



OREGON INSTITUTE OF TECHNOLOGY

NWCCU

Year One Self-Evaluation Report

Standard One: Mission, Core Themes, and Expectations



Klamath Falls, Oregon



Wilsonville, Oregon



Prepared for the  
Northwest Commission on Colleges and Universities (NWCCU)  
Submitted on March 1, 2017

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## INSTITUTIONAL OVERVIEW

### University Culture

Oregon Technical Institute (OTI) was founded in 1947 to retrain members of the military returning from World War II and delivered primarily vocational education and training. After being renamed the Oregon Institute of Technology in 1973, the college developed associate degree programs in technology areas to replace vocational skills training.

Since becoming a baccalaureate institution, Oregon Institute of Technology (Oregon Tech) has emphasized professional, accredited programs in engineering, computing, technology, management, and allied health. Recognized as the only public institute of technology in the Northwest, Oregon Tech has broadened its activities to include the delivery of graduate programs. Current graduate degree program offerings include Engineering, Civil Engineering, Manufacturing Engineering Technology, Renewable Energy Engineering, Marriage and Family Therapy, and Allied Health. A graduate certificate in Applied Behavior Analysis is also offered.

The practical application of theory in real world situations underscores all Oregon Tech programs. Students experience hands-on learning through labs, projects, internships, and research, guided by faculty and staff who retain their professional connections to applicable industries and disciplines. Oregon Tech degrees lead to careers in health professions, renewable energy, environmental science, information technology, engineering, engineering technology, communication, psychology, applied medical sociology, and management. Oregon Tech's high-demand technical degree programs and educational methodologies support student success, such that 88 percent of graduates report employment in their degree field or enrollment in graduate programs within six months of graduation.

Oregon Tech locations throughout the Northwest include the main campus in Klamath Falls, an urban campus in Wilsonville, the Oregon Tech Seattle site, which offers degree options out of the Manufacturing and Mechanical Engineering and Technology Department, and the Dental Hygiene degree completion partnership with Chemeketa Community College on its Salem campus. The Oregon Tech La Grande site, which has provided students an opportunity to obtain an Associate of Applied Science in Dental Hygiene since 2005, will close in March 2017.

Oregon Tech is also the home of the Oregon Center for Health Professions and the Oregon Renewable Energy Center including the Geo-Heat Center. Through these centers, the university supports the scholarly interests of its faculty and students in allied health and the health sciences, as well as the development of renewable energy. Likewise, Oregon Tech focuses on project-based learning in its degree programs, incorporating real-world application through sponsored projects, collaborations, and internships in the workplace. The scholarship of many Oregon Tech faculty members focuses on the integration of theory with practice and teaching.

Oregon Tech has established educational partnerships with other universities in the state, and with members of the Oregon community college system. The Oregon Tech Wilsonville campus offers undergraduate degrees in Medical Laboratory Science and Para-medicine through a partnership with

Oregon Health and Science University. The Master of Education degree with an Emphasis in Applied Behavior Analysis and Autism Spectrum is offered as a joint degree between Oregon Tech and Southern Oregon University. And Oregon Tech has partnerships for the delivery of quality programs on site in commercial and professional environments as well.

Lastly, Oregon Tech delivers a variety of undergraduate degrees and courses through Oregon Tech Online, including specialized degree completion programs offered to working professionals throughout the nation. Enrollment growth in web-based curricula has been significant over the past five years.

### **Current Structure**

Since its founding in 1947, the Oregon Institute of Technology has been governed by the Oregon State Board of Higher Education, the governing board for the seven public universities in Oregon. In 2011, the Oregon Legislative Assembly enacted Senate Bill 242, which was an amalgam of higher education reform proposals made by the legislature's Joint Committee on Higher Education and the higher education governance reform proposals made by the Oregon University System. The bill provided the State Board of Higher Education and the chancellor with additional power and authority and the Oregon University System with relief from certain state regulatory requirements but did not provide additional authority or autonomy to the universities and their presidents.

Senate Bill 270, passed by the Legislative Assembly in 2013, established the University of Oregon, Portland State University and Oregon State University as independent public bodies with a strong board of trustees based on the model pioneered by Oregon Health and Science University (OHSU) when it was split off from the Oregon University System in 1995. The bill also provided the option for the technical and regional universities (TRUs), Eastern Oregon University, Oregon Institute of Technology, Southern Oregon University, and Western Oregon University, to seek approval for independent governing boards from the governor and the State Board of Higher Education.

In April 2014, the State Board of Higher Education authorized the Oregon Institute of Technology to establish a board of trustees, appointed by the governor and approved by the senate, without conditions. As of July 1, 2015, the university is governed by its own board of trustees, and is considered a public body, but is "not a state agency, board, commission or institution for purposes of state statutes or constitutional provisions."

As its name indicates, the Higher Education Coordinating Commission (HECC), established by statute in 2013, serves a coordinating function relative to significant changes to the academic programs of the community colleges and public universities, the operating and capital budgets that are funded by the State of Oregon, mission approval, and strategies for achieving state post-secondary educational goals. It is the responsibility of Oregon Tech's Board of Trustees to approve the university's mission, programs, budgets, and strategies, and then forward them to the HECC for review and approval in relation to the other seven publicly assisted universities.

Despite this recent change in governance structure, Oregon Tech's mission and vision remain the same and their fulfillment remains the University's primary goal.

## PREFACE

### **Update on Institutional Changes**

#### Leadership

Since the submission of its *Year Seven Comprehensive Self-Evaluation Report* in 2016, Oregon Tech leadership has undergone significant change.

Following eight years of service to Oregon Tech, President Dr. Chris Maples, indicated he would not be renewing his contract, effective June 30, 2016. Upon the departure of Dr. Maples, Oregon Tech's Board of Trustees named Dr. Jay Kenton, Interim President. Having previously served as Interim President at Eastern Oregon University, Vice Chancellor for Finance and Administration at the Oregon University System, and Vice President of Finance and Administration at Portland State University, Dr. Kenton was the ideal choice to lead Oregon Tech during its time of transition.

At its November, 2016 Board Meeting, the Oregon Tech Board of Trustees named Dr. Nagi Naganathan as its seventh president, following a national search begun the previous spring. Dr. Naganathan most recently served as Dean of the College of Engineering at the University of Toledo, and is expected to begin his tenure as president of Oregon Tech in April, 2017.

Provost Brad Burda announced his retirement from Oregon Tech, effective August 31, 2016. A national search is underway to replace Provost Burda. Ms. LeAnn Maupin, Dean of the College of Health, Arts, and Sciences is currently serving in the role of Interim Provost. The university hopes to name its next Provost spring, 2017.

Mr. Brian Fox was named Vice President of Finance and Administration in July, 2016, and Dr. Steve Neiheisel, Vice President for Enrollment Management, joined Oregon Tech in September, 2016.

#### Degree Offerings

No new degree offerings have been added since the last report in 2016.

The Bachelor of Science in Clinical Laboratory Science was renamed Medical Laboratory Science.

Oregon Tech has discontinued the following degree programs:

Associate of Applied Science, Dental Hygiene, La Grande campus

### **Response to Topics Requested by the Commission**

In its response to Oregon Tech's *Year Seven Mission Fulfillment and Sustainability Evaluation*, the Commission requested a separate Spring 2017 Ad Hoc Report to address two Recommendations of the Spring 2016 Year Seven Peer-Evaluation Report:

1. The evaluation committee recommends that Oregon Institute of Technology (OIT) complete, approve, and execute an agreement between the institution and the Foundation that clearly defines the relationship between the organizations (Standard 2.F.8).

2. The evaluation committee recommends that OIT develop, enforce and document enforcement of a policy for credit for prior learning assessment that clearly meets the criteria of Standard 2.C.7 and particularly paragraph (b).

Please find the requested Ad Hoc Report submitted as an addendum to this Year One Self-Evaluation Report.

