SB-84.03

“Partial Student Fee Refund from Administrative Salary Allocations”
(Bill to cancel the assessment of fees for an expansion of the number of administrative staff funded by the budget of the ASOSU, and refund these revenues proportionally to all Corvallis students)

WHEREAS In 2022, an Advocate Model Development Taskforce was established by the ASOSU President to address ongoing and historical limitations in the model for full-time/professional support staff for the ASOSU Student Government,

WHEREAS This novel model was named with the target goal of moving toward a form of student government advisor that is firstly established as an “advocate” for elected student leaders’ pursuit of their self-identified and democratic platforms;

WHEREAS The chief limitation of the traditional model of professional staff support for the ASOSU Student Government is that while the student government funds these positions, the positions themselves fall outside of the student government and report directly to the administration of the university;

WHEREAS While an advisor’s employment under this traditional model may depend in part upon their ability to facilitate routine or non-controversial government functions, their employment ultimately depends upon faithfully executing what is asked of them under the direct supervision of the Division of Student Affairs, rather than ASOSU;

WHEREAS These conflicting interests arguably render it nearly impossible for even the most well-intentioned advisors to fully advise and advocate impartially for student priorities, which may by their very nature conflict with the established priorities of the university. Student government is fundamentally established for the purpose of empowering students to democratically organize to alter or shift the established priorities of their university;

WHEREAS Student leaders have testified to past examples in which serious instances of this conflict have arisen, including advising staff exercising their ASOSU-funded, paid capacity to publicly lobby against bills or priorities advanced by one group of student government officials over another;

WHEREAS While the past examples are not necessarily representative of all ASOSU advisors or Student Affairs administration, they are representative of systemic, structural conflict worth rectifying in the interest of future student leaders;
WHEREAS  The incidental fee over recent decades has expanded exponentially at an unsustainable rate (increasing by 4.27% in the most recent fee setting cycle)\(^1\);

WHEREAS  At the time that the Advocate Model Development Taskforce was convened, the index for payroll for all student leaders/employees in the ASOSU Student Government — over 60 total — was funded for a total less than was allocated to the index for just two administrative staff (advisor) positions, which additionally were vacant due to the departure of advisors;

WHEREAS  In 2022, the Executive Branch and the Office of the ASOSU President pursued two strategies intended to facilitate the development of its proposed Advocate Model:

1) The first of these was to cut one of the two vacant advisor positions and reallocate these funds in the following fiscal year’s budget toward student payroll, allowing the student government to expand the hours for student senators above the 2.5 hours per week it was capped at during the time.

2) The second was to ensure that the advising line item, rather than being allocated to an external “Office of Student Governance” over which ASOSU exercises no clear budgetary discretion, would be allocated specifically within the Student Government budget for the purpose of funding an advisor with a sponsoring department (such as Student Affairs / the Office of the Dean of Students — the traditional option — or novel approaches such as an academic department, offering greater autonomy from university administration) or contracted entity (similar to the current status of ASOSU Student Legal Services attorneys contracted from Access the Law). In this way, elected student leaders were granted the discretion to decide how to best use their advising funds, rather than funding an external index without fiscal control or conditions on use.

WHEREAS  While the university administration blocked many routes to alternative venues for an advisor/advocate, causing the subsequent ASOSU Executive Branch to agree to the position remaining under the Division of Student Affairs / Office of the Dean of Students, several constructive legacies of the model have remained. Increased available student hours, despite subsequent decreases, remain higher than originally. However, the budget for the ASOSU unit for Fiscal Year 2025 (FY25) reverses many of the few remaining properties of this model, by restoring the “Office of Student Governance” funding structure and funding an additional administrative staff position, while cutting the student payroll budget;

WHEREAS  The FY25 package funding a single additional administrative staff position would have provided the equivalent funding to raising wages to a minimum of $16.65

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for over 500 student workers (combined with another similar package, of which there were instances in other unit budgets, this would have alternatively covered all student workers ASOSU funds — over 1,000 total). Despite this, the package to increase student wages to this level failed as every other package passed, partly cited as a necessity of fiscal responsibility;

