**Meeting of the
Oregon Tech Board of Trustees
Executive Committee
Room 402, Wilsonville Campus
November 15, 2016
11:30pm – 12:30pm**

Executive Committee Agenda

Special Meeting of the
Oregon Tech Board of Trustees
Executive Committee
Sunset Room, Klamath Falls Campus
June 29, 2016
1p-3:30p

Draft Minutes

Trustees Present:

Chair Lisa Graham   Trustee Brown   Paul Stewart
Vice Chair Steve Sliwa   Dan Peterson

Other Trustees Present:

Jill Mason   Vince Jones   Bill Goloski

University Staff and Faculty Present:

Barb Conner, Director of Retention
Jay Kenton, Interim VP Finance and Administration
Michelle Meyer, Director of Business Affairs
Farooq Sultan, Institutional Research Analyst

1. **Call to Order/Roll/Declaration of a Quorum**
   Chair Graham called the meeting to order at 1:06pm. The Secretary called roll and a quorum was declared.

2. **Consent Agenda**
   2.1 **Approve Minutes from the June 8, 2016 Meeting**
   Trustee Peterson moved to approve the minutes. Trustee Stewart seconded the motion. With all Trustees present voting aye the motion passed unanimously.

3. **Action Items**
   3.1 **Request to Recommend Approval to Adopt the Presidential Evaluation Process Policy to the Board**
   Trustee Sliwa moved to recommend approval to adopt the presidential evaluation process policy to the Board. Trustee Peterson seconded the motion.

   Chair Graham gave an overview of the proposed Presidential Evaluation Policy. **Trustee Brown** stated the President goals should be made after the Board identifies its goals. **Interim VPFA Kenton** stated approximately every 3 years a compensation study for president salary should be conducted. **Recommendation to create a process for establishing compensation separate from the evaluation policy.** Discussion regarding the pros and cons of linking compensation to performance, and setting the compensation and locking it in for the contract term with opportunity for bonuses if goals and milestones are met.

   With all Trustees present voting aye, the motion passed unanimously.

3.2 Request to Recommend the Board Approve the Sale of the President's Residence
Interim VPFA Kenton explained the new president's contract provides a housing allowance permitting the university to exit the property management business.

Trustee Sliwa moved to recommend the Board approve the sale of the President's Residence. Trustee Stewart seconded the motion.

Discussion regarding the amount of time the President will spend traveling (away from Klamath Falls) – approximated at 30-35% - and the need for the President's residence to be suitable for entertaining. Suggestion that candidates be given a real estate tour when they come to campus for interviews.

With all Trustees present voting aye, the motion passed unanimously.

4. **Discussion Items**
   4.1 **University and Foundation Agreement Update**
   AVP Ricketts stated the Foundation and University vetted the draft agreement through legal counsels, both Presidents signed, and it was delivered to the NorthWest Accreditation Commission.

   4.2 **Enrollment Projects**
   Interim VPFA Kenton stated the university is up 2.4% in admitted students for fall; down 14.6% in applications; retention rate from first time freshman to sophomore is strong (78% last year); and a record large class graduated. All universities are struggling with applications as a result of the Oregon Promise. There are difficulties comparing figures from last year and this year because of differing times of orientation and registration. Explained the Markhoff Exchange Model. VP Enrollment Management should be on staff in September.

   Request to see the total number of students enrolled and a breakdown of where the students come from so it can be seen where tuition is generated and how the state funds are calculated. Concern that dual enrollment students skew the big picture. Discussions about where resources should be spent; funding model and where we should be looking for money; and recruiting international and out of state students and the investments required. **Request to see enrollment management strategy, goals, etc. Request to make recruiting information available to the full board for the fall meeting.**

   4.3 **Board Evaluation Process**
   Chair Graham explained the need to create a process for evaluating the Board. Suggestions included using Survey Monkey or a similar application to preserve anonymity and allow for frank stakeholder feedback, identifying stakeholders (Foundation, alumni, faculty, staff, students), drafting a document outlining board goals and accomplishments from the previous year, reviewing Association of Governing Board materials, asking faculty/staff/students if they receive information in a timely manner, enough information, and the right type of information to feel ownership of the institution, asking executive staff and the president if the Board is providing helpful guidance, and determining whether the board's actions aligned with the strategic plan. New trustees need to be oriented to calendar and cycles to prevent them from being blindsided when items appear on the agendas. **Trustee Brown** stated Trustees need to remind themselves of the Board's role

and take care not to step beyond the bounds and micromanage. An outcome of the evaluation might be that the structure of the Board should be altered; e.g., the Finance and Facilities Committee is meeting much longer and more often than AQ&SS.

Chair Graham will work with the committee Chairs to draft what the Board goals were, what was accomplished and where the Board is going.

Secretary Fox will review AGB examples for evaluations of a newly established board.

Recommendation to invite HECC to the Board meeting where the findings of the evaluation are presented.

4.4 **Trustee Self-Evaluation Process**
Chair Graham suggested that the evaluation cover the board culture, values, trustee expectations of participation, attendance, engagement beyond meetings, why engagement might not be happening, how the board processes work for them (electronic format, minutes, receiving the right information), and how they feel other board members are functioning. Options include sending out surveys to each member asking them to rank themselves, submitting the completed surveys to the Chair and she determines where there are weaknesses, a committee can evaluate each trustee, or there can be an open discussion. Consensus that this evaluation needs to become a regular habit.

Trustee Peterson will work with Vice Chair Sliwa to develop questions and a survey for the self-evaluation.

4.5 **Trustee Orientation Process**
Chair Graham suggested obtaining materials from AGB. Other suggestions included: assigning a Board member as a mentor to the new trustee and drafting a paragraph for the mentor including things a new trustee should know such as recent votes, where to find information, processes for collecting data, and an orientation to the culture of the board. A mentor/mentee relationship allows trustees to learn about others as individuals rather than just as a trustee.

Chair Graham would like more flex time in the agendas for trustee interaction and discussion.

Secretary Fox will work with three new board members to gain their feedback on what would be helpful to know when on-boarding.

Secretary Fox will work with Chair to draft paragraph of what new members should know.

5. **Other Business/New Business**
Vice Chair Sliwa suggested looking for opportunities to be proactive getting Oregon Tech in front of HECC and the Legislature. **He would like to know what University Advancement thinks would be a good message(s) to send to others as far as fundraising**. **It was suggested to invite key legislators and HECC members to board meetings to explain what the university is doing, ask what they would like to see from the board and university, and what their goals are.** Should also look at advancing statewide goals.

Interim VPFA Kenton stated the Presidents Council is searching for an Executive Director and a Legislative Director. Each university is paying a portion of the salaries and overhead.

Discussion regarding location of board meetings and the need to explain that Oregon Tech is different than the other 6 universities.

Subcommittee Chairs need to work with the Interim President regarding transitions for Executive Staff members and the new President.

Interim VPFA Kenton stated there is property for sale adjacent to the university and he will meet with the owner soon to preliminarily discuss a purchase.

6. **Adjournment**
    Chair Graham adjourned the meeting at 3:35pm.