The Commission also requested that the institution submit a Spring 2019 Ad Hoc Report to address Recommendations 3, 4, and 5 of the Spring 2016 Year Seven Peer-Evaluation Report:

3. The evaluation committee recommends that the Institute utilize planning and assessment effectively to guide Core Theme enactment, decision making, resource allocation and capacity, and engage and enable input by constituents (Standard 4.B.1).
4. The evaluation committee recommends that OIT regularly review its assessment processes to ensure that they appraise authentic achievements and yield meaningful results that lead to improvement (Standard 4.A.6).
5. The evaluation committee recommends that Oregon Institute of Technology engage in a regular, systematic, participatory, self-reflective, and evidence-based assessment of its accomplishments (Standard 5.A.1)

Oregon Tech looks forward to sharing these recommendations with the campus and engaging the university in a broader conversation around institutional planning and assessment. Oregon Tech will share its progress with the Commission in 2019.

## Chapter 1: Mission, Core Themes, and Expectations

### Executive Summary of Eligibility Requirements 2 and 3

#### Authority (ER2)

Oregon Tech is governed by the Oregon Institute of Technology Board of Trustees, which may exercise all such powers, rights, duties, and privileges as are expressly conferred upon the University, or that are implied by law or are incident to such powers, rights, duties and privileges. The Board of Trustees are considered a public body, but “not a state agency, board, commission or institution for purposes of state statutes or constitutional provisions.”

#### Mission and Core Themes (ER3)

On July 9, 2015, the Oregon Tech Board of Trustees adopted Oregon Tech’s mission statement and core themes, per Oregon Revised Statute 352.089(2). Oregon Tech serves the higher education needs of students from Oregon and the region principally through the delivery of formal degrees. Substantially all of Oregon Tech’s resources are devoted to supporting its educational mission and goals.

### **Standard 1.A: Mission**

#### **Oregon Tech Mission**

Oregon Institute of Technology offers innovative and rigorous applied degree programs in the areas of engineering, engineering technologies, health technologies, management, and the arts and sciences. To foster student and graduate success, the university provides an intimate, hands-on learning environment, focusing on application of theory to practice. Oregon Tech offers statewide educational opportunities for the emerging needs of Oregon’s citizens and provides information and technical expertise to state, national, and international constituents.

#### **Mission Fulfillment**

As the Northwest’s only public, polytechnic university, Oregon Tech’s mission is unique and focuses on providing students with a hands-on, applied education that prepares them to excel in their chosen career. For Oregon Tech, mission fulfillment involves delivering high-quality programs that enable graduates to support statewide workforce needs and beyond. This focus is embodied in all aspects of the University’s functions: Academics, Student Services, Enrollment Management, and Administration, and Oregon Tech is committed to supporting a learning environment that encourages communication, collaboration, and those competencies most valued by industry.

Oregon Tech appreciates and acknowledges recommendation three of the Commission’s Spring 2016 report, and strives to collect meaningful data that will inform institutional planning and assessment in support of its core themes, mission, and strategic plan; thereby guiding decision making, resource allocation and, capacity, and yielding meaningful results that will lead to improvement. Oregon Tech defines mission fulfillment as evidence of, or identified improvements in support of, attainment of identified outcomes and objectives that support Oregon Tech’s core themes and mission. Collaborative and coordinated communication across all university functions, with respect to planning and

assessment, supports a holistic, creative, and responsive approach to continuous improvement and explicitly reinforces student and graduate success which is fundamentally grounded in hands-on, applied learning.

### **Articulation of an Acceptable Threshold, Extent, or Degree of Mission Fulfillment**

For each of Oregon Tech's four core themes, the university has identified possible indicators of achievement and benchmark performance levels which will provide evidence and inform conversations around mission fulfillment. The core themes reflect Oregon Tech's core values and guiding principles and the way in which the University meets its commitment to its students and the state. Systematic assessment and evaluation of the core theme objectives outlined in this report will enable Oregon Tech to better appraise authentic achievements leading to continuous improvement.

Through regular, systematic, participatory, self-reflective, and evidence-based assessment of its accomplishments, Oregon Tech can realize an acceptable threshold of mission fulfillment. Continual improvements and incremental progress toward attainment of benchmark performance levels further support this goal. With core themes that directly align with the University's mission, objectives, and outcomes, and measurable indicators of achievement and benchmark performance levels that support the core themes, a framework exists to assess Oregon Tech's relative level of attainment with regards to mission achievement.

### **Standard 1.B: Core Themes**

#### **Core Theme 1: Applied Degree Programs**

Oregon Tech offers innovative and rigorous applied degree programs. The teaching and learning model at Oregon Tech prepares students to apply the knowledge gained in the classroom to the workplace.

**Objective 1:** Oregon Tech's academic programs focus on application of theory to practice.

**Outcome 1:** Curriculum and facilities incorporate and support hands-on, real-world learning.

**Outcome 2:** New and existing programs are reviewed for relevance and mission alignment.

**Table 1:** Core Theme 1, Objective 1

INDICATORS	MEASURES	BENCHMARKS
1.1 Programs incorporate applied projects, ex/internships, capstones	1.1A New Oregon Tech graduation requirement, every student has two experiences: (1) an interdisciplinary Essential Studies Synthesis Experience, and (2) a capstone experience within the major	100% of students meet Oregon Tech’s graduation requirement, beginning with graduates in 2020
1.2 Programs utilize industry-equivalent equipment and lab facilities	1.2A Oregon Tech’s Academic Master Plan forecasts equipment and lab facility needs on a 5-year planning horizon	Maintain fiscal support of equipment and lab facilities to achieve projected academic growth and relevance
1.3 Students have opportunities to sit for board and/or licensure exams	1.3A Board and/or licensure exam pass rates	Board and/or licensure exam pass rates meet or exceed the national average
2.1 Academic programs meet enrollment goals and ROI targets	2.1A Oregon Tech’s Academic Master Plan forecasts program growth, enrollment, and ROI on a 5-year planning horizon	90% of programs meet or exceed department-established enrollment goals and ROI targets

**Rationale:** Emphasizing the practical application of theory in real-world situations is integral to Oregon Tech’s curriculum, and faculty employ educational methodologies across all course levels to ensure students experience hands-on learning through labs, projects, internships, and research. Recent changes in, and added structure to, Oregon Tech’s General Education model will ensure that all Oregon Tech students have a junior-level interdisciplinary synthesis experience and a capstone experience within their major (1.1A). Student completion of this new graduation requirement provides an assessable and meaningful measure of hands-on, real-world learning.

Academic programs annually update and revise departmental strategic plans to reflect resource needs – such as faculty positions, lab space, and equipment – using a year-by-year planning timeline based on market trends as well as internal efforts to effectively and efficiently deliver quality educational offerings (1.2A). Oregon Tech’s Academic Master Plan, a compilation of departmental strategic plans, informs resource allocation in support of growth potential, quality, differentiation in the market, efficiency, and the best portfolio mix for the university (2.1A). The plan influences university financial investments in facilities, labs, and classrooms based on program growth potential and is an assessable and meaningful measure of achievement of projected academic growth and relevance.

Pass rates on board and licensure exams are also strong indicators of the applied-nature of Oregon Tech’s curriculum (1.3A).

**Objective 2:** Oregon Tech’s culture of continuous improvement ensures quality programs.

**Outcome 1:** Annual academic assessment processes reinforce program quality.

**Table 2:** Core Theme 1, Objective 2

INDICATORS	MEASURES	BENCHMARKS
1.1 Program improvements and actions are indicated on annual assessment reports	1.1A Departmental Assessment Reports identify actions, based on assessment data, resulting in measurable improvement over the course of an assessment cycle	90% of programs indicate improvement based on actions implemented

**Rationale:** Academic programs evaluate program-specific student learning outcomes (PSLOs) on a three-year assessment cycle to ensure that graduates are proficient in the technical outcomes required by specific disciplines. Assessment data direct student-learning improvements and action plans and are an assessable and meaningful measure of program quality (1.1A).

