

DUTIES AND RESPONSIBILITIES OF THE OREGON STATE BOARD OF CONTROL

The primary responsibility of the Board of Control is to serve as the governing and policy-making body for all the services, activities, and programs administered by the separate divisions, offices and programs. The Board delegates certain authorities to the Division and institutional administrators to enable them to administer the various program activities under the general direction of the Board of Control. The Board exercises its administrative responsibility and authority through the following processes.

1. Specific General Budget Preparation and Execution Policies

- (a) Board of Control agencies operate on the philosophy that agency budgets, besides being an accounting document are a statement of specific goals, programs, and objectives which are to be accomplished during a given fiscal period.
- (b) The Board of Control specifies the philosophy and guidelines upon which the agencies' budget requests are developed; identifies specific program areas when it desires to give special consideration; and reviews all budgetary requests prior to transmittal to the Department of Finance.
- (c) The Board reviews all significant deviations in the approved budgets which affect either the level or character of the services provided, or the establishment of new positions, programs or activities.

2. Reviews Deviations From Approved Budget Levels

- (a) Board policy specifies that all Board of Control agencies are expected to administer approved programs consistent with Oregon Statutes, Board and Legislative policy. Prior to implementing any significant change in an approved program or an approved expenditure level, the appropriate Administrator is expected to present the item for Board review and approval. Whenever there is any question as to interpretation of Legislative policy, the Board policy requires the Administrator to present the matter to the Board of Control for ruling.

3. Determines Program Direction

The Board of Control has ultimate responsibility for determining the direction and level of service for each of its programs. Each

agency is responsible for developing a statement of both short-range and long-term program goals for the Board's consideration and adoption as an integral part of the agency budget. Consideration of program revisions, for the purpose of insuring that the Board's programs and future plans are meeting changing needs and circumstances, are presented to the Board by the appropriate Administrator or upon the Board's own motion.

4. Reviews Policies and Rules Governing Program Administration

Board of Control agencies develop policies and rules governing the operation of their programs for consideration and Board approval. This applies particularly to:

- (a) Programs which affect direct services to citizens.
- (b) Programs which are administered in cooperation with or which affect other agencies or government.
- (c) Fee schedules.
- (d) Policies governing admission, release or management of institutional residents.
- (e) Personnel and fiscal policies.
- (f) Rules and Regulations which are required by statute. Such policies and rules require the approval of the Board of Control before they become effective.

5. Reviews Prepared Legislation and Statutory Changes

The Board considers and approves all recommendations submitted by administrators for new legislation or for changes in existing legislation. This review is obtained prior to requesting bill drafting services and presentation to the Legislature.

Testimony by administrators on major legislation which relates to Board of Control programs, but which is not a part of the Board's legislative program, is also expected to reflect the Board's policy position.

6. Reviews Agreements

All agreements between Board of Control agencies and other States, agencies, public jurisdictions, community or private agencies re-

garding services, distribution of grant-in-aid funds, treatment of persons, etc., are approved by the Board before becoming effective. Agreements involving grant-in-aid funds are required to be for a definite period, and in no case may extend beyond the State biennial budget period.

7. Appoints Administrators and Advisory Committee Members

- (a) The Board of Control appoints the Secretary to the Board and all Administrators.
- (b) Subordinate unclassified deputy positions, and institutional superintendents are appointed by the appropriate administrator with the approval of the Board of Control.
- (c) The Board appoints the members of all Board of Control advisory committees upon recommendations submitted by the appropriate administrator. Standing advisory committees include the Mental Health Advisory Board, Oregon Alcohol and Drug Education Committee, Corrections Division Advisory Board and Advisory Committee on Juvenile Training Schools.

8. Approve Organization and Structure of Agencies

The organization structure of each Board of Control agency is subject to the approval of the Board of Control. Any significant deviation from this organization must be submitted and approved by the Board of Control before becoming effective.

9. Other Basic Responsibilities of the Board of Control

In addition to the Board's basic responsibilities concerning the administration of the institutional and related community social programs, the Board also has statutory responsibility in a number of general administrative areas. Included are:

- (a) Administers Capital Construction Program. All Capital Construction at Board of Control agencies is handled and executed by the Board through the Office of the Secretary. The Divisions are responsible for developing the program aspects of capital construction projects.
- (b) Administers the relative responsibility law pertaining to the collections for the care of mentally ill, mentally retarded, tubercular patients, and juveniles at the State's two training schools. Receipts are deposited to the credit of the General Fund. Each person or responsible relative having the financial

ability makes payments up to the rate of the average per capita cost for the care required by the patient or ward, as computed annually, or such portion as they are financially able to pay.

The determination of a person's ability to pay and thus the rate at which a person pays is determined by the Board of Control with rights of appeal through the courts. This method of making determinations was initially brought about by Chapter 652, Oregon Laws, 1959. Prior to enactment of the 1959 law, the determination of a person's ability was made solely through the courts. Financial responsibility may still be established by the courts upon request.

- (c) Arranges for the deportation of all alien and non-resident charges committed to the State institutions.
- (d) Acquires and manages all the real property in the Capitol Mall area. Until required for State purposes, this property is either leased to various private individuals or used by Governmental agencies. Net receipts from these rentals are deposited to the credit of the General Fund.
- (e) Receives bequests and takes both real and personal property to hold in trust for the State or for any institutions, the authorization for which is given the Board. The Board may also sue and plead in all courts of law and equity.
- (f) Destruction of papers, records, etc., of State departments requires the approval of the Board of Control which authority is given by ORS 192.090 and 192.105.
- (g) Performs many miscellaneous functions required by Statute. Deliberations of the Board of Control are considered only at scheduled, public meetings of the Board according to rules promulgated by the Board. Executive Sessions are held only to discuss matters of a personal nature involving employes or residents. All official actions considered in Executive Session are presented and considered at a scheduled meeting of the Board before becoming effective.