Respectfully submitted,

Sandra Fox
Board Secretary

The Board of Trustees of Oregon Institute of Technology
Initial Leadership Positions and Committee Membership

Board Chair: Lisa Graham
Board Vice Chair: Steve Sliwa

Board Committees

Academic Quality and Student Success	Finance & Facilities	Executive
Jeremy Brown, Chair	Steve Sliwa, Chair	Lisa Graham, Chair
Nicole Galster	Jessica Gomez	Jeremy Brown
Kathleen Hill	Bill Goloski	Dan Peterson
Jill Mason	Vince Jones	Steve Sliwa
Kelley Minty Morris	Paul Stewart	Paul Stewart
Celia Núñez		Fred Ziari
Dan Peterson		
LeAnn Maupin, Interim Provost, staff	Brian Fox, VPFA, staff	Jay Kenton, Interim President, ex officio and non-voting
Erin Foley, VP Student Affairs, staff	Sandra Fox, Board Secretary	LeAnn Maupin, Interim Provost, staff
Steve Neiheisel, VP Enrollment Management, staff		Brian Fox, VPFA, staff
Sandra Fox, Board Secretary		Sandra Fox, Board Secretary

Adopted: January 22, 2015
Revised: October 1, 2015
Revised: November 15, 2016

Discussion
Agenda Item No. 4.2
HECC Evaluation

Background

Oregon Tech submitted its university evaluation to the Higher Education Coordinating Commission (HECC) on October 13, 2016.

As of October 31, HECC was anticipating the following timeline:

Date	Action
September 30, 2016	Completed templates provided to all universities
October 13, 2016	Data discrepancies resolved
November 14, 2016	Draft reports provided to ALL institutions
November 21 , 2016	Feedback from institutions due to HECC
November 23, 2016	Fall data incorporated and updated reports shared with institutions
November 28, 2016	Feedback from institutions—*continuous dialogue through Dec. 5*
December 7, 2016	Draft Reports submitted to HECC SSIC (sub-committee) for review
December 8, 2016	Draft Reports submitted to HECC *Continued communication with institutions through Jan. 3*
January 12, 2017	Final Reports submitted to HECC for approval

Staff was notified on November 4 that the timeline is shifted; the HECC will not provide a draft report by November14 but rather will send those comments regarding the university's draft submission prior to the Student Success and Institutional Collaboration subcommittee and the full HECC meetings in December.

Staff Recommendation
No action required. Informational only.

Attachments
Draft University Evaluation Framework

DRAFT University Evaluation Framework

Green boxes are the measure that map onto the HECC KPM

The University Evaluation Framework will be used annually for measuring institutional performance and success at Oregon's public universities with governing boards. The framework will be used to collect quantitative and qualitative data and information which meet the criteria established in ORS 352.061(2) and to prepare an annual report to the legislature, the HECC (Commission), and the public. The report will first be issued in 2015.

University Profile Information academic year: 2015-2016
Institution: Oregon Institute of Technology

Enrollment *(See Definitions and Notes section for definitional information)*		
DATA SOURCE: HECC		**DATA SOURCE: INSTITUTIONS**
Total Headcount: 4,786 & 100% Asian: Headcount: 282 & 6.0% Pacific Islander: Headcount: 27 & 0.6% Black or African American: Headcount: 74 & 1.6% American Indian/Alaska Native: Headcount: 52 & 1.1% Hispanic: Headcount: 397 & 8.4% White: Headcount: 3,313 & 70.4% Two or More Races, not Hispanic: Headcount: 262 & 5.6% Unknown: Headcount: 301 & 6.4%	Pell Recipients: Headcount: 1,290 & 27.0% Gender: Male: Headcount: 2,543 & 53.1% Gender: Female: Headcount: 2,224 & 46.5% Gender: No response: Headcount: 19 & 0.4%	Student FTE to Faculty FTE Ratio: *16:1 *(includes adjuncts and admin that are teaching) Tenured/Tenure Track Faculty: Headcount: 137 Non-tenured Track Faculty: Headcount: 31 Full-time Faculty: Headcount: 150 Less Than Full-time: Headcount: 18 Adjuncts : 94 (not reported in faculty counts above) Veterans: Headcount: 190 Students (4%) (Student that declared themselves as veteran or are active military)

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Institutional Focus Area	Evaluation Component	Data Points		#	%	Data Source and Methodology Notes
Access & Affordability[1]	Enrollment	Total Enrollment	All Students	4,786	100%	SCARF (STUDENT p. 13)
			Full-Time	2,403	50.2%	SCARF CREDIT_HRS p.7)
			Part-Time	2,383	49.8%	SCARF (CREDIT_HRS p.7)
			Underrepresented Minorities	724	15.4%	SCARF (RACE_ETHNIC - all but W, A, and T when W+A p.227) Also exclude foreign students from the URM category (codes of ZZ and FN).
			Pell Grant Recipients	1,290	27.0%	SCARF (FAIDCAT Pell Grant code 1302 p. 139)
			Resident	3,588	75.0%	SCARF (RESIDENCY p. 31)
			Nonresident	1,198	25.0%	SCARF (RESIDENCY p. 31)
			Undergraduate	4,730	98.8%	SCARF (S_LEVEL p. 29)
			Graduate (Masters)	56	1.2%	SCARF S_TYPE in (H,J,P)
			Graduate (Doctorate and Professional)	-	0.0%	SCARF S_LEVEL = FP + S_TYPE = I
		Total Student Credit Hours	All Students	46,518	100%	SCARF (aggregated CREDIT_HRS? p. 7) or ? Note: zero-out credit from courses taken as part of the collaborative OHSU Nursing programs. These are identified when the first four digits of the CIP (p. 149) are '5116'

[1] ORS 352.061 (2)(c) requires HECC to assess governing boards against the findings set forth in ORS 352.025 including that Governing Boards lead to great access and affordability for Oregon residents and do not disadvantage Oregon students relative to out-of-state students.
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			Underrepresented Minorities	7,156	15.4%	SCARF same as above for all except W, A, or T if W+A
			Pell Grant Recipients	15,845	34.1%	SCARF same as above for all who have Pell
	Student Debt	Amount of Average Student Debt for those bachelor's degree recipients with debt (HECC KPM 24a) average amount of debt among Bachelor's recipients with debt	Average student debt load	$21,940		SCARF FAIDCAT + Loans (5 types) p. 139 (Average debt load for the graduating class of 2015, for each institution) 2016 will not be ready yet
			Proportion of bachelor's degree recipients with debt HECC KPM 24b = Percentage of students with debt	94.3%		SCARF? (Percentage of bachelor's degree recipients with debt in the class of 2015)
			Resident	$22,536		SCARF (same as above with RESIDENCY)
			Nonresident	$17,341		SCARF (same as above with RESIDENCY)
		Loan Default Rate (HECC KPM 25a) student loan default rates – Three-year official cohort student loan default rates: Public Universities	All Students (Only graduate students in the DOE database, FY 2012 3-year Official Cohort Defaut Rate)	3.0%		DOE Reported Information 3-Year Official Cohort Default Rates (borrowers defaulted/total borrowers in repayment = cohort default rate)
	Degrees Granted	Degrees Granted: Undergraduate	All Students	685		SCARF (count of MPIDM, ACAT= 23,24, p. 175)?