**Core Theme 2: Student and Graduate Success**

Oregon Tech fosters student and graduate success by providing an intimate, hands-on learning environment, thereby developing graduates that are career-ready. Teaching and support services facilitate students’ personal and academic development.

**Objective 1:** Oregon Tech supports the academic and personal development of its students.

**Outcome 1:** Oregon Tech’s curriculum is intentional and scaffolded to support achievement of student learning outcomes.

**Outcome 2:** Oregon Tech’s learning environment supports student success.

**Outcome 3:** Student and Enrollment Services support students’ academic and personal development.

**Table 3:** Core Theme 2, Objective 1

INDICATORS	MEASURES	BENCHMARKS
1.1 Students demonstrate proficiency on Essential Student Learning Outcomes (ESLO)	1.1A Institutional Assessment Reports, NSSE results, and IDEA Center Student Ratings of Instruction (IDEA) indicate student attainment on ESLOs	80% of students meet or exceed proficiency expectations as indicated by institutional assessment plans and learning outcomes
1.2 Students demonstrate proficiency on Program-Specific Student Learning Outcomes (PSLOs)	1.2A Departmental Assessment Reports indicate student attainment on PSLOs	Students meet or exceed program-established proficiency expectations
1.3 Students indicate Oregon Tech positively contributes to their academic and personal development	1.3A NSSE results indicate attainment on Academic Challenge & Learning with Peers Themes	Student attainment meets or exceeds comparator institutions, while improving over past results
2.1 Students indicate satisfaction with the quality of their interactions with faculty	2.1A NSSE, BCSEE, and FSSE results indicate effective teaching practices and quality of student/faculty interactions	Student satisfaction meets or exceeds comparator institutions, while improving over past results
2.2 Class sizes support hands-on, real-world learning	2.2A Average class size	Maintain average class size of 20
2.3 Faculty and students indicate satisfaction with Information Technology Services (ITS) and Oregon Tech’s Learning Management System (LMS)	2.3A IDEA ratings indicate student satisfaction with course-specific technology and Oregon Tech’s LMS	80% of students are satisfied with ITS and Oregon Tech’s LMS
	2.3B Faculty survey results indicate satisfaction with course technology and training	90% of faculty are satisfied with ITS and Oregon Tech’s LMS
2.4 Library services support hands-on, real-world learning	2.4A Association of College and Research Libraries Statistical Report indicates student and faculty use of library research support and the number of courses supported by librarians	The library meets or exceeds comparator institutions, while improving over past results
3.1 Students indicate satisfaction with the quality of their interactions with staff and university offices	3.1A NSSE results indicate satisfaction with staff and university office interactions	Student satisfaction meets or exceeds comparator institutions, while improving over past results
	3.1B CAS Standards indicate FTE requirements necessary to maintain quality interactions	FTE maintained at CAS-specified levels

**Rationale:** Oregon Tech systematically assesses six essential student learning outcomes (ESLOs) to ensure that graduates are proficient in basic undergraduate skills which include, communication, inquiry & analysis, ethical reasoning, teamwork, quantitative literacy, and diverse perspectives (1.1A). Programs also evaluate program-specific student learning outcomes (PSLOs) to ensure that graduates are proficient in the technical outcomes required by specific disciplines (1.2A). The NSSE and IDEA survey instruments provide additional data that indicate levels of ESLO and PSLO attainment (1.1A and 1.3A). Comprehensive analysis of ESLO and PSLO attainment provides a meaningful measure of achievement of student learning outcomes.

Faculty and staff involvement in student life both inside and outside the classroom builds relationships and enhances student success (2.1A, 3.1A, and 3.1B). Classroom enrollments that optimize content delivery and enable personalized instruction further enhance student learning (2.2A). And library and technology services are integral to supporting student learning and academic success (2.3A, 2.3B, and 2.4A). National surveys such as the NSSE, BCSEE, and FSSE, course evaluation tools such as the IDEA Center Student Ratings of Instruction system, and departmental annual reports, reflect student satisfaction with their learning environment as well as satisfaction with faculty, staff, and university offices, providing meaningful data in support of student success.

**Objective 2:** Oregon Tech students demonstrate educational progress.

**Outcome 1:** Degree-seeking students persist from year-to-year.

**Outcome 2:** Students graduate in a timely manner.

**Table 4:** Core Theme 2, Objective 2

INDICATORS	MEASURES	BENCHMARKS
1.1 New freshmen are retained	1.1A Institutional Research’s Annual Report indicates the percent of new freshmen retained fall-to-fall	80% of new freshmen are retained fall-to-fall, using IPEDS first year retention methodology
1.2 Transfer students are retained	1.2A Institutional Research’s Annual Report indicates the percent of transfer students retained fall-to-fall	75% of transfer students are retained fall-to-fall
1.3 Academic policies support educational progress	1.3A Quarterly Academic Standing Reports indicate academic standing of Oregon Tech students	80% of students are in good academic standing versus the number of students on probation or suspension
2.1 Freshmen graduate within six years	2.1A Institutional Research’s Annual Report indicates six-year freshmen graduation rate	60% of freshmen graduate in six years, using IPEDS six year graduation rate methodology
2.2 Transfer students graduate within four years	2.2A Institutional Research’s Annual Report indicates four-year transfer student graduation rate	60% of transfer students graduate in four years

**Rationale:** Retention data, completion rates, and academic standing are strong indicators of educational progress and inform faculty and staff of at-risk students in need of additional resources to ensure success (1.1A, 1.2A, 1.3A, 2.1A, and 2.2B). Trends are analyzed and addressed enabling faculty and staff to stay current with the changes in both a student’s and the university’s environment and how these changes impact a student’s ability to reach their academic and career goals, thereby providing an assessable and meaningful measure of educational progress.

**Objective 3:** Oregon Tech graduates are career-ready.

**Outcome 1:** Students succeed in finding employment or opportunities to further their education.

**Table 5:** Core Theme 2, Objective 3

INDICATORS	MEASURES	BENCHMARKS
1.1 If seeking, students succeed in finding employment and/or continuing education opportunities	1.1A Career Services Graduate Survey identifies students that have found employment, are pursuing further education, or are not seeking	92% of students have found employment, pursue further education, or are not seeking
1.2 Employed graduates earn competitive salaries	1.2A Career Services Graduate Survey indicates median starting salary	Maintain or increase median salary year-over-year

**Rationale:** Graduates with knowledge and skills demanded by employers are able to obtain program-related jobs or continue their career preparation with further education. Job placement rates indicate employer demand for skill sets and degree programs (1.1A). Enrollment in post-baccalaureate educational programs also indicates that students are prepared to advance in their chosen field (1.1A). Oregon Tech graduates earn some of the highest starting salaries in the nation which can be considered an assessable and meaningful measure of career-readiness (1.2A).

**Core Theme 3: Statewide Educational Opportunities**

Oregon Tech offers statewide educational opportunities for the emerging needs of Oregon’s citizens. To accomplish this, Oregon Tech’s degree programs are accessible to students across the state of Oregon,

**Objective 1:** Oregonians have access to an Oregon Tech education

**Outcome 1:** Oregon Tech serves students across the state

**Outcome 2:** Oregon Tech provides access and support to underserved populations

**Table 6:** Core Theme 3, Objective 1

INDICATORS	MEASURES	BENCHMARKS
1.1 Academic programs meet portfolio growth goals and targets	1.1A Strategic Enrollment Management and Academic Master Plans identify on-campus, on-site, and online growth goals and targets	Portfolio growth goals meet or exceed enrollment targets on-campus, on-site and online
2.1 Oregon Tech serves Pell-eligible students, veterans, students from rural areas, and under-represented minorities	2.1A Institutional Research’s Annual Report indicates enrollment, retention, and graduation rates for underserved populations	Enrollment goals, retention rates, and graduation rates meet or exceed goals and rates of the general population

**Rationale:** Oregon Tech can offer its degree programs statewide by leveraging its assets: A rural residential campus in Klamath Falls, a non-residential urban campus in Wilsonville, extension operations in Seattle and Salem, and an online campus. The Academic Master Plan contributes to meeting the targets presented in the university’s enrollment management plan and is an assessable and meaningful measure of achievement of access (1.1A).

