

## **Board Powers and Duties**

The Legislature of the state of Oregon delegates responsibility. The Board shall exercise those powers expressly granted and implied by statute in order to carry out its responsibilities. It shall serve to assist the State Board of Education, through contract, in providing state level services and support of state laws and state standards, and at the local level it shall provide professional services and facilities on a cooperative basis with school districts to maximize the intent of the Oregon Revised Statutes. The general powers granted to the Board are:

### **1. Legislative or Rule-Making Authority**

In regular or special public meetings, after open discussion and after members' votes are recorded, the Board will establish rules or policy to govern the conduct of its members and the proceedings of the Board.

The Board shall establish rules or policy for governing the programs and services of the ESD consistent with State Board of Education rules and with local, state and federal laws.

The Board is responsible for keeping informed about the needs and wishes of the public and for keeping local citizens informed about the ESD.

### **2. Judicial Authority**

As provided by law, policy or contract, the Board acts as a court of appeal for staff members, students and the public when issues involve Board policies or agreements and their implementation, and when the Board must determine the rights, duties or obligations of those who address the Board.

### **3. Executive/Administrative Authority**

The Board will hire a Superintendent who is delegated to establish administrative regulations to implement Board policy and priorities. The Board will evaluate the Superintendent's performance.

The Board and Superintendent shall jointly establish priorities for the ESD and identify areas of focus for improvement within the agency.

The Board will oversee the ESD's financial affairs by authorizing, appropriating and adopting budgets and by proposing local option or bond elections, when appropriate and as allowed by law, to provide for program operation and maintenance or acquisition of ESD property.

The Board shall annually adopt, fund and implement the Local Service Plan in accordance with Board policy DDA – Local Service Plan and state law. The Plan shall be submitted to the boards of

the component school districts for approval by resolution of at least two-thirds of the component school district and that have at least a majority of the students in the ESD region. Approval shall be by March 1 for implementation the following July1.

The Board will authorize the Superintendent to approve payment on all contracts and business transactions of the ESD in accordance with board policies on purchasing and budget requirements. The Board will provide for an annual audit of the ESD's assets.

The Board will employ the staff necessary to carry out the ESD's programs and services and will provide for regular evaluation of staff.

The Board will direct the collective bargaining process to establish collective bargaining agreements with the district's personnel. The Board will establish, through the collective bargaining process where appropriate, salaries and salary schedules, other terms and conditions of employment, and personnel policies for district wide application. This process will include but is not limited to:

- a. Approving a negotiations team which will represent the Board as a whole;
- b. The team will meet with the Board prior to the start of negotiations to establish bargaining goals. Once the negotiations begin, the team will meet with the Board to provide the Board with updates on the negotiation process.

The Board will adopt a calendar which includes the days of the year when ESD programs and services will be available.

END OF POLICY

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**Legal Reference(s):**

[ORS 192.630](#)  
[ORS 243.656](#)  
[ORS Chapters 279A, 279B and 279C](#)  
[ORS 280.060](#)  
[ORS 294.305 to -294.565](#)  
[ORS 328.205 to -328.304](#)  
[ORS 330.080 to -330.133](#)  
[ORS 334.005](#)  
[ORS 334.125](#)  
[ORS 334.145](#)  
[ORS 334.175](#)

[ORS 334.185](#)  
[ORS 334.215](#)  
[ORS 334.225](#)  
[ORS 334.240](#)  
[ORS Chapter 339](#)  
[ORS 342.805 to -342.937](#)  
[ORS Chapter 343](#)

[OAR 581-024-0205](#)  
[OAR 581-024-0206](#)

[OAR 581-024-0208](#)  
[OAR 581-024-0210](#)  
[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](#)

**Cross Reference(s):**

DJ - Purchasing