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Retention & Completion[2]		(HECC KPM 17)				(DEG_ACADYR = 201516 p. 181)?
			Underrepresented Minorities	94		SCARF same as above for all except A, W, and T if A+W see above
			Pell Grant Recipients	313		SCARF those who received pell in any year
		Degrees Granted: Graduate (Masters) (HECC KPM 18)	All Students	24		SCARF count of MPIDM, ACAT = 42
			Underrepresented Minorities	-		SCARF URM same as for enrollment, and above
		Degrees Granted: Graduate (Doctorate and Professional) (HECC KPM 18)	All Students	-		SCARF count of MPIDM, ACAT = 44,31
			Underrepresented Minorities	-		SCARF URM same as for enrollment, and above
	Graduation Rates	Graduation Rates (for first time/full-time freshman) Cohort Beginning Date: _____2009_____	Total in cohort	354		Data calculated from many SCARF fields
				#	%	
			4 Yr: All Students	83	23.4%	SCARF (how many students who began in fall 2009 graduated by summer 2013)
			4 Yr: Underrepresented Minorities	6	17.6%	SCARF (The URM measure was required only in 2010 but the calculation will be possible with the inclusion of multi-ethnic in URM)
			4 Yr: Pell Grant Recipients	43	23.4%	SCARF (students who began in 2009 and graduated by summer

[2] ORS 352.061 (2) stipulates that HECC's evaluation of universities include an assessment of the universities progress toward achieving the mission of all education beyond high school as described in ORS 351.009 (40-40-20 goal).
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					2013 and received a Pell grant in any year)
			Still retained at 4 years	128	36.2%	SCARF (students who began in 2009 and were still enrolled in fall 2013)
			5 Yr: All Students	164	46.3%	SCARF (how many students who began in fall 2009 graduated by summer 2014)
			5 Yr: Underrepresented Minorities	12	35.3%	SCARF same as above in 4-yr rates
			5 Yr: Pell Grant Recipients	87	47.3%	SCARF (students who began in 2009 and graduated by summer 2014 and received Pell grant in any year)
			Still retained at 5 years	46	13.0%	SCARF (students who began in 2009 and were still enrolled in fall 2014)
			6 Yr: All Students (HECC KMP 16)	191	54.0%	SCARF (how many students who began in fall 2009 graduated by summer 2015)
			6 Yr: Underrepresented Minorities	15	44.1%	SCARF same as above in 4-yr rates
			6 Yr: Pell Grant Recipients	101	54.9%	SCARF (students who began in 2009 and graduated by summer 2015 and received Pell in any year)
			Still retained at 6 years	21	5.9%	SCARF (students who began in 2009 and were still enrolled in fall 2015)

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		Transfer Student Graduation Rates within six years	All Students	152	49.7%	SCARFAdmitted AT,AU, AS in fall 2009 and graduated by summer 2015 / Count of ADMIT_DECISION =AT, AU, AS in fall 2009
			Underrepresented Minorities	15	44.1%	SCARF (The URM measure was required only in 2010 but the calculation will be possible with the inclusion of multi-ethnic in URM)
			Pell Grant Recipients	96	48.5%	SCARF Admitted AT,AU, AS in fall 2009, received a Pell grant any year 2009-2015 and graduated by summer 2015 / Count of ADMIT_DECISION =AT, AU, AS in fall 2009 and received Pell grants 09-15
	Retention	First Year Retention Rates (HECC KPM 15) "First-year retention rate % of Oregon public university students starting in a fall term and returning to an Oregon public university the following fall."	All Students in Freshman Cohort fall 2014	79.9%		SCARF Students who first enrolled (new student or transfer) in the institution fall 2014, and also enrolled in fall 2015 in any Oregon Public Institution (includes interinstitutional transfer)
			Underrepresented Minorities	76.6%		SCARF same as above for all URM as defined above

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			Pell Grant Recipients	75.8%	SCARF same as above with Pell grants
Economic Impact [3]	Entrepreneurial Activities	royalty revenue	All faculty, staff and students	$0	Institution
		number of startups enabled by university research	All faculty, staff and students	0	Institution
	Employment (HECC KPM21b)	% of resident graduates who are employed in Oregon Cohort Beginning Date: ___2008-09_____ 5 years from graduation date.	All Students	67.8%	HECC
			Underrepresented Minorities	77.8%	HECC
			Pell Grant Recipients	66.8%	HECC
		% of nonresident graduates who are employed in Oregon Cohort Beginning Date: ___2008-09_____ 5 years from graduation date.	All Students	20.2%	HECC
			Underrepresented Minorities	33.3%	HECC
			Pell Grant Recipients	12.5%	HECC
	Research Expenditures	Total Research Expenditures	All faculty, staff and students	Total = $1,219,485 $590,560 (Salary+OPE) $628,925(S&S+Capital)	Institution

[3] ORS 352.061 (2)(c) requires HECC to assess governing boards against the findings set forth in ORS 352.025 including that Governing Boards act in the best interest of both the university and the State of Oregon as a whole.
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Governing Board Focus Area	Evaluation Question	Supporting Narrative (documentation may include links to materials on board website)	Data Source
Transparency (ORS 352.025(1)(a))	Board meets at least quarterly. ORS 352.076(6).	The Board of Trustees held meetings on the following dates: • January 20-21, 2015 • April 7, 2015 • July 9-10, 2015 • September 10-11, 2015 • October 9, 2015 • December 15, 2015 • February 22-23, 2016 • March 18, 2016 • May 6, 2016 • June 29-30, 2016 http://www.oit.edu/trustees/meetings-events	Board of Trustees
	Board provides public notice of agenda and meetings. ORS 352.025(1)(a).	Public notices, agendas and meeting materials were posted on the Board's webpage and emailed to media, Foundation Board members, Alumni Commttee members, President's Advisory Committee members, faculty, staff, students, and other interested parties in advance of each meeting. http://www.oit.edu/trustees/meetings-events	Board of Trustees
	The Board operates in a transparent manner and in compliance with Public Meetings and Public Records laws. ORS 352.025(1)(a).	Board meetings are duly noticed and publicized. All meetings, except for executive sessions as allowed by law, are open to the public, live-streamed, recorded and available for viewing on the Board's webpage. Meeting agendas, materials,and copies of materials distributed or shown at	Board of Trustees

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		meetings are posted on the Board's webpage. The Board complies with public records requests, in coordination with the University Board Secretary and Records Coordinator, in compliance with public records law. http://www.oit.edu/trustees/meetings-events/recordings	
	The Board has adopted bylaws. ORS 352.076(5).	The Board adopted byaws on Janaury 22, 2015. The document is published on the Board's webpage. http://www.oit.edu/trustees/bylaws-policies	Board of Trustees
Accountability (ORS 352.025(1)(a))	The Board demonstrates its accountability on behalf of the university and awareness of its mission and fiduciary duties. Board's efforts to receive and understand important financial information regarding the institution, to ensure fiscal responsibility and stability, to safeguard institutional resources, to assess its own operations and effectiveness, and to otherwise operate in a manner that is consistent with governance best practices.)	The founding Board created and signed a Values Statement. Each new Trustee reviewes and signs an individual statement, agreeing to abide by the values. http://www.oit.edu/trustees/members The Board established a standing Finance & Facilities Committee which also acts as the Audit Committee. The Board and the F&F Committee receive regular reports from the VPF&A including budget, investements, debt finance, tuition and fees, real property, personal property and risk management. The Board adopted policies on board committees and their resposnibilities, debt management, delegation of authoritiy reserving authority for certaub trabsactions, operating budget	Board of Trustees