By providing access and support to underserved populations, Oregon Tech increases the diversity, retention, and success of its students. Enrollment data, retention data, and completion rates, are strong indicators of educational progress within underserved populations and inform faculty and staff of students in need of additional resources to ensure success (2.1A). Identified trends in student populations are analyzed with respect to risk-factors and their impact on learning, environmental stresses, goals, attitudes, and abilities, and are addressed to ensure that academic requirements, services, and processes provide meaningful assistance to these students, thereby maximizing the number of students that persist, and ultimately graduate from the University.

**Core Theme 4: Public Service**

Oregon Tech shares information and technical expertise with state, national, and international constituents.

**Objective 1:** Oregon Tech supports faculty and students in developing learning experiences with industry and community partners.

**Outcome 1:** Oregon Tech engages in community service fieldwork.

**Outcome 2:** Oregon Tech faculty are connected with industry associations and individual business partners.

**Outcome 3:** Oregon Tech supports experiential learning opportunities throughout a student’s education.

**Table 7:** Core Theme 4, Objective 1

INDICATORS	MEASURES	BENCHMARKS
1.1 Oregon Tech faculty and staff meet community engagement goals	1.1A The Office of Strategic Partnerships Annual Report indicates level of engagement in industry and community partnerships	Faculty and staff meet or exceed engagement goals, while improving over past results
2.1 Oregon Tech faculty maintain professional memberships and industry connections	2.1A Academic Performance Evaluations indicate participation in professional development and professionally-related public service	90% of faculty self-report professional memberships and professionally-related public service
3.1 Degree programs and co-curricular opportunities engage students externally	3.1A Senior Exit Surveys indicate levels of student participation in experiential learning	95% of students participate in experiential learning

**Rationale:** Faculty, staff, and students participate in a wide variety of service activities related to their disciplines, sharing expertise with a diverse population. Many of Oregon Tech’s offices, such as the Office of Strategic Partnerships and Career Services, support faculty, staff, and students to develop learning experiences with business and community partners (1.1A and 3.1A). These offices are responsible for campus-wide promotion of the University’s economic development mission and provide assessable and meaningful measures of achievement of community engagement.

Many Oregon Tech faculty and staff retain their professional connections to applicable industries and disciplines and use their expertise to support both students and community stakeholders outside the scope of normal classroom activities. Those faculty with well-established ties to industry are able to use their connections to support industry-based projects, student-designed team activities, and community-based initiatives (2.1A).

Oregon Tech’s emphasis on hands-on learning for real-world achievement is supported by its applied education model, with integrated classroom and lab instruction complemented by experiential learning. Oregon Tech will enhance the success of its students by providing experiential learning throughout a student’s education, such as internships, externships, industry-supported senior projects, community service fieldwork, and student competitions, such as the Baja Car Competition and the Catalyze Klamath Falls Challenge. Oregon Tech’s Senior Exit Survey provides assessable and meaningful measures of achievement of experiential learning opportunities (3.1A).

## **Conclusion**

In this Year One Self-Evaluation Report, Oregon Tech presents its mission and core themes. Oregon Tech's focus on applied degree programs, student and graduate success, statewide educational opportunities, and public service will ensure that the university continues to deliver high-quality programs that enable graduates to support statewide workforce needs and beyond.

The framework described herein ensures that meaningful data are used to direct institutional planning and assessment. For each core theme, Oregon Tech developed objectives, outcomes, measurable indicators, and benchmarks which indicate relative levels of achievement on its core themes and progress toward mission fulfillment. Rationale for the selection of the respective indicators of achievement indicates how each of the core theme objectives will be assessed in the Year Seven Report. Ongoing work between now and year seven will enable Oregon Tech to evaluate its accomplishments, incorporate necessary improvements, and measure progress made on the stated objectives and outcomes discussed in this report, ultimately informing campus-wide conversations around mission fulfillment.



Spring 2017  
Ad Hoc Report  
Addressing Recommendations 1 and 2

from  
Spring 2016 Year Seven Evaluation  
*Mission Fulfillment and Sustainability*

Submitted to  
Northwest Commission on Colleges and Universities  
February 21, 2017

## Introduction

The Oregon Institute of Technology (OIT) regional accreditation was reaffirmed by Northwest Commission on Colleges and Universities based on the Spring 2016 Year Seven *Mission Fulfillment and Sustainability* Evaluation, however, with Recommendations.

The NW Commission letter, dated July 5, 2016, addresses areas where OIT is not in compliance with the Commission's criteria for accreditation as follows:

Recommendation 1. "The evaluation committee recommends that Oregon Institute of Technology (OIT) complete, approve, and execute an agreement between the institution and the Foundation that clearly refines the relationship between the organizations (Standard 2.F.8.)"

Recommendation 2. "The evaluation committee recommends that OIT develop, enforce and document enforcement of a policy for credit for prior learning assessment that clearly meets the criteria of Standard 2.C.7. and particularly paragraph (b)."

Upon request of the Commission, Oregon Tech has been asked to submit a Spring 2017 Ad Hoc Report, addressing Recommendations 1 and 2 of the Spring 2016 Year Seven Self-Evaluation Report.

#### Response to Recommendation 1.

“The evaluation committee recommends that Oregon Institute of Technology (OIT) complete, approve, and execute an agreement between the institution and the Foundation that clearly refines the relationship between the organizations (Standard 2.F.8.)”

Oregon Institute of Technology and the Foundation completed, approved and executed an agreement between the organizations, effective July 1, 2016.

Progress: Oregon Institute of Technology became a separate legal entity July 1, 2015, which also allowed the Institution to operate under its own Board of Trustees. Due to the timing of onboarding of the Board and adoption of policy and procedure, to include a draft agreement between the Board of Trustees and the Foundation, timing did not allow execution of such agreement until after the Peer-Evaluation visit in April 2016. The completed agreement was presented to The Commission during the June meeting in Redmond, Washington, and is included herein.

#### Response to Recommendation 2.

“The evaluation committee recommends that OIT develop, enforce and document enforcement of a policy for credit for prior learning assessment that clearly meets the criteria of Standard 2.C.7. and particularly paragraph (b).”

Oregon Tech recognizes the importance of enforcement of Institutional policies. While a newly revised policy is planned for implementation around CPL, we also realize that current practice in awarding credit for prior learning is out of compliance with our current policy, and thus Standard 2.C.7.

Progress: As a result of recent conversations with members of the Higher Education Coordinating Commission’s Credit for Prior Learning Advisory Committee, Oregon Tech is planning further revisions of the current Credit for Prior Learning policy.

## **AGREEMENT TO EXCHANGE SERVICES AND SUPPORT**

This Agreement to Exchange Services and Support (this "Agreement") is by and between the Oregon Institute of Technology ("Oregon Tech") and the Oregon Institute of Technology Foundation ("Foundation") and is dated as of July 1, 2016 (the "Effective Date"). Oregon Tech and the Foundation may be referred to herein collectively as the "Parties" or individually as a "Party".

