, flexible work arrangements, communicating with employees about social distancing guidance, and student employment matters.
* IT is focused on administrative and academic continuity while continuing cybersecurity efforts. They have put in place new contracts with partners such as Zoom to provide more tools to faculty and staff, and they are working with new information and licensing related to key tools such as VPN, Canvas and other technology services.
* Research is focused on tracking guidance from federal agencies, and providing guidance on key research continuity issues such as human subject testing and lab safety.
* Travel has been focused on a number of issues including student travel guidance (both those coming back to the U.S. and those who were planning to travel abroad); with non-essential travel now canceled this group has focused on definitions and waiver processes.
* Facilities is focused on cleaning, particularly more robust cleaning in areas with greater foot traffic, possible building closures, and maintaining services for students. They are particularly focused on housing matters, both for those who will remain in campus housing and for quarantine purposes.
* Health center is working with a local lab on testing capabilities and works closely with other are medical professionals
* The events team is monitoring state and national guidance on event sizes. All events over 25 have been canceled.
* A security group is focused on making sure the priority for facility use is for the UO community – faculty, students and staff.
* Satellite campuses (Portland, OIMB) have been making changes for their specific communities, encouraging telecommuting and other distancing. OIMB has not yet gone with remote instruction given the limited size of their classes (13) but that will change going forward given new guidance.
* Athletics is working closely with Pac-12 and NCAA on guidance for sporting activities. One other major event was scheduled for Matthew Knight Arena in mid-May and this has been canceled.

Janet Woodruff-Borden, executive vice provost for academic affairs, spoke to the key issues relative to academic continuity. She noted the top priority last week was making sure that faculty were prepared to administer final exams this week, particularly on such short notice. The focus now is making sure faculty are able to deliver spring courses with high quality for students given the changed landscape. Woodruff-Borden estimates that most faculty opted to not issue a final exam and instead adjusted other grade weighting. In response to a question, Woodruff-Borden articulated differences between online teaching and remote teaching, noting that the latter is a tool we are using now to get through this situation to provide instruction remotely, but current classes were not designed to be fully and permanently online courses.

President Schill offered his gratitude for the many people working through this situation. Trustees asked a series of questions regarding various topics:

* Whether it made sense to delay the start to spring term by one week to allow for additional time for course preparation. Woodruff-Borden articulated that this was analyzed, but ultimately it was considered in the best interest of students to start the term on time rather than insert additional confusion into their schedule and overall length of term.
* Larger facilities and what guidance exists for them (e.g., libraries, EMU) and about protocols for student workers. Le Duc noted that these are ongoing conversations and that telecommuting helps because it drastically reduces the number of people who are in the facilities. He noted that they are continually assessing these larger spaces given the concern about the number of people in any given space. Le Duc also noted that a bigger concerns remain thinking about the facilities that cannot shut down – e.g., the power station – and how to protect those employees. With regard to human resources, Mark Schmelz, CHRO, emphasized efforts to encourage telecommuting in order to reduce the number of people on campus, which in turn makes social distancing on campus easier for people who need to be physically present to do their work. With regard to student workers, Missy Matella, senior director of Employee and Labor Relations, relayed that many of the same protocols for non-student workers apply to students as well. HR is encouraging managers to allow students to telecommute, adjust hours, or make other adjustments to support student employees. She noted that they don’t have all the decisions at this point, but recognize that employment is key for many students.
* What communications are going to students so they are clear about what to expect and when, and what communications are going to parents. Woodruff-Borden indicated that students are getting regular communications. She added that the provost has encouraged deans to share messages directly with students and asked faculty to communicate with students early – before the term starts – about what to expect for individual classes. With regard to parents, Woodruff-Borden notes that we do not have a robust database of parent contact information and, while the UO is communicating with some parents, this may be an area we want to look into going forward.
* Whether we have any indication of how long remote instruction will last or whether students will return for spring term. Woodruff-Borden stated that, based on what we know about the spread of the virus, she expects it will end up lasting throughout the term, but that the UO will continually monitor this.

President Schill provided some context about retention, success and advising in this new reality, including direct connections by advisors to students in a proactive manner. Included in the work done to reach out to students is a focus on monitoring which students have not yet enrolled, or those who are transitioning back to the UO instead of studying abroad.

**Honorary Degree.** President Schill introduced the resolution that would authorize an Honorary Degree to James F. Ivory, a native Oregonian and UO alumnus. Schill recapped a number of Ivory’s successes and asked trustees to support the resolution. An honorary degree is the highest award offered by the institution and nominations come to the board from the president after a recommendation by the University Senate and an honorary degree committee.

*ACTION: The resolution to approve the Honorary Degree for James Ivory was moved by Ralph and seconded by Hornecker. It passed by voice vote without dissent.*

**Adjournment.** The meeting was adjourned at 2:11 p.m.