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		fund balance, ethics and conflict of interest, performance of official business, presidential performance process, and tuition and fee setting process. The Board approved Resolutions on shared governance, establishing responsibilities of individual trustees including fiduciary responsibilitie, and adopting the University mission statement and core themes. All governing documents are posted on the Board's webpage. http://www.oit.edu/trustees/bylaws-policies	
	The Board has established a process for determining tuition and mandatory enrollment fees that provides for participation of enrolled students and the recognized student government of the university. ORS 352.102(2)	The Board adopted a Policy on Tuition and Fee Process on February 22, 2016 and amended the policy on June 30, 2016. The Policy calls for a Tuition Recommendation Committee made up of six students representing both campuses appointed by the ASOIT Presidents; and the chair of the Fiscal Operations Advisory Council with support from senior administrators. A minimum of one public forum, with broad notification, is required at each campus location to discuss and obtain input. http://www.oit.edu/docs/default-source/board-of-trustees-documents/2016-meetings/june/policy-amended-tuition-	Board of Trustees

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		and-fee-process-june-30-2016.pdf?sfvrsn=2	
	Board selects and regularly assess the university president. ORS 352.096.	On March 18, 2016 the Board approved a resolution acknowledging the presidents decision to not pursue renewal of his contract, approving transition to new presidential leadership and authorizing executive committee to approve a presidential transition plan, recommend interim or acting positions, and retain an executive search firm. On May 6, 2016 the Board appointed an Interim President. On June 30, 2016 the Board adopted a policy on the presidential performance process and is poised to assess the interim president in the spring of 2017. http://www.oit.edu/docs/default-source/board-of-trustees-documents/2016-meetings/june/policy-on-presidential-evaluation-process.pdf?sfvrsn=2	Board of Trustees
Engagement in the University's Mission (ORS 352.025(1)(b))	The Board adopts the mission statement. ORS 352.089(2).	The Board adopted the mission statement and core themes of the university on July 9, 2015 and amended the mission statement on June 8, 2016. http://www.oit.edu/docs/default-source/board-of-trustees-documents/2016-meetings/june/15-5-amended-mission-and-core-themes-signed.pdf?sfvrsn=2	Board of Trustees
Coordination across the State of Oregon (ORS 352.025(1)(e))	The Board forwards the university's mission statement to the HECC. ORS 352.089(1).	The university's mission statement was forwarded to the HECC on June 8, 2016 for its approval on June 9, 2016.	Board of Trustees

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		http://www.oit.edu/visitors-info/about/mission-statement	
	The Board forwards any significant change in the university's academic programs to HECC. ORS 352.089(1).	The Board forwarded recommendations of approval to the HECC via the Provost's Council for a new Master of Science in Allied Health Program (July 9, 2015) and a Bachelor of Science in Mechanical Engineering at Wilsonville (December 15, 2015).	Board of Trustees
Real Property Holdings (ORS 352.025 (2)(c))	Legal title to all real property, whether acquired before or after the creation of a governing board, through state funding, revenue bonds or philanthropy, shall be taken and held in the name of the State of Oregon, acting by and through the governing board.	Oregon Tech complies with ORS 352.025(2)(c). No new property has been acquired since the creation of the Board.	Board of Trustees

Shared Services and University Collaborative Efforts

Service Participation:

Please indicate "P" for Participation and N/P for Non-Participation. See Notes section for additional information regarding these terms.

Provider	University Response
University Shared Services Enterprise (USSE, hosted by OSU)	
Financial Reporting	*
Capital Asset Accounting (currently only OIT)	*
Payroll & Tax Processing (includes relationship w PEBB, PERS/Federal retirement*)	*
Collective Bargaining *	*
Information Technology/5th Site [1]	*
Treasury Management Services:	*
Legacy Debt Services-Post Issuance Tax Compliance	*

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Legacy Debt Services-Debt Accounting	*
Non-Legacy Debt Services	*
Bank Reconciliations (and other ancillary banking services)[2]	
Endowment Services	*
Other Miscellaneous Statements of Work:	*
Provosts Council Administrative Support	*
Legislative Fiscal Impact Statement Support	*
Risk Management Analyst (TRUs only)	*
Public University Fund Administration[3]	*
Oregon Institute of Technology	
Retirement Plans *	*
Legacy 401(a) Plan	*
Legacy 403(b) Plan	*
Optional Retirement Plan (ORP)	*
Tax-Deferred Investment (TDI) Plan	*
SRP Plan	*
Public University Risk Management and Insurance Trust (Risk Management)	*
Notes:	
All public universities are required to participate in group health insurance, a select set of group retirement plans, and collective bargaining through July 1, 2019 per ORS 352.129	

* USSE is finalizing the Oregon Tech financial statements and will provide this information as soon as they are complete. This could be as soon as October 14, 2016 and no later than October 19, 2016.

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Other University Collaborations

Highlight areas of collaboration between the university and other universities and describe how collaborative efforts advancing the mission of the institution and the State's higher education goals. Examples include the multiple university council's such as Presidents Council, Provosts Council and the VPFA group, joint programs or degrees, non-USSE "back office" services, RAIN, or other research endeavors which span university boundaries.

Please indicate "P" for Participation and N/P for Non-Participation. See Notes section for additional information regarding these terms.

Other University Collaborations	University Response
Public University Councils:	
Presidents Council	P
Provosts Council	P
Vice Presidents for Finance and Administration (VPFAs)	P
General Counsels (GCs)	N/P Oregon Tech does not have a General Counsel. We utilize outside counsel as needed.
Public Information Officers (PIOs)	P
Legislative Advisory Council (LAC)	P
Cooperative Contracting	N/P
Capital Construction Services	N/P
OWAN	P
NERO Network	P
RAIN	N/P
Orbis Cascade Alliance	P OIT Library Director is on board of directors
ONAMI	N/P
CAMCOR at UO	P as needed
Oregon Manufacturing Innovation Center (OMIC)	P with PSU, OSU, PCC
Oregon Renewable Energy Center and Geo-Heat Center (OREC)	P with other university energy research centers, depending on the project

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| National Institute for Transportation and Communities (NITC)	P with PSU, UO, University of Utah, University of South Florida
Population Health Management Research Center (PHMRC)	P with Klamath County Public Health and OHSU
Rural Health Initiative	P with Sky Lakes Medical Center and OHSU
STEM Partnerships: South Metro-Salem STEM Hub (SMSP) and Southern Oregon STEM Hubs , NASA Space Grant Consortium, MESA	P with 6 other higher education partners and 16 school districts for SMSP, including OSU/NASA P with SOU and two other higher ed partners and 5 school districts for Southern Oregon P with PSU for with MESA
Office of Academic Agreements	P - Articulations agreements with 25 community colleges in Oregon and nearby states and dual enrollment agreements with 6 community colleges
Academic Agreements	P with PSU for engineering and with SOU for Applied Psych/Applied Behavior Analysis