### **RECITALS**

- A. Heretofore, the Parties entered into that certain Restated Oregon Institute of Technology and Oregon Tech Foundation Contract to Exchange Services and Support with a term from December 13, 2002 to December 13, 2003 and which may have been extended and amended from time to time (the original contract and any extensions and amendments thereto are collectively referred to herein as the "Prior Contract").
- B. The Prior Contract has expired and is no longer of any force and effect.
- C. As of July 1, 2015, Oregon Tech is a public institution of higher education that, in accordance with ORS 352.025 et. Seq., is governed by a Board of Trustees appointed by the Governor of Oregon ("Board of Trustees"). The daily operations of Oregon Tech are conducted by the President of Oregon Tech.
- D. Prior to July 1, 2015, certain Oregon Administrative Rules applied to Oregon Tech. After July 1, 2015, the Oregon Administrative Rules became irrelevant; however, the Board of Trustees adopted the previously applicable Oregon Administrative Rules as "University Policies". The University Policies retain the same numbering protocol as the previously applicable Oregon Administrative Rules which are attached to this Agreement for reference (Attachment #1).
- E. The Foundation is a public benefit corporation incorporated and existing under Oregon laws ORS Chapter 65 established for the sole purpose of aiding and promoting the educational purposes of Oregon Tech; furthermore, the Foundation has the status of a non-profit, tax-exempt, organization, pursuant to Section 501(C)(3) of the U.S. Internal Revenue Code.
- F. Oregon Tech has recognized the Foundation as satisfying the requirements set forth in University Policy 580-46-0005 and the Foundation has confirmed that it continues to meet those requirements, has accepted Oregon Tech's recognition as provided in University Policy 580-46-0010, and has provided Oregon Tech's president with the reaffirmation required under 580-046-0010(3).

- G. It is the desire of the Parties to set forth the manner in which Oregon Tech is to provide support to the Foundation and in which the Foundation is to provide support to Oregon Tech.

#### **AGREEMENT**

NOW, THEREFORE, in consideration of the premises and for other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged by Oregon Tech and the Foundation, the Parties agree as follows:

- 1.0 **Support Provided by the Foundation to Oregon Tech.** The Foundation's sole purpose is to provide support to Oregon Tech. Support includes, but is not limited to:
- 1.1 Raising, receiving, investing and administering funds for Oregon Tech to use for its charitable, scientific, cultural and educational purposes;
  - 1.2 Assisting Oregon Tech's Office of Development and Alumni Relations in its fund raising activities and development programs with individuals, corporations, foundations, and other organizations;
  - 1.3 Soliciting funds for the purchase of equipment, supplies, faculty and staff development, faculty chairs, student projects and scholarships, and supporting any other lawful purpose of Oregon Tech so long as all such solicitations are conducted in compliance with the Foundation's Bylaws, Articles of Incorporation, and the Foundation's nonprofit and tax exempt status;
  - 1.4 Participating in the development of and conducting its activities in a manner that support strategic plans, goals, and priorities for fundraising that have been adopted by Oregon Tech;
  - 1.5 Funding wholly or in part, including other payroll expenses, Oregon Tech employee positions that are not funded by Oregon Tech but do provide services to the Foundation and indirectly to Oregon Tech;
  - 1.6 Unless otherwise specifically designated by the Foundation, assigning to Oregon Tech any and all rights to claims the Foundation may have acquired or may acquire in the future to publications, inventions, and all other forms of intellectual property evolving directly or indirectly from research and related activities conducted by employees of Oregon Tech with funds provided to Oregon Tech by the Foundation;
  - 1.7 Performing other activities deemed appropriate by the Foundation's Board of Directors in carrying out the stated purposes of Oregon Tech and the Foundation.
- 2.0 **Support Provided by Oregon Tech to the Foundation.** Oregon Tech agrees to provide services and support to the Foundation as described below.
- 2.1 Office space including office furniture, equipment, utilities and janitorial services that are sufficient to accommodate people working on behalf of the Foundation

to be provided on such terms and at such location(s) as are mutually acceptable to the Parties;

- 2.2 Student employees to perform miscellaneous services to the Foundation, including but not limited to telethons, administrative duties, data entry and receipt of gifts;
- 2.3 Assistance in arranging Foundation meetings and events, including arranging catering and meeting spaces;
- 2.4 Developing and producing publicity (a) to be used by the Foundation to promote Oregon Tech, (b) about Foundation-sponsored events to increase public awareness about Oregon Tech, and (c) to promote development of donor relations and donations to the Foundation (additionally, the Foundation may use marketing materials produced by Oregon Tech's Marketing, Communication and Public Affairs Department with the prior approval of the Marketing Department);
- 2.5 General office services including but not limited to typing, filing, reception and telephone communication, recording gifts (but not payment card information), processing disbursement documents, recording transfers between accounts and maintaining other fiscal records and reports as may be required;
- 2.6 Use of Oregon Tech's Information Technology Office services including all telephone related services, data and/or network services, and computer systems services, including internet access and central web services, provided that the Foundation is not authorized to access or use personal information (as that term is defined by applicable law) through such Information Technology Office services. The Foundation agrees to comply with all applicable federal and State regulations and Oregon Tech policies on use and security of such services and information that may be accessed through such services;
- 2.7 Use of Oregon Tech's Printing Department that includes printing, duplicating, mailing services, campus mail and campus freight;
- 2.8 Oregon Tech may provide other support to the Foundation that is consistent with the support described above as funding is available.

### **3.0 Relationship between Oregon Tech and the Foundation.**

- 3.1 The Parties agree to acknowledge and respect each other's independence, to act at all times so as not to jeopardize that independence, and to actively seek and encourage a cooperative relationship between Oregon Tech and the Foundation.
- 3.2 The Board of Directors of the Foundation is responsible to control, manage and invest all assets of the Foundation, and to delegate management authority, including the prudent management of all gifts and donations consistent with donor intent and applicable federal and state laws.
- 3.3 No employee of Oregon Tech may be a voting member of the Foundation's board of directors, see University Policy 580-046-0025(3).

- 3.4 Oregon Tech employees that are also ex-officio non-voting members of the Foundation Board of Directors include:
  - 3.4.1 The President of Oregon Tech or his/her designee;
  - 3.4.2 The Vice President for Development and Alumni Relations; and
  - 3.4.3 The Vice President for Finance and Administration.
- 3.5 The Foundation shall cooperate with the President of Oregon Tech to permit compliance with University Policy 580-046-0030(2).
- 3.6 Should a conflict of interest arise with respect to employees of Oregon Tech that serve on the Foundation's Board of Directors, any such conflict shall be resolved solely by the independent officers, the President of Oregon Tech, and the Board of Directors of the Foundation who are not directly or indirectly involved in the conflict situation.
- 3.7 Should any third party claim be asserted against a Party (the "First Party"), the other Party will cooperate with the First Party and the First Party's representatives in connection with the defense of such claim.

#### 4.0 **Financial Arrangements.**

- 4.1 The Foundation shall reimburse Oregon Tech for the cost of providing its personnel, services and supplies at the same rate as Oregon Tech charges its departments and schools, the amount(s) to be determined on an annual basis.
- 4.2 Oregon Tech agrees to employ, compensate, and evaluate designated employees in the Development and Alumni Relations Department.
- 4.3 Oregon Tech agrees to provide annual financial support to the Foundation in an amount to be determined each fiscal year for personnel, services, and supplies as follows:
  - 4.3.1 The amount shall be determined annually between Oregon Tech and the Foundation;
  - 4.3.2 The annual support shall reflect prior support of Foundation activities by Oregon Tech; and
  - 4.3.3 Annual support shall reflect non-operating activities of the Foundation, committed to by the Foundation in support of and at the request of Oregon Tech, that require use of operating funds to meet financial obligations (i.e., loans or leases for the benefit of Oregon Tech).
- 4.4 The Foundation shall not make any payments to an employee of Oregon Tech except as permitted by University Policy 580-046-0035(6); furthermore, Oregon Tech agrees to provide the President's approval required by University Policy 580-046-0035(6)(b) so long as Oregon Tech's interests will not be jeopardized thereby.

- 4.5 The Foundation shall provide Oregon Tech's President and Board of Trustees with an annual report summarizing gifts received by the Foundation.