WHEREAS Precedent exists for the recognized student government making a request for the collection of lower mandatory incidental fees than previously requested for a fiscal year. After the fall term of 2020 had already begun, ASOSU President Isabel Núñez Pérez signed Joint Resolution 12.02 (JR-12.02), duly passed by the ASOSU Congress (the bicameral legal predecessor to the Student Senate), which revised the student government's prior request for the collection of mandatory incidental fees. Student leaders pursued this change to discount the reduced costs associated with remote learning following the early months of the COVID-19 pandemic. Because the term had already started, the reduced fees were implemented in the form of a refund to student accounts;

WHEREAS In addition to the use of this mechanism in the recent past, no provision of ORS 352.105 prevents this action (nor have these provisions of the law since changed), as long as the overall request does not allow the total increase to exceed greater than five percent over the prior fiscal year;

WHEREAS Refunding or canceling the funding for an additional administrative staff position residing outside of the fiscal oversight of the Student Government would benefit student leaders and the student body at large by:

1) Lowering student fees

2) Prioritizing student employment

3) Minimizing the amount of funds in the ASOSU budget over which the elected Senate does not exercise fiscal control, ensuring accountability to constituents

WHEREAS While a second advising position would help reduce the workload on the current ASOSU advisor, alternative advising models can provide for this need;

WHEREAS Reintroducing a new secondary advisor package for Fiscal Year 2026 could accompany this legislation, ensuring expanded advising support while largely addressing the above issues, and retaining the advances made following the recommendations of the Advocate Model Development Taskforce.

BE IT HEREBY ENACTED BY THE ASOSU THAT:

The ASOSU rescinds and reduces $1.42 per student, per term, for fall, winter and spring, from its prior request to the OSU Board of Trustees for the collection of mandatory Corvallis campus incidental fees to fund the Associated Students of Oregon State University (ASOSU) for FY25. Upon passage, the ASOSU requests that the incidental fee be refunded or reduced for Corvallis students by the amount of this reduction.
For budgeting purposes, this rescinds the $94,430 of projected revenues previously indexed for MGV310 (Office of Student Governance) by 2024 ASOSU Unit Decision Package #1.

BE IT CONCURRENTLY ENACTED BY THE ASOSU THAT:

Exclusively in the event that SB-84.02, “Fixed-Date Special Election,” has not previously passed at the time of enactment of the provisions herein, Title IV of the ASOSU Statutes is amended to include an additional section, to read verbatim as indented below:

“Section 10: Senate Fiscal and Legislative Preemption
A. The ASOSU Student Senate is vested with all legislative power and fiscal control of the ASOSU Student Government, as provided in Article I (A) of the ASOSU Constitution. In furtherance of this constitutional provision, and additionally as a statutory mandate:
   a. The Senate is herein explicitly recognized and conferred the ability to introduce, deliberate, amend and vote upon, any form whatsoever of fiscal legislation.
   b. “Fiscal legislation” as provided in this section includes, but is not limited to, bills requesting the collection of mandatory incidental fees pursuant to ORS 352.105.
   c. In exercising the abilities under this section, the Senate is in no way compelled to limit its deliberations to bills approved by any form of committee or executive body, or mediation with entities thereof; however, this does not prevent the Senate from optionally utilizing such processes, if it chooses to do so.
   d. The provisions of this section, unless accordingly amended or repealed, are to supersede all other statutes that may be construed to conflict with its provisions.”

BE IT HEREBY RESOLVED BY THE ASOSU THAT:

The ASOSU Student Government committee is recommended to consider alternative models for the expansion of student government advising, for presentation to the Student Senate, Student Fee Committee, and/or ASOSU Student Advisory Board in advance of FY26.

Authored by:
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Dylan Perfect, ASOSU Student Fee Committee, at-large member

Sponsored by:
Mercedez Allen, ASOSU Senator
Adison Rowe, ASOSU Senate President pro tempore
Emerson Pearson, ASOSU Senator
Confirmation of passage:
Zach Kowash, ASOSU Vice President and Student Senate President

Signature: [Signature] Date: 7/8/2024

Approval or veto by the ASOSU President:
Audrey Schlotter, ASOSU President

Signature: [Signature] Date: 7/9/24 □ Approved □ Vetoed