Please provide narrative describing your institution's work in collaborative activities with other postsecondary institutions in Oregon. Examples may include but are not limited to Dual Enrollment Partnerships and facility sharing agreements. *(Please limit narrative to three examples with a 600 word limit)*

1. **Oregon Manufacturing Innovation Center (OMIC)** is an ambitious industry-university collaboration aimed at shaping the future of manufacturing in the State of Oregon. This applied research and training center brings together industry, government and academia as partners. Six founding industry partners have already provided letters of financial commitment; four Oregon public academic institutions are founding partners: the Oregon Institute of Technology, Portland State University (PSU), Oregon State University (OSU), and Portland Community College (PCC); and a wide variety of government and private entities are stakeholders and key partners in the initiative including the UO as an education partner, Oregon Legislature, the Office of the Governor, Oregon Employment Department, Business Oregon, Greater Portland Inc., Columbia County, and the City of Scappoose.

   The university partners will work on applied research projects as directed and funded by the member manufacturing companies. In addition, the academic partners will provide learning opportunities and pathways for students and professionals. All partners will benefit from the sharing of equipment, space and inter-institution expertise.

   OMIC is a perfect demonstration of Oregon Tech's leadership in applied research that supports its teaching mission. Oregon Tech had the flexibility and drive to work through complex logistical obstacles and relationships to collaborate with industry, government and academic partners to bring OMIC to fruition.

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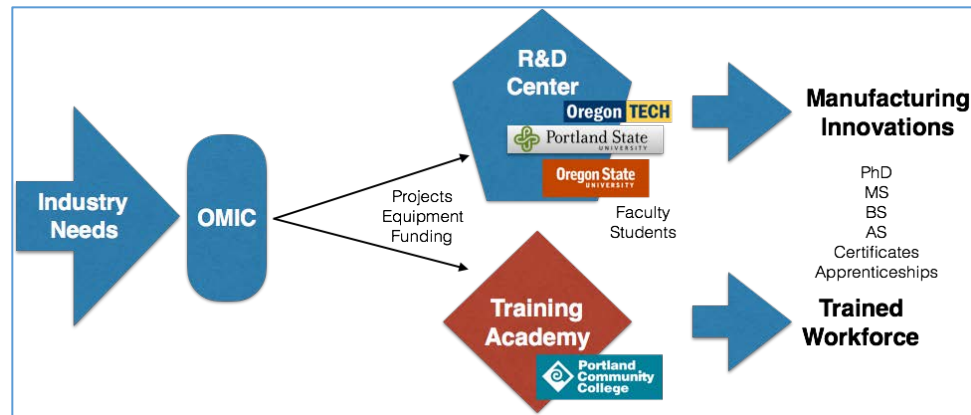
2. **Oregon Tech is collaborating with OHSU and Sky Lakes Medical Center on two collaborative projects, a Rural Health Initiative and a Population Health Management Research Center (PHMRC).** The Rural Health Initiative is a strategic partnership to accelerate the education of inter-disciplinary teams of emerging rural health professionals to fulfill OHSU's and Oregon Tech's educational and public service missions, provide opportunities for health occupations students to practice in rural settings, and provide high-quality health care services at Sky Lakes Medical Center and other providers to rural Oregonians. Oregon Tech will develop three new health occupations degree programs and OHSU and Sky Lakes will provide clinical practice sites, integrating newly educated professionals into their rural health settings.

In addition, Oregon Tech will operate the PHMRC, in partnership with OHSU and Klamath County Public Health, to provide inter-professional educational research opportunities for OHSU Rural Campus Cohort and Oregon Tech students (PHM, Health Informatics, Geomatics and other disciplines). Program Director Dr. Sophie Nathenson takes an innovative approach to training students in population health management, using her background in medical sociology. PHM students at Oregon Tech put the sociological model of population health into practice, exploring social determinants of health from the local to the global. All participants are participating in the Blue Zones initiative in Klamath Falls, supported by the Cambia Health Foundation.

3. **Oregon Tech has been a leader in the formation of the South Metro-Salem STEM Hub and the Southern Oregon STEM Hub.** The South Metro-Salem STEM Partnership (SMSP) is a collaboration of 16 school districts, three community colleges, three universities (OIT, George Fox, Pacific), and an array of out-of-school programs and business and community partners that is focused on increasing student access and success in STEM fields. These STEM Hubs have shared principles that are aligned with Oregon Tech's mission for applied hands-on learning and community engagement. The STEM partnerships build strong bonds among schools, colleges, universities, businesses and community partners to provide sustained enrichment in STEM teaching practices and provide students with advanced educational experiences, career exploration, and mentorship.

This year, the state of Oregon funded the expansion of two functions developed by the Oregon Tech-led South Metro-Salem STEM Hub,

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providing access to all school districts in the state to both Oregon Connections, a portal to match teachers with industry professionals who can provide experiential learning in their K12 classrooms, and the STEM Oregon website that allows statewide sharing of STEM professional development and learning opportunities for students, teachers and families.

Institutional Boards: Financial Metrics

FInstitutional financial metrics, when viewed together and over time, provide information regarding the overall financial health of the university. The metrics outlined below are industry standard and provide an overview of the strength of an institution's balance sheet, operating results and the capacity of an institution to service its debt. All data utilized will be available from the audited financial statements of an institution and its component units or from one of three principal US bond rating agencies and will include four years of information to allow for trend analysis. Institutions will be required to submit their audited financial statements and bond ratings, if they so desire, and to calculate the metrics during the evaluation process. The definitions and notes section of this document provides information related to purpose and metric calculations.

Ratio Type	HECC Metrics	FY 2012	FY 2013	FY 2014	FY 2015	Comments
Balance Sheet	Viability Ratio	N/A	N/A			*
Operating Ratios	Primary Reserve Ratio	N/A	N/A			*
	Net Operating Revenues Ratio	N/A	N/A			*
	Return on Net Assets Ratio	N/A	N/A			*
Debt Level	Bond Rating[1] or Debt Burden Ratio	N/A	N/A			*

Notes:
[1] An institution may submit its most recent bond rating in leiu of calculating the Debt Burden Ratio if the rating is issued during the same fiscal year as that being examined. The rating must be issued by one of three primary U.S. bond-rating agencies, Moody's, Standard and Poor's or Fitch.

- USSE is finalizing the Oregon Tech financial statements and will provide these ratios as soon as they are complete. This may be as soon as October 14, 2016 and no later than October 19, 2016.