#### **5.0 Goal Setting and Fundraising**

- 5.1 The Foundation shall participate in the development of strategic goals, priorities and plans for fundraising for the benefit of Oregon Tech;
- 5.2 Oregon Tech shall provide to the Foundation on an annual basis, its priorities for the Foundation's fundraising efforts;
- 5.3 The President of Oregon Tech shall assume a prominent role in the fundraising activities of the Foundation; and
- 5.4 The Foundation agrees to coordinate all fundraising goals programs, campaigns and activities with personnel in Oregon Tech's Office of Development and Alumni Relations or others designated by Oregon Tech.

#### **6.0 Data Base(s), Student Records, Alumni Records, and Donor Information.**

- 6.1 The Foundation shall operate and maintain the Foundation's data processing equipment including but not limited to the following:
  - 6.1.1 Peripheral hardware and software;
  - 6.1.2 Hardware and software systems programs to provide accounting, development, and alumni record keeping.
- 6.2 Except as may be limited by State or Federal law, Oregon Tech shall provide the Foundation with access to those student and alumni records necessary for the Foundation to grant scholarships, engage and solicit gifts from alumni, and other purposes consistent with the Foundation's Bylaws relating to support of Oregon Tech and furthering Oregon Tech's educational mission. For these purposes, the Foundation is a school official with a legitimate education interest within the meaning of FERPA (20 U.S.C. §1232g; 34 CFR Part 99).
- 6.3 As required by the Family Educational Rights and Privacy Act, 20 U.S.C. §1232g ("FERPA") and ORS 326.565, the Foundation shall not disclose any information or records regarding students or their families that the Foundation may learn or obtain in the course and scope of its performance of this Agreement. The parties recognize that FERPA imposes strict penalties for improper disclosure or re-disclosure of confidential student information, including but not limited to denial of access to personally identifiable information from education records for at least five years (34 CFR § 99.67). Therefore, consistent with FERPA's requirements, personally identifiable information obtained by the Foundation in the performance of this Agreement may not be re-disclosed to third parties without the written consent of the student's parent/guardian and must be used only for the purposes identified in this Agreement.
- 6.4 Oregon Tech will not share personal information (as that term is defined by applicable law) with the Foundation. To the extent the Foundation has received

such information in the past, it will comply with the administrative, physical, and technical safeguards set forth in ORS 646A.622.

- 6.5 The Foundation is solely responsible for acquiring, storing, transmitting, processing, and otherwise using donor and potential donor information, including without limitation payment card data. The Foundation shall use their best efforts (and in no event less than reasonable efforts) to protect the confidentiality of donor and potential donor information and shall not, without the prior written consent of the donor or potential donor, acquire, store, transmit, process or otherwise use the names, addresses, telephone numbers, payment card data, or other personal information of donors or potential donors, regardless of when collected, to anyone other than its board of directors, officers, employees, lawyers, accountants, affinity partners, and other professional advisors, who need to know such information, except pursuant to a court order or an opinion of counsel to the effect that such disclosure is required by applicable law. The Foundation's accounting, development, and alumni records shall be on processing equipment that is compatible with Oregon Tech's processing equipment.

**7.0 Foundation to be Primary Recipient of Gifts, Certain Restrictions Apply.**

- 7.1 Oregon Tech acknowledges that the Foundation shall receive most charitable contributions, gifts and grants that benefit Oregon Tech and the Foundation; additionally, the Foundation shall administer all charitable contributions, gifts and grants it receives in accordance with applicable restrictions and preferences and in compliance with this Section.
- 7.2 The Foundation shall consult with and gain the prior approval of Oregon Tech's Vice President of Development and Alumni Relations, or its designee or successor, regarding any restrictive terms and conditions placed on potential gifts by donors.
- 7.3 Prior to accepting any gift of real or tangible personal property that is to be utilized by Oregon Tech, the Foundation shall obtain the written approval of Oregon Tech's Vice President of Finance and Administration and/or any other approvals required by Oregon Tech.
- 7.4 Notwithstanding sections 7.1-7.3, the Foundation acknowledges that revenues received from Oregon Tech activities, shall not be deposited in a Foundation account. Oregon Tech and the Foundation agree that if either of them receives funds intended for the other, such funds shall be handled as follows:
  - 7.4.1 If Oregon Tech receives funds intended for the Foundation, then such funds shall be identified, deposited in a state account and promptly transferred to the Foundation after receipt of supporting documents showing that the Foundation was the intended recipient; and

- 7.4.2 If the Foundation receives funds intended for Oregon Tech, the Foundation shall identify and isolate such funds in its accounting records and promptly transfer such funds to Oregon Tech after receipt of supporting documents showing that Oregon Tech was the intended recipient.
- 7.5 Oregon Tech shall follow all donor designations of gifts and applicable law governing the use of such gifts made to the Foundation:
  - 7.5.1 When cash, or assets converted to cash, are made available for use by Oregon Tech, Oregon Tech must follow any donor restrictions or designations related to the gift.
  - 7.5.2 When tangible personal property, such as equipment, is donated to the Foundation and ownership is subsequently transferred to Oregon Tech, Oregon Tech must follow any donor restrictions or designations related to the gift. In all circumstances, however, the useful life of such property will be deemed to end and the property can be disposed of when it becomes obsolete, requires extensive repairs, or outlives its relevance or intent. The Foundation will make clear to prospective donors of such property, in writing, that the terms of this section 7.5.2 apply to all donations of tangible personal property. Unless the Foundation retained ownership of any such donated tangible personal property, proceeds from any disposition must:
    - 7.5.2.1 Be used towards the replacement of the disposed of asset;
    - 7.5.2.2 If it is not possible to replace the gifted asset, then proceeds shall go to the same program to be used for other needed assets; if there are no other equipment needs, then the proceeds shall go to the same program for general use; or
    - 7.5.2.3 If the program no longer exists, then the proceeds shall go to a general endowed equipment fund.

## **8.0 Foundation Audits and Reporting**

- 8.1 The Foundation shall select an independent certified public accounting firm to serve as the Foundation's auditor and shall enter into a contract for a full and complete annual audit of its financial statements in accordance with auditing standards generally accepted in the United States of America.
- 8.2 The Foundation shall notify the President of Oregon Tech within 30 days if the Foundation selects a new certified public accounting firm to perform the Foundation's annual audits and the reason(s) for the change.
- 8.3 The Foundation shall provide the President of Oregon Tech with the following information on an annual basis or more often if reasonably requested by the President:

- 8.3.1 The complete Audit Report;
  - 8.3.2 A list of Foundation officers, directors, and ex-officio members of the board of directors and their respective contact information; and
  - 8.3.3 The names of the officers, directors or trustees of all entities to which University Policy 580-046-0020 (4) and (5) apply.
- 8.4 The Foundation, in accordance with University Policy 580-046-0040(2)(b) shall permit the President of Oregon Tech or their designee to inspect and audit all reports of and information on its financial status and operations to assure compliance with these rules. Confidentiality of records and reports shall be maintained consistent with applicable law.

## **9.0 Foundation's Use of Oregon Tech's Name**

- 9.1 The Foundation may, solely in furtherance of the transactions contemplated by this Agreement, use the name of Oregon Tech (including Oregon Institute of Technology) and Oregon Tech's logo(s), informal seal and other symbols and marks of Oregon Tech.
- 9.2 The Foundation shall not delegate the permissions granted in 9.1 to any person or entity without the prior written approval of the President of Oregon Tech.
- 9.3 The Foundation shall cease the uses permitted in 9.1 upon (i) the termination of this Agreement, (ii) the dissolution of the Foundation, (iii) the withdrawal of recognition of the Foundation pursuant to University Policy 580-046-0045, or (iv) when the Foundation ceases to be a non-profit corporation or otherwise fails to comply with University Policy 580-046-0020 (1), (2), or (3).

