

AMENDED RESOLUTION NO. 15- 3

BOARD OF TRUSTEES OF OREGON INSTITUTE OF TECHNOLOGY

**A RESOLUTION AUTHORIZING THE PRESIDENT TO REPEAL ADMINISTRATIVE RULES AND
ADOPT CERTAIN ADMINISTRATIVE RULES AS UNIVERSITY POLICIES**

The Board of Trustees of the Oregon Institute of Technology adopted the following resolutions at a duly held meeting:

WHEREAS, effective July 1, 2015, the Board of Trustees of the Oregon Institute of Technology (Board of Trustees) will assume full legal responsibility for Oregon Institute of Technology (University); and

WHEREAS, Section 172 of Senate Bill 270 (2013) and House Bill 4018 (2014) provide that the Board of Trustees may take any action on or before July 1, 2015, that is necessary for the Board of Trustees to exercise on and after the operative date all of the duties, functions and powers conferred on the Board of Trustees by Senate Bill 270; and

WHEREAS, Section 11(1)(m) of Senate Bill 270 (codified as ORS 352.107(1)(m)) provides that the Board of Trustees may establish policies for the organization, administration and development of the University which, to the extent set forth in those policies, may have the force of law and may be enforced through university procedures that include an opportunity for appeal and in any court of competent jurisdiction; and

WHEREAS, Section 11(3) of Senate Bill 270 (codified as ORS 352.107(3)) provides that the Board of Trustees may perform any other acts, in the judgment of the Board of Trustees, that are required, necessary or appropriate to accomplish the rights and responsibilities granted to the Board and the University by law; and

WHEREAS, Section 11(1)(t) of Senate Bill 270 (codified as ORS 352.107(1)(t)) provides that the Board of Trustees may delegate and provide for the further delegation of any and all powers and duties, subject to the limitations expressly set forth in law;

Now, therefore, the Board of Trustees resolves as follows:

Section 1

1. The President of the University is authorized to repeal the administrative rules in OAR Chapter 578. The effective date of the repeal shall be 11:59:59 p.m. on June 30, 2015.

2. The President is authorized to adopt any of the administrative rules as University policies, with such amendments as the President deems necessary or appropriate. The University policies shall have an effective date of 12:00 a.m. on July 1, 2015. The President may delegate and provide for the further delegation of this authority.

3. The President is authorized to adopt, repeal, and amend any administrative rules, internal management directives, policies, guidelines, and procedures of the State Board of Higher Education and the Oregon University System as University policies. Such University policies shall have an effective date designated by the President. However, until action by the President under this paragraph 3, all such administrative rules, internal management directives, policies, guidelines, and procedures of the State Board of Higher Education and the Oregon University System shall continue to apply to the University on the terms and conditions set forth in Senate Bill 270 (2013), as amended, and House Bill 4018 (2014), as amended, until further action by the President.

4. Any University policies adopted by the President may have the force of law and may be enforced through University procedures that include an opportunity for appeal and may be enforced in any court of competent jurisdiction.

Section 2

This Resolution shall take effect immediately upon approval by the Board.

Moved by Trustee Ziari

Seconded by Trustee Gomez

Trustee	Yes	No
Jeremy Brown	x	
Melissa Ceron	x	
Jessica Gomez	x	
Lisa Graham	x	
Dana Henry	x	
Kathleen Hill	x	
Gary Johnston	x	
Kelley Minty Morris	x	
Celia Núñez	Absent	Absent
Dan Peterson	x	
Steve Sliwa	x	
Paul Stewart	x	
Fred Ziari	x	

Approved and dated this _____ 09th _____ day of _____ July _____, 2015.



Lisa Graham
Board Chair

ATTEST:



Sandra Fox
Board Secretary

I, _____, Secretary of the Board, do hereby certify that the foregoing is a true and correct copy of a Resolution duly adopted by the Oregon Institute of Technology Board of Trustees at the meeting held on the _____ 09th day of _____ July _____, 2015, and thereafter approved and signed by the Chair and attested by the Secretary of the Board.

Secretary of the Board