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Academic Quality

Focus Area	Indicator	Data Point	Data Source
External Measures	Accreditation	Institution provides a copy of NWCCU Commendation & Recommendations and where the institution is in the accreditation process (eg Yr. 1, Yr. 3, Yr. 7) Ask institution to provide bulleted list of specialized accredited programs. (Attached for College of ETM and College of HAS)	Institution
	Academic Program Review and Approval Processes	Curriculum Planning Commission (CPC) https://my.oit.edu/committees/cpc/default.aspx Graduate Council https://my.oit.edu/committees/grad-council/default.aspx Commission on Assessment http://www.oit.edu/faculty-staff/provost/assessment General Education Advisory Council (GEAC) Standing Committee http://www.oit.edu/docs/default-source/faculty-staff-documents/councils-commissions-committees/standing-committees/2016-17-standing-committees.pdf Academic Standards Committee (Faculty Senate)http://www.oit.edu/faculty-staff/resources/faculty-senate/committees Program Reduction and Elimination Policy (PREC) http://www.oit.edu/docs/default-source/human-resources-documents/faculty-policies-and-procedures/program-reduction-and-elimination---oit-20-050.pdf?sfvrsn=2	Institution

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Focus Area	Indicator	Data Point	Data Source
		Standard 2.C.: Educational Resources- Year Seven Comprehensive Self-Evaluation Report NWCCU (attached as separate document)	
Internal Measures	The institution evaluates faculty using an identified faculty evaluation process.	Faculty Evaluation Policy http://www.oit.edu/docs/default-source/human-resources-documents/faculty-policies-and-procedures/faculty-evaluation-policy---oit-21-040.pdf?sfvrsn=4 Faculty Evaluation Form http://www.oit.edu/docs/default-source/human-resources-documents/faculty-policies-and-procedures/faculty-evaluation-policy---ape-form-for-teaching-faculty.pdf?sfvrsn=2	Institution
	Institution supports Faculty Professional Development	Short narrative describing some activities that support Faculty Professional Development *(Please limit narrative to three examples with a 600 word limit)*	Institution

Institution to attach copy of latest NWCCU self-study (1, 3 or 7 year depending on where they are in the cycle)

Short narrative describing some activities that support Faculty Professional Development *(Please limit narrative to three examples with a 600 word limit)*

Oregon Tech's mission has a strong focus on excellence in instruction, with the expectation that faculty members maintain professional expertise through continued professional development activities, which include applied research and scholarship. Professional development is a required activity of all Oregon Tech faculty. Faculty members are encouraged to pursue scholarly endeavors through participation in conferences and workshops, making presentations, publishing their scholarly work in journals, and participating in professional societies. Faculty members often support student teams in competitive projects outside the scope of normal classroom activities including professional society, regional, and national competitions. Many Oregon Tech faculty also have long established ties to various industries and research laboratories. They use these connections to bring industry-based projects to student-designed team activities. Scholarship of the faculty tends to naturally fall in areas that enhance course content and promote excellence in teaching.

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Examples of professional development activities are as follows:

ACP/Dual Credit- Oregon Tech embraces ACP/Dual Credit and in fact, incorporates this effort in the University Core Themes.   As indicated in the Year Seven Comprehensive Self-Evaluation Report to the Northwest Commission on Colleges and Universities, Core Theme #3: Statewide Educational Opportunities-Outcome #1, high school students will have access to ACP opportunities. Since 2010 the Oregon Tech ACP as steadily increased as indicated in the charts below and preliminary reports for 2016 support greater increase.

ACP/HST Unduplicated Headcount
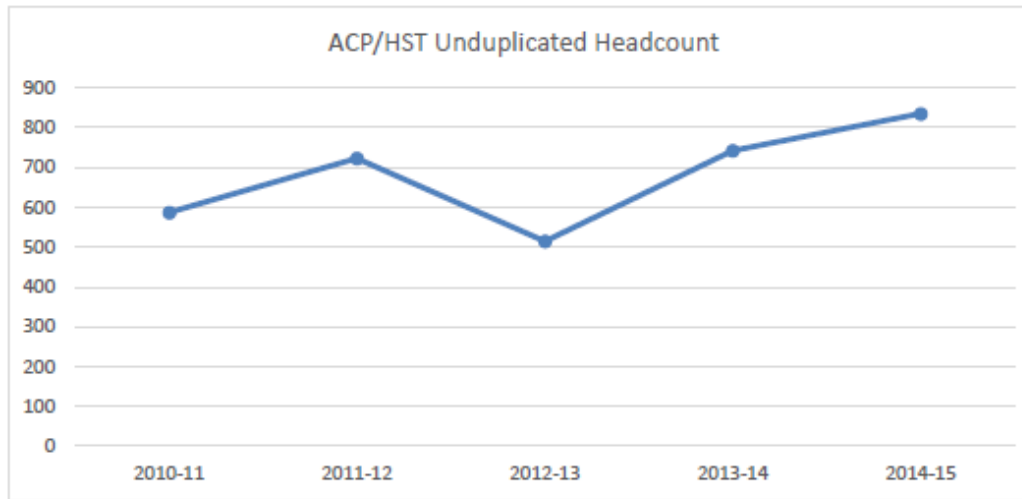
Unduplicated Headcount

	2010-11	2011-12	2012-13	2013-14	2014-15
Summer	0	0	0	0	0
Fall	389	478	349	565	490
Winter	235	233	152	146	320
Spring	294	432	261	394	334
ACP/HST Unduplicated Headcount	588	723	515	743	836

Faculty in academic departments are given the opportunity to participate as liaisons in Dual Credit and the University is looking at mechanisms by which these efforts will be captured on a much larger scale as professional development. Currently faculty are paid stipends for participation based on the number of teachers they interact with.

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Summer Productivity Grants- During the summer 2016 the Provost's Leadership Team awarded 18 summer productivity grants totaling $50,000 for a variety of professional development activities to be accomplished by October 1, 2016. The results were overwhelming not only in terms of development, but also additional acquisition of funds via outside grants. Two examples of work that have lead to outside grant funding are as follows:

1. Proposal for Applied Behavior Analysis(ABA) training which resulted in an Oregon Talent Council grant for development of an ABA Autism Training program.
2. Proposal for Using Sustainable, Natural Pozzolans from the Eruption of Mt. Mazama for Soil Stabilization and Gravel Roadway Dust Mitigation, which resulted in an NITC grant.

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Definitions and Notes

University Profile Information:

Total Enrollment: Race – Ethnicity, %

H	Hispanic
A	Asian
P	Pacific Islander
B	Black or African American
I	American Indian – Alaska Native
W	White
O	None of the Above
D	Declined to Respond
T	Two or More Races, not Hispanic
ZZ	Non-Resident Alien
FN	Foreign National
U	Unknown/Unidentified

Notes: 'None of the Above' and 'Declined to Respond' are reported as 'Unknown', and 'Foreign National' is reported as 'Non-resident Alien'

Veteran: Student who receives a Veterans Administration Grant because they are a veteran

Notes: As well as having VA grants identified in SCARF, we also identify certain fee remissions that are given to veterans (Voyager Fee remission, Nonresident Veteran Fee Remission, Yellow Ribbon Program Fee Remission). We also track the newly created special program for Resident Tuition Equity for Veterans.

Or S_VET The student's veteran status reported in FAFSA.

Pell Recipients:

FAIDCAT: Financial Aid Category
Categories of aid include loans, grants, scholarships, work-study, and fee remissions. In
general, awards within each category are identified according to the source of aid (e.g., federal subsidized loan, Oregon Opportunity Grant).

