



# COMMUNITY COLLEGE BOUNDARY CHANGE PETITION FORM

<b>HECC USE ONLY</b>
Reviewed by:
Valid Signatures Required:

NOTE: Unless otherwise indicated, all information is required.

**RETURN ORIGINAL COMPLETED FORM TO:**

Higher Education Coordinating Commission  
ATTN: Kyle Thomas  
255 Capitol St. NE., 3<sup>rd</sup> Floor  
Salem, OR 97310

**CHIEF PETITIONER 1**

Name: Mailing Address: Phone:

**CHIEF PETITIONER 2 \*Optional**

Name: Mailing Address: Phone:

**CHIEF PETITIONER 3 \*Optional**

Name: Mailing Address: Phone:

**REQUESTED BOUNDARY CHANGE**

Please state, generally, the boundary change you are seeking. Please attach a map of the proposed boundary change to this form prior to submission. Failure to include a map may result in rejection of the petition.

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**FULL AND COMPLETE DESCRIPTION**

Please provide a full and complete description of the area proposed to be included within or excluded from the community college district. The area description may be by counties, cities, school districts, metes and bounds, or by any combination of these methods

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**TYPE OF BOUNDARY CHANGE**

Inclusion in a district:  District:

Exclusion from a district:  District:

Transfer between districts:

From District:

To District:

**COUNTY INFORMATION \*Optional**

Please provide information for counties which are, in whole or in part, contained in the territory seeking to be changed. Though not required, this information may speed processing.

Name of County 1:

Chief Elections Officer: Phone: Address:

Name of County 2 (if applicable):

Chief Elections Officer: Phone: Address:

Name of County 3 (if applicable):

Chief Elections Officer: Phone: Address:

Number of registered electors from county residing in territory to be changed:

**SIGNATURE OF PETITIONERS**

Chief Petitioner 1

Name: Signature: Date:

Chief Petitioner 2

Name: Signature: Date:

Chief Petitioner 3

Name: Signature: Date:

## Petition for Alteration of a Community College District Boundary

<b>Description of Boundary Change</b>	[Enter background reasons for and details of petition]
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It is against the law to sign a petition more than one time. Signers of this page must be active registered voters of the jurisdiction at the time of signing. Initial any changes the circulator makes to your printed name, residence address or date you signed the petition.

	Printed Name	Signature	Date Signed	Residence Address
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

**Circulator Certification:** The circulator must complete this certification and additional signatures should not be collected on this sheet once the certification has been signed and dated.

I hereby certify that I witnessed the signing of the signature sheet by each individual whose signature appears on the signature sheet, and I believe each person who signed the signature sheet stated a correct residence address and is a registered elector.

<b>Circulator Name</b>		<b>Circulator Signature</b>	
<b>Circulator's Address</b>		<b>Date Signed</b>	

SHEET NUMBER: \_\_\_\_\_  
To be completed by chief petitioner



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## REQUIREMENTS FOR A PROPER BOUNDARY CHANGE PETITION

NOTE: All of the following enumerated requirements must be met in order for a petition to be valid. These requirements are detailed in OAR 589-005-0300.

### **In order to begin circulating a petition, the petitioner shall submit:**

1. A statement describing and map of the boundary change requested;
2. A full and complete description of the area proposed to be included within or excluded from the community college district. The area description may be by counties, cities, school districts, metes and bounds, or by any combination of these methods;
3. A statement whether or not an area proposed to be included is within the boundaries of another community college district; and
4. A maximum of three persons as chief petitioners setting forth their names and mailing addresses.

HECC will provide a form to the chief petitioners to facilitate the meeting of these requirements. Upon receipt of the completed petition, HECC will determine the minimum number of signatures required for a petition to be valid. Once determined, HECC will provide the chief petitioners with the necessary minimum number of valid signatures, as well as signature pages form for signature collection.

The petitioner is not required to use the forms provided by HECC; however, all petitions and signature pages must contain the required information. Regardless of whether the petitioner uses HECC forms, or creates forms, the Commission retains the right to reject petitions that do not meet the requirements of OAR 589-005-0300. The petitioner may attempt to determine the minimum number of valid signatures, but HECC's determination of the numbers is controlling. HECC recommends petitioners submit signatures above the minimum requirements, as some signatures may be invalidated in a verification process.

The Commission reserves the right to request the county clerk of any affected county to verify all or a sampling of the names appearing on the petition. The Commission may, at its discretion, reject the petition if a sufficient sampling of the names is not verifiable by the county clerk because the names on the petitions cannot be read or if a sampling indicates that sufficient signers are not registered electors.

Additionally, the Commission is required to reject a petition unless the Commission determines 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. The petitioner is not required to make an argument before the Commission on this question, but may wish to provide the Commission with evidence or

material which supports the determination that the Commission is required to make. Once the documents have been accepted, HECC will provide the petitioner with the process for the Commission's consideration of the petition, including a timeline for the setting of a public hearing.

Petitions must be delivered to HECC in their original form. Faxed or scanned petition materials will be rejected. Materials should be delivered to:

Higher Education Coordinating Commission  
ATTN: Kyle Thomas  
255 Capitol St. NE., 3<sup>rd</sup> Floor  
Salem, OR 97310

For questions regarding the petition process, please contact:

Kyle Thomas  
Director, Legislative and Policy Affairs  
503-480-9596  
[kyle.thomas@hecc.oregon.gov](mailto:kyle.thomas@hecc.oregon.gov)



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## 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 (In practice, the Commission has restricted its ability to refer the matter to an election only when a remonstrance petition has been received).

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 in limited circumstances. Though the Commission by statute can refer the matter to an election at any time, by current rule, the Commission will refer the matter to an election only if it receives a remonstrance petition signed by 5% of the electors in the territory, or 500 electors, whichever is fewer. The election is operated with funds appropriated by the Legislative Assembly to HECC for this purpose.

### **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.