

July 20, 2018

Dear Senate President Bill Harbaugh and Senate Vice President Elizabeth Skowron,

On May 23, 2018 the University Senate passed resolution US17/18-20, "Process for the Determination of Implementation of Differential Tuition." I cannot accept this resolution based on two points. First, an additional "task force to review the UO's approach to undergraduate differential tuition" is unnecessary and duplicative of existing structures. Second, and most importantly, the resolution's request for departments, schools, and colleges to "not put forward any differential tuition proposals and the Tuition and Fees Advisory Board, Tuition Advisory Council, and the university administration will not consider or recommend any such proposals until guidelines and/or policy is created regarding differential tuition" is outside the purview of the University Senate as tuition-setting authority belongs solely to the Board of Trustees (Board).

The current University of Oregon tuition-setting process is centered on the Tuition and Fees Advisory Board (TFAB). TFAB consists of representatives from across campus and all constituency groups, including students, faculty and administrators. TFAB holds primary responsibility for assessing tuition and fees proposals, and presenting recommendations and other considerations to the president, who then subsequently makes a recommendation to the Board. The Board then votes on the level that tuition and fees should be set at for the following academic year, with additional approval needed by the Higher Education Coordinating Commission if the aggregate increase approved by the Board is greater than 5% for resident, undergraduate students. While there are always improvements that can be made to the TFAB process, and indeed much work has happened over the last few years with representatives of ASUO to be responsive to student concerns and ensure compliance with new state legislative requirements on the tuition-setting process, it is unnecessary to create an additional task force on tuition as required by the Senate's resolution. TFAB will remain the representative body reviewing tuition and fees proposals.

As noted in the final whereas clause for the resolution, when the differential tuition proposal for the Lundquist College of Business (Lundquist) was passed at the March meeting of the Board, the Board requested that the Administration create guidelines for the development and evaluation of any future proposals. The Administration worked with numerous interested parties to draft the attached *Institutional Framework for Differential Tuition* (Framework). This Framework was discussed in depth with members of ASUO, in particular the previous ASUO president Amy Schenk, as well as with members of the Senate Executive Committee. Changes were made to the Framework to address concerns that arose during those conversations. For example, ASUO is now listed as a specific entity that should be consulted by any school or college interested in making a proposal on differential tuition prior to submitting the proposal to the Administration. Another example of a change made to accommodate comments we received is that the Senate Budget Committee (SBC) may provide the

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president and provost with advice and counsel on potential impacts of the proposal on academic matters, such as whether enrollments in a similar program in one college may be impacted by another college's decision to implement differential tuition. I am confident that the Framework will provide the appropriate process guidelines as we move forward with any future considerations of differential tuition.

I do understand that there is a desire to have the campus engaged in a broader conversation on the benefits and disadvantages of differential tuition. While I believe that there is value in engaging in this type of dialogue to ensure we have thoroughly thought through all potential implications of differential tuition for the Framework, it is important to note that our Board has already determined that they are open to implementing differential tuition with the March vote to approve differential tuition in Lundquist. Thus it is not a productive or proper activity to establish a task force that "determines that the use of differential tuition may be appropriate," as noted in the resolution. This determination can only be made by the Board.

I thank you for your feedback on the Framework and your work to address the concerns of our students. As conversations happen in TFAB and around campus related to differential tuition, the Framework can be updated to reflect any new insights or areas of concern.

Sincerely,



Michael H. Schill  
President and Professor of Law

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