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Note that need alone is not always sufficient to distinguish grants from scholarships. Grants are need based; scholarships require that recipients possess specific attributes, including, often, merit, but scholarships may also impose a requirement of need.

Pell: question about summer Pell awards. Pell Grant = Grant 1302

Faculty Status: for IPEDS it depends on the institution

Tenured/Tenure Track Faculty
Non-Tenured Faculty

Full-Time Instructional Staff
Less than Full time Instructional Staff

"Instructional Staff", as defined by IPEDS, is comprised of staff who are either: 1) Primarily Instruction (PI); or 2) "Instruction combined with Research and/or Public Service" (IRPS). The intent of the "Instructional Staff" category is to include all individuals whose primary occupation includes instruction at the institution. "Primarily Instruction" are those individuals whose primary responsibility can be defined as teaching (e.g. the majority of their total time). "Instruction combined with Research and/or Public Service" (IRPS) are those individuals who have instruction as part of their job, but it cannot readily be differentiated from the research or public service functions of their jobs (e.g. they teach, but a percentage of time spent teaching is not discernible since their teaching responsibilities are not clearly differentiated from their other responsibilities). Instructional staff could include postdoctoral students, if they meet the criteria for one of the above two categories. Adjunct Instructional Staff would also typically meet the criteria.

Shared Services and University Collaborative Efforts

Participation:

- No information required. It is presumed that if an institution is participating in a non-mandatory shared service that it is either cost-competitive in the marketplace or the institution does not have the capacity to insource the service at competitive prices or to manage the outsourcing of the service to a non-shared vendor.
- If an institution wishes to provide information relating to the cost, service or dynamics associated with services which they have elected to, or are required to, participate in they may do so here.

Non-Participation:

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- Data Section: highlighting the fiscal impact of choosing to not elect to participate in an offered shared service and the cost associated with insourcing or outsourcing the service indicating cost savings or additional expense associated with the option selected by the institution. Where possible the impact of the individual institutions choice on the total cost of services for all institutions will be evaluated.
- Written Section: provides an opportunity for the university to highlight the decision making framework which precipitates their choice of service provider/framework. This section will include expected or realized benefits associated with the service delivery model.

Notes regarding service participation:

[1] *IT Fifth Site was a service shared only by the TRUs prior to dissolution of the university system; it is continued as a shared service for the TRUs through USSE. UO participates in database management related to their management of retirement plans.*
[2] *PSU performed it's own bank reconciliations even while part of the Oregon University System.*
[3] *During the 2014 Legislative Session, HB 4018 established the Public University Fund (PUF) for the purposes of pooling cash balances of the public universities. Under the provisions of HB 4018, public universities that desired to participate in the PUF selected OSU as the "Designated University" under the statute and OSU agreed to serve in that capacity.*

Financial Metrics

Definitions	
Ratio	**Purpose and Calculation**
Viability Ratio	Purpose: The Viability Ratio measures one of the most basic determinants of clear financial health the availability of expendable net assets to cover debt should the University need to settle its obligations as of the balance sheet date. Calculation: For public institutions, the numerator includes all unrestricted net assets and all expendable restricted net assets, excluding those to be invested in plant, on a GASB basis plus unrestricted and temporarily restricted net assets on a FASB basis for its FASB component units, excluding net investment in plant and those temporarily restricted net assets that will be invested in plant. The denominator is defined as all amounts borrowed for long-term purposes from third parties and includes all notes, bonds and capital leases payable that impact the institution's credit, whether or not the institution directly owes the obligation. Long-term debt includes both the current and long-term portions. This would include debt of the institution's affiliated foundations, partnerships and other special-purpose entities. It would also include amounts owed to a system or state-financing agency as it represents debt issued on the institution's behalf [(Expendable Net Assets + FASB C.U. Expendable Net Assets) / (Long-Term Debt (total project-related debt) plus FASB C.U. long-term debt (total project-related debt))]
Primary Reserve Ratio	Purpose:

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	The Primary Reserve Ratio measures the financial strength of the institution by comparing expendable net assets to total expenses. Expendable net assets represent those assets that the institution can access relatively quickly and spend to satisfy its debt obligations. This ratio provides a snapshot of financial strength and flexibility by indicating how long the institution could function using its expendable reserves without relying on additional net assets generated by operations. Trend analysis indicates whether an institution has increased its net worth in proportion to the rate of growth in its operating size. Calculation: For public institutions, the numerator includes all unrestricted net assets and all expendable restricted net assets, excluding those to be invested in plant, on a GASB basis plus unrestricted and temporarily restricted net assets on a FASB basis for its FASB component units, excluding net investment in plant and those temporarily restricted net assets that will be invested in plant. The denominator comprises all expenses on a GASB basis in the statement of revenues, expense and changes in net position, including operating expenses and nonoperating expenses such as interest expense, plus FASB component unit total expenses in the statement of activities. Again, investment losses should be excluded from expenses for both the institution and its component units. [(Expendable Net Assets + FASB C.U. Expendable Net Assets) / (Total Expenses + FASB C.U. Expendable Net Assets)]
Net Operating Revenues Ratio	Purpose: This ratio is a primary indicator, explaining how the surplus from operating activities affects the behavior of the other three core ratios. A large surplus or deficit directly impacts the amount of funds an institution adds to or subtracts from net assets, thereby affecting the Primary Reserve Ratio, the Return on Net Assets Ratio and the Viability Ratio. Calculation: For public institutions, the numerator is available from the GASB statement of revenues, expenses and changes in net position and the FASB component unit statement of activities. The numerator includes nonoperating revenues and expenses, including governmental appropriations, investment income and operating gifts since these items support operating activities of the institution. Nonoperating expenses, such as interest on plant debt, are also related to operating activities. Plant and endowment gifts and capital appropriations are excluded since these are not for operating activities. For FASB component units, the numerator includes the total change in unrestricted assets from the statement of activities. The denominator is equal to GASB total operating revenues plus total net nonoperating revenues, excluding capital appropriations and gifts and additions to permanent endowments, plus FASB component units total unrestricted revenues, gains and other support, including net assets released from restrictions. If unrestricted investment losses are reported with expenses for the component unit, this amount is included as a reduction to total unrestricted revenue. [(Operating Income (loss) + Net Non-Operating Revenues + C.U. Change in Unrestricted Net Assets)* / (Operating Revenues + Non-Operating Revenues + C.U. Total Unrestricted Revenues)*] * eliminate any inter-entity amounts

