



THE COMMISSION AS THE COMMUNITY COLLEGE DISTRICT BOUNDARY BOARD

Through ORS 341.565 to ORS 341.579, the Higher Education Coordinating Commission serves as the board authorized by the State to review and recommend changes to the boundaries of a community college district. The Commission has not utilized the process outlined below since it was created.

Initial Introduction

There are two ways a boundary change question can come before the Commission: a **motion** or a **petition**. There is no statutorily defined criteria for the Commission to initiate a **motion**.

For a **petition**, the Commission must receive certain statutorily required information from a petitioner or petitioners as specified in administrative rule. The rule requires the following information (this list is not exhaustive):

- A statement describing and a map of the boundary change requested
- A full and complete description of the area proposed to be included within or excluded from the college district
- A statement whether or not an area proposed to be included is within the boundaries of another community college district
- Names and mailing addresses of up to three petitioners

Generally, a petition must contain valid signatures for 500 electors of the territory looking to change status, or 10% of electors, whichever is less, and the Commission reserves the right to request that a county clerk verify the signatures.

Consideration

Regardless of the route of entry to the Commission, the Commission “must find that the proposed change will have no substantially adverse effect upon the ability of the affected districts to provide and continue their programs and is not made solely for tax advantages to property owners in the district or area affected by the proposed change.”

Additionally, the Commission may not order a change to a community college district boundary prior to holding a public hearing in the territory of the district to be included or excluded.

Decision

The Commission, in disposing of a motion or petition has three options: to affirm the motion or petition, to reject it, or refer the matter to an election of the territory to be changed.

If the Commission approves the motion, the Commission issues a change order, which is not finalized unless approved by the Legislative Assembly. If the assembly does not approve the order, the Commission may, after 60 days, revise and resubmit the order.

The Commission can reject the motion or petition, in which case the process ends.

The Commission can order an election. The Commission can refer the matter to an election at any time. The election is operated with funds appropriated by the Legislative Assembly to HECC for this purpose, and will be administered by the elections officer of record for the college district.

Division of Assets and Liabilities

When a boundary change affects multiple community college districts, the boards of the districts must come to an equitable division of assets and liabilities between the districts. If the districts cannot agree to a division within 20 days, arbitrators shall be appointed according to procedures dictated by statute.

This statute only applies when two or more districts are affected. If a territory removes itself from one district and does not join another, there is no statutory guidance regarding the division of assets and liabilities.