

# Treasure Valley Community College

Code: **BBA**  
Adopted: 10/20/98  
Readopted: 10/14/09; 1/19/10  
Orig. Code(s): 101-1; 101-2; 101-4

## Board Powers and Duties\*\*

### Role of the Board

In working toward the goal of providing quality education, the Board as duly elected representatives of the people, shall, pursuant to the statutes of Oregon and consistent with the rules of the State Board of Education, have complete charge and control of all activities and programs of the College including its property, personnel and finances. It is the legal responsibility of the Board to prepare and adopt the annual budget in compliance with available funds; to establish, maintain and control the conduct and operation of College buildings, both for College purposes and for outside activities; to employ staff; to establish curricula and to adopt rules and regulations for the governance and operation of the College.

Consistent with any applicable rules of the State Board of Education, the local Board may:

1. Employ administrative officers, professional personnel and other employees, define their duties, terms and conditions of employment and prescribe compensation therefore;
2. Enact rules for the government of the College, including professional personnel and other employees and students therein;
3. Prescribe the educational program;
4. Control use of and access to the grounds, buildings, books, equipment and other property of the College;
5. Acquire, receive, hold, control, convey, sell, manage, operate, lease, lease-purchase, lend, invest, improve and develop any and all property of whatever nature given to or appropriated for the use, support or benefit of any activity under the control of the Board, according to the terms and conditions of such gift or appropriation;
6. Purchase real property upon a contractual basis when the period of time allowed for payment under the contract does not exceed 30 years;
7. Fix standards of admission, prescribe and collect tuition for admission to the College, including fixing different tuition rates for students who reside in the district, students who do not reside in the district, but are residents of the state, and students who do not reside in the state;
8. Prescribe and collect fees and expend funds raised for special programs and services for the students and for programs for the cultural and physical development of the students;
9. Provide and disseminate to the public, information relating to the program, operation and finances of the College;

10. Establish or contract for advisory and consultant services;
11. Take, hold and dispose of mortgages on real and personal property acquired by way of gift or arising out of transactions entered into in accordance with the powers, duties and authority of the Board and institute, maintain and participate in suits and actions and other judicial proceedings in the name of the College for the foreclosure of such mortgages;
12. Maintain programs, services and facilities, and, in connection therewith, cooperate and enter into agreements with any person or public or private agency;
13. Provide student services including health, guidance, counseling and placement services and contract for such services;
14. Join appropriate associations and pay any required dues from resources of the College;
15. Apply for federal funds and accept and enter into any contracts or agreements for the receipt of such funds from the federal government or its agencies for educational purposes;
16. Exercise any other power, duty or responsibility necessary to carry out the functions under this section or required by law;
17. Prescribe rules for the use and access to public records of the College that are consistent with ORS 192.420, and education records of students under applicable state and federal law and rules of the State Board of Education. Whenever a student has attained 18 years of age or is attending an institution of postsecondary education, the permission or consent required of and the rights accorded to a parent of the student regarding education records shall thereafter be required of and accorded to only the student. Faculty records relating to matters such as conduct, personal and academic evaluations, disciplinary actions, if any, and other personal matters shall not be made available to public inspection for any purpose except with consent of the person who is the subject of the record, or upon order of a court of competent jurisdiction;
18. Enter into contracts for the receipt of cash or property, or both, and establish annuities pursuant to Oregon Revised Statutes, and, commit, appropriate, authorize and budget for the payment of or other disposition of general funds to pay, in whole or in part, sums due under an annuity agreement, and to provide the necessary funding for reserves or other trust funds pursuant to Oregon Revised Statutes;
19. Encourage gifts to the College by faithfully devoting the proceeds of such gifts to the purposes for which intended;
20. Build, furnish, equip, repair, lease, purchase and raze facilities; and locate, buy and acquire lands for all College purposes. Financing may be by any prudent method including but not limited to loans, contract purchase or lease. Leases, authorized by this section, include lease-purchase agreements where under the College may acquire ownership of the leased property at a nominal price. Such financing agreements may be for a term of up to 30 years except for lease arrangements which may be for a term of up to 50 years;

21. Participate in an educational consortium with public and private institutions that offer upper division and graduate instruction. Community colleges engaged in such consortiums may expend money, provide facilities and assign staff to assist those institutions offering upper division and graduate instruction;
22. Enter into contracts of insurance or medical service contracts or may operate a self-insurance program as provided in ORS 341.312.

As a general method of operation the Board shall retain full legislative authority over the College and, in accordance with the laws of the state of Oregon, shall delegate executive, supervisory and instructional functions to its employees through the President.

Board policy is adopted to clarify the official College position on a variety of issues and to provide guidelines for the efficient and harmonious operation of the College. All staff members should be familiar with these Board policies and administrative regulations for their own protection and for the welfare of the College. Staff personnel are encouraged to discuss educational and professional suggestions with administration and members of the Board in order to provide quality programs for all students.

### **Authority of Board Members**

Board members have authority only when acting as a Board legally in session. The Board cannot be bound in any way by any statement on the part of individual Board members or College employees.

Any action of the Board must be performed at a regular, special or emergency meeting and must be made a matter of record in the minutes of the Board. The consent to any particular measure obtained from individual Board members when the Board is not in session shall not be an act of the Board or be binding upon the Board.

END OF POLICY

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#### **Legal Reference(s):**

[ORS 192.420](#)  
[ORS 192.630](#)  
[ORS Chapter 238](#)  
[ORS 243.650 - 243.782](#)  
[ORS Chapters 279A, 279B and 279C](#)  
[ORS 294.305 - 294.565](#)  
[ORS 341.290](#)  
[ORS 341.312](#)  
[ORS 731.704 - 731.724](#)

#### **Cross Reference(s):**

DJ - Purchasing