## **10.0 Affiliates and Associates of the Foundation**

- 10.1 Affiliates:
  - 10.1.1 The Foundation shall comply with University Policy 580-046-0020(4) regarding its affiliates that are part of the Foundation's organization and that support a particular unit or activity of Oregon Tech but are not separately incorporated.
  - 10.1.2 The Foundation's affiliates are:
    - 10.1.2.1 Oregon Tech Alumni Association; and
    - 10.1.2.2 Shaw Historical Library.
- 10.2 Associate: The Foundation shall comply with University policy 580-046-0020(5) regarding entities with which the Foundation may form relationships or associations.
- 10.3 Oregon Tech's President has approved the affiliates identified in 10.1.2 and agrees to inform the Board of Trustees of such affiliates;

- 10.4 Oregon Tech may recommend that the Foundation include a previously unrecognized affiliate or associate to which the Foundation agrees to give due consideration so long as any such recommended affiliate or associate complies with University Policies 580-046-0020(4) and (5).
- 10.5 The Foundation acknowledges that all official affiliates and associates shall be permitted one ex-officio representative to the Foundation Board of Directors and shall receive advance notice of meetings of the Foundation Board of Directors and activities of the Foundation.

#### **11.0 Compliance with Laws and Indemnification**

- 11.1 Oregon Tech and the Foundation agree to comply with all laws applicable to each of them.
- 11.2 Except as otherwise limited by applicable Oregon law, ORS 30.260 – 30.300, and the Oregon Constitution, Article XI, Section 7, Oregon Tech and the Foundation shall each and independently be responsible for tortious acts committed by it and those of its directors, trustees, officers, employees, consultants, or agents arising out of, or in any way connected with, the acts of each of them under this Agreement.

#### **12.0 Indemnification**

- 12.1 The Foundation will indemnify, defend, and hold harmless Oregon Tech from and against all Claims (defined as any and all damages, costs, expenses, suits, claims, and liabilities of any kind or nature, including without limitation reasonable attorney fees and costs) suffered or incurred by or brought against Oregon Tech that arise out of or related to any breach of this Agreement by the Foundation or any unauthorized access or use of personal information (as that term is defined by applicable law) by the Foundation.
- 12.2 Oregon Tech will indemnify, defend, and hold harmless the Foundation from and against all Claims (defined as any and all damages, costs, expenses, suits, claims, and liabilities of any kind or nature, including without limitation reasonable attorney fees and costs) suffered or incurred by or brought against the Foundation that arise out of or related to any breach of this Agreement by Oregon Tech or any unauthorized access or use of personal information (as that term is defined by applicable law) by Oregon Tech.

#### **13.0 Term, Extensions, Termination, Amendments**

- 13.1 The term of this Agreement shall be one year beginning on July 1, 2016 and expiring on June 30, 2017 (the "Initial Term"). This Agreement shall be extended for sequential one year terms beginning on July 1, 2017 ("Subsequent Terms") except to the extent either Party provides a notice of termination of this Agreement to the other Party within 30 days in advance of the expiration of the Initial Term or Subsequent Term.

- 13.2 If the Oregon Legislature fails to provide funds in a sufficient amount to permit Oregon Tech to continue the operations and activities set forth in this Agreement, then Oregon Tech may terminate this Agreement by providing written notice to the Foundation at least 30 days in advance of any such termination and the Parties shall negotiate the terms of a new agreement with respect to the exchange of services and support between them.
- 13.3 If Oregon Tech terminates this Agreement pursuant to 13.2, the Foundation may demand that Oregon Tech pay, within 180 days of written notice, all debt(s) incurred by the Foundation on behalf of Oregon Tech including, but not limited to, lease payments, advanced funds, and funds borrowed for specific initiatives. If the Foundation terminates this Agreement, Oregon Tech may demand that the Foundation pay debt it holds on behalf of the Foundation.
- 13.4 This Agreement may be amended only by mutual written consent of the Parties.

14.0 **Entire Agreement.**

- 14.1 This Agreement represents the entire agreement between Oregon Tech and the Foundation covering the exchange of services and support between them. This Agreement supersedes all previous communication, either oral or written, between the Parties with respect to the subject matter hereof.

SO AGREED:

OREGON TECH

FOUNDATION

By 

By 

Its PRESIDENT

Its President of the Board

## ATTACHMENT #1

Effective July 1, 2015, Oregon Institute of Technology (Oregon Tech) became a separate legal entity from the Oregon University System and now operates under its own Board of Trustees. With the dissolution of the OUS System many of the Oregon Administrative Rules (OARs) specific to Oregon Tech and higher education in general were repealed.

Chapter 580 of the OARs, previously promulgated by the State Board of Higher Education, were effectively readopted as University Policies in substantially identical form on July 1, 2015. They are incorporated into the University Policies, retaining their previous OAR numbers without the "OAR" designator.

To interpret the Policies during this transition period, note that "Board" or "State Board of Higher Education" now refers to Oregon Tech's Board of Trustees; "Chancellor" means "University President;" "Institution" means Oregon Tech; and so on.

### University Policy

#### 580-046-0005 Recognition of a Foundation

- (1) An institution president may award recognition as an institution foundation to an entity that meets and maintains the requirements of these rules. Throughout division 046, "president" refers to an institution president and "foundation" refers to an institution foundation.
- (2) Only one entity may have recognition as a foundation, except that the president may recognize other foundations existing at the time this rule is adopted. The president shall report all awards of recognition to the chancellor. All private support of the institution not provided directly to the institution shall be through a recognized foundation, or affiliated or associated organizations as provided by OAR 580-046-0020(4) and (5).
- (3) To be eligible for recognition and to maintain continued recognition, a foundation must:
  - a. Be created and operated with the primary purpose of support of the institution;
  - b. Have as its purpose the solicitation, management and/or investment of private support for the benefit of the institution;
  - c. Be organized and operated in a manner to permit compliance with these rules.
- (4) Procedures for Recognition:
  - a. An entity seeking recognition as a foundation shall submit to the president for review its:
    - A. Articles of Incorporation;
    - B. Bylaws; and
    - C. Any other of its organic or enabling documents.
  - b. A president shall notify the governing body of a foundation in writing of recognition and that compliance with these rules is a condition of continued recognition.
  - c. The foundation shall submit all amendments to the documents described in subsection (4)(a) of this rule to the president who shall submit them to the Chancellor.
- (5) State System Foundation:

- a. The Chancellor may recognize as the State System foundation an entity created to provide support to the Oregon State System of Higher Education.
- b. In the event of recognition, the procedure, conditions and limitations of these rules shall apply.
- c. In such instances, all references in these rules to a president shall be deemed to refer to the Chancellor and references to institution shall be deemed to refer to the State System. Where these require reports to the Chancellor, the Chancellor shall report to the President of the Board of Higher Education.

#### **580-046-0010 Privileges and Responsibilities of Recognition**

- (1) Privileges of recognition by a president of a foundation may include:
  - a. License to use the institution name, logos, informal seals, symbols, and marks; and
  - b. Use of institution resources in a manner provided by OAR 580-046-0035(7).
- (2) No individual, group or entity not awarded recognition under these rules shall use any of the privileges described in this rule or otherwise make use of the institution name except as expressly approved by the institution by license or contract.
- (3) A foundation's governing body promptly shall provide to the president a resolution of acceptance of the condition expressed in OAR 580-046-0005(4)(b), and such resolution of acceptance shall be reaffirmed annually.

#### **580-046-0020 Institution Foundation Organization, Affiliates, Relationships**

- (1) A foundation shall be organized and operated pursuant to the Oregon nonprofit corporation law.
- (2) A foundation shall obtain and maintain status as a tax-exempt entity pursuant to Section 501(C)(3) of the federal Internal Revenue Code and other similar Oregon statutes.
- (3) A foundation's articles of incorporation or other governing documents shall require that, upon its dissolution or withdrawal of recognition, the foundation's net assets shall, within the limitations imposed by legal and fiduciary rights and responsibilities, be distributed to the institution that awarded recognition, or another entity that has been awarded recognition by that institution pursuant to OAR 580-046-0005.
- (4) A foundation may include as part of its organization one or more affiliates that support a particular unit or activity of the institution but that are not separately incorporated.
  - a. An affiliate may have an advisory board that reports to and is advisory to the foundation governing body. Institution employees may serve on affiliate's advisory board so long as they do not comprise a majority of the advisory board membership nor a majority of any quorum of such body. Institution employees may provide staff support for an advisory board, subject to OAR 580-046-0035(7).
  - b. A foundation shall not delegate to an advisory board of an affiliate its authority to hire personnel or to enter into contracts.
  - c. A member of each advisory board of an affiliate should serve on the foundation governing body whenever possible.