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Return on Net Assets Ratio	Purpose: This ratio determines whether the institution is financially better off than in previous years by measuring total economic return. This ratio furnishes a broad measure of the change in an institution's total wealth over a single year and is based on the level and change in total net assets, regardless of asset classification. Thus, the ratio provides the most comprehensive measure of the growth or decline in total wealth of an institution over a specific period of time. Calculation: For public institutions, the numerator is the change in GASB total net assets plus the change in FASB component unit total net assets regardless of whether they are expendable on nonexpendable, restricted or unrestricted. This information can be found in the GASB statement of revenues, expenses and changes in net position and the FASB component unit statement of activities. The denominator is the beginning of the year total net assets that can also be found in the GASB statement of revenues, expenses and changes in net position and the FASB component unit statement of activities. [(Change in Net Assets + Change in C.U. Net Assets)* / (Total Net Assets^ + C.U. Total Net Assets)] * eliminate any inter-entity amounts ^ beginning of year Net Assets
Debt Burden Ratio	Purpose: The Debt Burden Ratio is a key tool in measuring debt affordability and should be considered as a key financial indicator for any institution using debt. This ratio examines the institution's dependence on borrowed funds as a source of financing its mission and the relative cost of borrowing to overall expenditures. It compares the level of current debt service with the institution's total expenditures. Debt service includes both interest and principal payments. Calculation: For public institutions, the numerator of this ratio includes interest on all indebtedness, which is approximated by interest paid, plus the current year's principal payments; both generally are available from the GASB and FASB component unit statements of cash flows. However, if an institution or affiliate has refinanced debt, the statement of cash flows would reflect a large principal repayment amount, and the contractual principal amount would be more appropriate to use, which can usually be found in the notes to the financial statements. The denominator is total GASB operating expenses plus nonoperating expenses less depreciation expense plus debt service principal payments, plus FASB component unit total expenses less depreciation expense plus debt service principal payments. Even if the component units are fundraising entities, inclusion of their expenses in the denominator is appropriate. Including the component unit portion in the numerator calculation would not be appropriate unless the component units were operating entities. [(Principal Payments + Interest Expense + C.U. Principal Payments + C.U. Interest Expense) / (Total Operating Expenses + Total non-Operating Expenses – Depreciation + Principal Payments + C.U. Total Expenses – C.U. Depreciation + C.U. Principal Payments)]

Note: All definitions and calculations from "Strategic Financial Analysis for Higher Education." Prager, Sealy & Co., LLC.

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Discussion
Agenda Item No. 4.3
Legal Counsel Analysis

<u>Background</u>

Oregon Tech at the time of its establishment as an independent public university, separate from the Oregon University System, elected to forego hiring a general counsel. In place of internal general counsel Oregon Tech signed a retainer agreement with a law firm, Miller Nash Graham & Dunn LLP, to act as general counsel. Several other law firms have been engaged for specific functions or to secure unique expertise during FY 16. Every other Oregon public university elected to retain in house general counsel. The services and duties performed by institutional general counsels vary by institution, as do the size, scope and expertise of the legal teams employed.

The following analysis was designed to provide a high level understanding of the overall expense of the current outsourced general counsel model, anticipated costs to in-source legal counsel and the benefits and drawback associated with each model. No staff recommendation is made, and this report is designed for informational purposes only.

<u>Analysis</u>

During FY 16 Oregon Tech spent a total of $313,371 on legal fees, spread amongst three law firms. This includes significant expense associated with one-time factors which would likely require external counsel should similar events arise in the future. A breakdown of total expenses, including those which are likely to be recurring and which would likely be absorbed by a general counsel is provided in the following section.

Staff discussion with general counsels and colleagues at other institutions yielded unanimous support of Oregon Tech securing internal general counsel. To quote one general counsel directly "*[f]or background, I pushed OIT very, very hard to get in-house counsel. I simply think that due to the intense regulation of higher education at the state and federal level and the size of our budgets, an in-house legal resource that does not advise by the hour is necessary.*" There are four broad duties for which general counsels are assigned and provide value to the institution. Some of which can be outsourced effectively others of which cannot. These include providing legal advice, legislative related support and bill analysis, acting as board secretary, strategic advice and counsel to the President and Board of Trustees. The six

Board Secretary	
General Counsel	**Non-General Counsel**
EOU	OSU
PSU	SOU
WOU	UO

other public universities in Oregon are split on whether their general counsel acts in a dual capacity as board secretary. With two TRU institutions, Western and Eastern Oregon Universities, having a combined general counsel-board secretary and one TRU, Southern Oregon University, having those roles split.

The following Pro/Con analysis was developed in consultation with Oregon Tech's Executive Leadership Team, functional staff which regularly interact with external legal counsel and advice from colleagues from several other public universities within Oregon.

In-House Counsel	
Pros	**Cons**
Adds legal dimension to key decisions, which should improve risk management profile; risk can be better managed and future legal expenditure minimized	Lacks depth of knowledge available from a firm of multiple attorneys, who are specialists in their respective fields
Provides strategic and commercial value; proximity to and understanding of the university allows for spontaneous input so that the university's interests are protected	Limited staffed office (e.g. one person) may result in delayed responses to campus departments
Provides continuity of service; handles legal issues from start to finish, as opposed to a partner assigning different projects to different associates	Cost of staffing office may outweigh cost of general matters that would ordinarily be sent to retained counsel, effectively increasing the overall total cost of counsel
Access to Oregon Public University listserv for legal opinions from other university attorneys and brings Oregon Tech perspective to inter-university discussions	Would likely continue to rely on outside counsel for specialized legal advice and litigation support
Supportive of increasing complexity of a multi-campus expanding institution	

Retained Counsel	
Pros	**Cons**
Allows for the flexibility of having access to multiple attorneys, without the expense of full-time, in-house counsel	Outside counsel cannot be pro-active on any given issue; their services must be requested
Potentially increases operational efficiencies and access to skills that may be difficult to replicate in-house	Cost of working with outside counsel is high; generally outside counsel costs more per hour than someone hired in-house and their availability is not within the university's control
Expertise in on-going, repetitive transactions such as employee-related matters, real estate transactions, and board activities	Unable to too costly to participate in Oregon Public University General Counsels group, which prevents Oregon Tech's opinion and position from being represented and discussions being relayed to Oregon Tech leadership.
Provides continuity of service; handles legal issues from start to finish, succession of projects as opposed to limited staffed office with competing priorities and unpredictable nature of projects, or services needed	

FY 2016 Legal Budget

		Legal Fees FY16		
Law Firm	**Matter**	**Description**	**Total**	**Ongoing**
Miller Nash Graham & Dunn LLP	2	Property Sale	$7,920.00	N
	3	Construction Matters	$1,050.00	Y
	4	Board of Directors	$22,530.00	Y
	6	Public Records Request	$1,290.00	N
	7	Employment Related Matter	$1,710.00	N
	8	Litigation Expense	$116,901.47	N
	9	General Matters	$21,468.00	Y
	10	Employment Related Matter	$9,731.00	N
	12	Lease Negotiations	$4,330.00	N
	13	Oregon Manufacturing Innovation Center	$5,009.50	N
	4001	Employment and Labor Matters - General	$8,728.50	Y
	6001	General Matters	$48,393.00	Y
	9001	Employee Benefits Matters - General	$4,170.00	Y
Angeli Ungar Law Group LLC	N/A	Investigation Expenses	$56,236.32	N
Renee E. Starr LLC	N/A	Employment Related Matter	$3,903.50	N
Total			$313,371.29	

Cost Distribution	
Total Ongoing Fees	$93,441.00
Total One-Time Fees	$219,930.29
In-House	$65k-$135k
Retained Counsel	$175k-$250
Note: Assumes current level of one-time legal costs	

General Counsel	
Salary + OPE	$190,000-210,000
S&S	$10,000
Total	$220,000

Staff Recommendation

No action required. For discussion purposes only.