

## Governance of public institutions of higher education in Oregon

Oregon Constitution Article XIF and XIG (finance of building projects): <http://www.leg.state.or.us/ors/>

Oregon Revised Statutes (ORS), Chapters 351 and 352: <http://www.leg.state.or.us/ors/351.html>;  
<http://www.leg.state.or.us/ors/352.html>

Oregon Administrative Rules (OAR) Chapter 580 (Board of Higher Education):  
[http://arcweb.sos.state.or.us/rules/OARS\\_500/OAR\\_580/580\\_tofc.html](http://arcweb.sos.state.or.us/rules/OARS_500/OAR_580/580_tofc.html)

Oregon Administrative Rules (OAR) Chapter 576 (Oregon State University):  
[http://arcweb.sos.state.or.us/rules/OARS\\_500/OAR\\_576/576\\_tofc.html](http://arcweb.sos.state.or.us/rules/OARS_500/OAR_576/576_tofc.html)

Board of Higher Education Internal Management Directives:  
<http://www.ous.edu/about/polipro/files/IMD%201-08.pdf>

Board of Higher Education Policies:  
[http://www.ous.edu/state\\_board/polipro/files/Board%20Policies%208-2009.pdf](http://www.ous.edu/state_board/polipro/files/Board%20Policies%208-2009.pdf)

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**Sent:** Friday, February 19, 2010 12:41 PM  
**To:** [sgtf@lists.oregonstate.edu](mailto:sgtf@lists.oregonstate.edu)  
**Subject:** [Sgtf] Legislative/administrative governance structure

All,

I'm attaching a sort of bare-bones overview of the legislative and administrative governance structure currently in place for OSU. The constitutional provisions aren't really material to the work the task force is doing (though they're integral to the way OUS finances buildings on campus).

The basic structure is this:

A state agency (such as OSU) has only the authority given it either directly by the constitution or by the legislature. The Oregon Revised Statutes are the codification of the legislative authority of the State Board of Higher Education (and the Oregon University System) as well as the legislative authority of OSU. State agencies adopt administrative rules (OAR's) to implement and administer their statutory (legislative) authority. Under Oregon law, administrative rules must be adopted using statutory processes that include notice to the public, opportunities for public comment, and public hearings. State agencies (including the State Board of Higher Education and OSU) also adopt internal operating standards and processes (variously referred to as internal management directives, policies, guidelines, etc) that generally have do not have external application but guide the internal work of the agency/institution. State law doesn't prescribe particular processes for adoption of such internal operating standards and processes.

In the case of the State Board of Higher Education and OSU, the legislative authority is in ORS Chapters 351 and 352. The Board's administrative rules are in OAR Chapter 580. OSU's administrative rules are in OAR 576. Both sets of rules govern OSU. Most of the Board's internal operating guidance for the system institutions is in the Board's IMD's and its policies. As we discussed at our last meeting, OSU's internal operating standards and processes are not assembled in one spot that would be easily identified and linked.

I hope this is helpful, and am open to revising or supplementing as needed to support the committee's work.