

Lane Education Service District Policy

Code: **BBA**
Adopted: 2/25/97
Revised/Readopted: 10/23/01, 2/28/06
Orig. Code(s): BBA

Board Powers and Duties

Powers

1. The Board is:
 - a. Authorized to transact all business coming within the jurisdiction of the ESD.
 - b. Subject to the Local Budget Law.

2. The Board may:
 - a. Sue and be sued;
 - b. Adopt such rules as it considers necessary to carry out its duties;
 - c. Employ and fix the compensation of such personnel as it considers necessary for carrying out duties of the Board;
 - d. Locate, buy, accept by gift or lease such land, buildings and facilities as may be required for ESD purposes. Leases authorized may be for a term of up to 30 years and include lease-purchase agreements where under the ESD may acquire ownership of the leased property;
 - e. Acquire personal property by a lease-purchase agreement or contract of purchase for a term exceeding one year. A lease-purchase agreement is one in which the rent payable by the ESD is expressly agreed to have been established to reflect the savings resulting from the exemption from taxation, and the ESD is entitled to ownership of the property at a nominal or other price which is stated or determinable by the terms of the agreement and was not intended to reflect the true value of the property;
 - f. Lease property or sell and convey property of the ESD as the Board considers unnecessary for its purposes;
 - g. Purchase relocatable structures in installment transactions in which deferred installments of the purchase price are payable over not more than 10 years from the date of delivery of the property to the ESD and are secured by a security interest in the property. Such transactions may take the form of, but are not limited to, lease-purchase agreements;
 - h. Accept money or property donated for the use or benefit of the ESD and use such money or property for the purpose for which it was donated;
 - i. Provide space for the offices of other education, employment training and human service providers;
 - j. Contract with public and private entities for service delivery and facilities to be provided by agreement or on a reimbursable basis.

3. The ESD shall work cooperatively with component school districts and review periodically with component school districts the operations of component school districts, and shall provide to the component school districts recommended plans for operation that achieve economies through consolidation of various operations of all or some of the districts. “Operations” means services involving transportation, payroll, education records, auditing, legal services, insurance, printing, investment and other similar services.

Duties

1. The Board shall perform all duties required by law, including, but not limited to:
 - a. Distribution of such school funds as it is empowered to apportion;
 - b. Conduct of audits;
 - c. Duties as district boundary board;
 - d. Budget and tax levying duties;
 - e. Contracting a bond indebtedness and levying direct ad valorem taxes on all taxable property within the ESD in the manner that component school districts are authorized to issue bonds and levy taxes pursuant to Oregon Revised Statutes and other laws applicable to the issuance of bonds and levying of taxes by school districts;
 - f. Creating a county education bond district.
2. In addition to duties required by law, the Board may provide services required by the local service plan and may provide funds to component school districts to provide services required by the local service plan in lieu of those school districts receiving services from the ESD.
3. The Board shall perform such other duties as are permitted by law and deemed to be in the public interest including, but not limited to, service as a local contract review Board.

END OF POLICY

Legal Reference(s):

[ORS 192.630](#)
[ORS 243.656](#)
[ORS Chapter 279](#)
[ORS 280.060](#)
[ORS 294.305 - 294.565](#)
[ORS 328.205 - 328.304](#)
[ORS 330.080 - 330.310](#)
[ORS 334.005](#)
[ORS 334.125](#)
[ORS 334.175](#)
[ORS 334.185](#)
[ORS 334.215](#)
[ORS 334.225](#)
[ORS 334.240](#)

[ORS Chapter 339](#)
[ORS 342.805 - 342.937](#)
[ORS Chapter 343](#)

[OAR 581-024-0205](#)
[OAR 581-024-0206](#)
[OAR 581-024-0208](#)
[OAR 581-024-0210](#)
[OAR 581-024-0225](#)
[OAR 581-024-0226](#)
[OAR 581-024-0228](#)
[OAR 581-024-0235](#)
[OAR 581-024-0250](#)
[OAR 581-024-0252](#)
[OAR 581-024-0260](#)
[OAR 581-024-0265](#)
[OAR 581-024-0280](#)
[OAR 581-024-0288](#)

Cross Reference(s):

DJC - Bidding Requirements
IF - Instructional Program Development
IGBA - Students with Disabilities
KG and KG-AR - Use of ESD Facilities
KGF/EDC - Authorized Use of ESD Equipment and Materials