- d. No entity shall become an affiliate of a foundation until the affiliation is approved in writing by the president and reported to the Chancellor.
- (5) A foundation may establish or associate with another entity interested in the institution, provided:
  - a. The president in writing approves of such relationship prior to any operations and the president reports approval to the Chancellor;
  - b. Such relationship does not impair or circumvent the requirements of OAR 580-046-0025 and otherwise is consistent with the requirements of these rules; and
  - c. All for-profit activities are approved by the president and reported to the Chancellor.
- (6) Upon application of an institution, the Board of Higher Education may grant specific exemptions from the provisions of sections (4) and (5) of this rule.

#### **580-046-0025 Foundation Independent from Institution**

- (1) A foundation shall be independent of the institution.
- (2) To assure independence, a foundation's governing body, employees, and agents:
  - a. Shall not be subject to control by the institution or an institution employee;
  - b. Shall not give the appearance that the institution or any of its officers or employees control the foundation or its property, including investment of gifts and endowments made to the foundation.
- (3) No institution employee may be a voting member of a governing body of the institution-recognized foundation.

#### **580-046-0030 President's Responsibilities, Additional Rules**

- (1) A president or designee shall be, and other institution employees may be, ex officio, nonvoting members of a foundation's governing body and of any executive or similar committee empowered to act for the governing body. Such appointments shall be described in all contracts entered into pursuant to PAR 580-046-0035(7).
- (2) The president shall monitor foundation activities and institution foundation relationships to ensure compliance with Board of Higher Education rules and periodically shall report thereon to the Chancellor.
- (3) A president may establish additional written policies and guidelines applicable to a foundation consistent with these and all Board of Higher Education rules and Internal Management Directives. Such policies and guidelines shall be reported to the Chancellor and the Board prior to their adoption.
- (4) The president shall report to the Chancellor as required by OAR 580-046-0005(3) and (4)(c); 580-046-0020(4)(d), (5)(a), and (5)(c); 580-046-0030(2) and (3); 580-046-0035(3), (6)(b), (6)(c), and (7)(b); 580-046-0040(2)(a); and 580-0046-0045(1).

#### **580-046-0035**

- (1) An institution employee may, consistent with ORS 351.130, encourage gifts to the institution directly as well as through the foundation.
- (2) In accepting gifts of any kinds, a foundation shall:

- a. Obtain institution approval of any restrictive terms and conditions, and advise donors that a restricted gift for the benefit of the institution may not be accepted without institution approval; and
  - b. Coordinate with the institution's development office or other appropriate institutional officer regarding funding goals, programs or campaigns proposed by an institution.
- (3) The foundation shall report gifts to the foundation and to an institution as a result of foundation activities. Such reports shall be made annually to the president. The president shall provide such reports to the Chancellor.
- (4) Revenue received from an institution activity, other than through normal development activities, shall not be deposited in a foundation account.
- (5) An institution and the institution-recognized foundation shall develop and implement guidelines regarding the identification of funds so that the intended donee, whether institution or foundation, actually receives the funds, subject to the following:
  - a. If the foundation is the intended recipient of funds made payable to an institution, the funds shall first be deposited in a state account and then transferred to the foundation.
  - b. Funds payable or gifts made to the institution shall not be transferred to the foundation unless accompanying documents demonstrate that the foundation is the intended recipient.
  - c. If the foundation deposits funds in its accounts or receives other gifts intended for the institution, the foundation shall transfer those funds or gifts to the institution.
- (6) Salaries, consulting fees, loans, perquisites or other benefits provided to or on behalf of an institution employee, other than a student employee, by a foundation shall be:
  - a. Approved by the Board of Higher Education when paid to the president or other employee appointed directly by the Board of Higher Education.
  - b. Approved by the president in writing, and reported to the Chancellor in instances where subsection (a) of this section does not apply.
  - c. Paid by the foundation to the institution, which in turn will make payments to the employee in accordance with normal institution practice, except where the Chancellor approved a different form of payment. All exceptions shall be reported to the Board of Higher Education annually by the Chancellor.
  - d. This subsection is not applicable to reimbursements for actual and necessary travel and other expenses incurred for authorized institution or foundation purposes that are reported by the foundation to the president annually.
- (7) Institutional Contract with Foundation:
  - a. An institution may provide pursuant to a written contract limited and reasonable support to the foundation, including but not limited to the cost of utilities and janitorial services and all or part of the salary and related personnel costs of staff support, from funds otherwise available to the institution. As used in these rules, staff support is assistance by any personnel whose responsibilities and activities exclude policy making and other functions that would nullify the independence of the foundation from the institution.

- b. An institution providing support to a foundation shall contract with the foundation regarding the terms and conditions for implementing OAR 580-046-0010(1) and subsection (7)(a) of this rule and may contract for other purposes consistent with these rules. Any such contract and amendments thereto shall:
  - A. Accurately and fully describe the extent of such use and support and the consideration therefor;
  - B. Be reviewed by an Assistant Attorney General assigned to the Oregon Department of Higher Education; and
  - C. Be approved by the president and by the Chancellor or their respective designees.
- c. Funds received by an institution because of a contract with a foundation shall be placed in a current restricted account that is not a depository for donated or gift money.

#### **580-046-0040 Foundation Activities**

- (1) Financial and other activities of a foundation shall be administered and reported in accordance with law, prudent business practices and generally accepted accounting principles.
- (2) Audits and Financial Reports of the Foundation:
  - a. A foundation shall be audited annually by a certified public accountant. The audit report shall be provided promptly to the president, who shall submit it and accompanying documents to the Chancellor. The audit report shall be accompanied by a current list of foundation officers, directors, trustees, managers and legal counsel and the officers of any group or entity described in OAR 580-046-0020(4) and (5)
  - b. A foundation shall permit the president or, after consultation with both the institution and foundation president, the Chancellor, using institution or OSSHE internal auditors, to inspect and audit all foundation books and records at reasonable times. The foundation shall provide such reports of and information on its financial status and operations as required by the president or the Chancellor in order to assure conformance by the institution and the foundation with these rules.

#### **580-046-0045 Revocation of Recognition**

- (1) The president may revoke recognition as provided therein, if the president finds that a foundation or its operation conflict with these rules of the mission of the institution. The president shall inform and consult with the Chancellor regarding all activities involved in revocation of recognition and shall provide to the Chancellor copies of all documents relating thereto.
- (2) Prior to ordering revocation or recognition, a president shall notify the foundation's governing body of the reasons that could form the bases for revocation of recognition. Within 30 days of receipt of the president's notification, the foundation may in writing propose actions to remedy the deficiencies described by the president.

- (3) If the president approves the proposed actions, the foundation's governing body shall implement the proposals within a time specified by the president.
- (4) If the president rejects the foundation's proposed actions or finds that they are not adequately implemented, the president may revoke recognition by a written order to the foundation's governing body specifying the reasons for revocation.
- (5) An order revoking recognition may be appealed to the Board of Higher Education if filed with the Secretary of the Board within 30 days of the date the president issues the order revoking recognition. The Board shall review the president's decisions but shall not reverse that decisions unless the Board finds the president acted arbitrarily or capriciously.
- (6) An order revoking recognition shall terminate the contract provided by OAR 580-046-0035(7) and the privileges of recognition.