

ENROLLED SENATE
BILL NO. 957

BY: CULLISON, FORD, HANEY and
WILLIAMS (Penny) of the
SENATE

and

McCORKELL, ROSS, THOMPSON,
ROACH and SATTERFIELD of
the HOUSE

AN ACT RELATING TO SCHOOLS; AMENDING 70 O.S. 1991,
SECTIONS 3201, 3213, 4601, 4604 AND 4427, WHICH
RELATE TO THE INSTITUTIONS COMPRISING THE OKLAHOMA
STATE SYSTEM OF HIGHER EDUCATION, THE ARDMORE
HIGHER EDUCATION PROGRAM, THE McCURTAIN COUNTY
HIGHER EDUCATION PROGRAM AND UNIVERSITY CENTER AT
TULSA; ADDING UNIVERSITY CENTER AT TULSA AS A
MEMBER OF THE OKLAHOMA STATE SYSTEM OF HIGHER
EDUCATION; DESIGNATING UNIVERSITY CENTER AT TULSA
AS A FULL MEMBER OF THE OKLAHOMA STATE SYSTEM OF
HIGHER EDUCATION; CONTINUING EXISTENCE OF
UNIVERSITY CENTER AT TULSA; DEFINING POWERS AND
DUTIES OF BOARD OF TRUSTEES OF UNIVERSITY CENTER AT
TULSA; ESTABLISHING CERTAIN ACCOUNTS; MODIFYING
COMPOSITION OF BOARD OF TRUSTEES OF UNIVERSITY
CENTER AT TULSA; REQUIRING COMPLIANCE WITH OKLAHOMA
OPEN MEETING ACT AND OKLAHOMA OPEN RECORDS ACT;
CLARIFYING POWERS AND DUTIES OF THE BOARD OF
TRUSTEES OF THE McCURTAIN COUNTY HIGHER EDUCATION
PROGRAM; CLARIFYING POWERS AND DUTIES OF THE BOARD
OF TRUSTEES OF THE ARDMORE HIGHER EDUCATION
PROGRAM; PROVIDING FOR RECODIFICATION; REPEALING 70
O.S. 1991, SECTION 4603, WHICH RELATES TO
ADMINISTRATION AND FUNDING OF THE UNIVERSITY CENTER

AT TULSA; PROVIDING FOR CODIFICATION; PROVIDING AN
EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 1991, Section 3201, is amended to read as follows:

Section 3201. The following state educational institutions shall be members of The Oklahoma State System of Higher Education: University of Oklahoma, Oklahoma State University, Langston University, Oklahoma Panhandle State University, Murray State College, Connors State College of Agriculture and Applied Science, Cameron University, Eastern Oklahoma State College, Northeastern Oklahoma Agricultural and Mechanical College, University of Central Oklahoma, East Central University, Northeastern State University, Northwestern Oklahoma State University, Southeastern Oklahoma State University, Southwestern Oklahoma State University, University of Science and Arts of Oklahoma, Carl Albert State College, Redlands Community College, Northern Oklahoma College, Oklahoma City Community College, Rogers State College, Rose State College, Seminole Junior College, Tulsa Junior College, University Center at Tulsa, and Western Oklahoma State College.

SECTION 2. AMENDATORY 70 O.S. 1991, Section 4601, is amended to read as follows:

Section 4601. A. The university center located at Tulsa which is known as "University Center at Tulsa" and which is presently designated as "University Center at Tulsa" shall be a full member of The Oklahoma State System of Higher Education. The Board of Trustees of the center shall continue to make programs of public higher education available to citizens in the Tulsa metropolitan area. The center shall draw upon the educational resources of existing colleges and universities to provide the kind of courses and programs needed. Notwithstanding the center's institutional status, the center shall not establish an independent faculty, shall not provide courses and programs under its own aegis and shall not award through the Oklahoma State Regents for Higher Education its own degrees. The State Regents shall, pursuant to Article XIII-A of the Constitution of Oklahoma, establish standards of education to assure that credits earned will be fully transferable between and among institutions of The Oklahoma State System of Higher Education.

B. In regard to courses and programs of study, the Board of Trustees of the center is empowered to:

1. Determine the upper division and graduate education needs of the Tulsa metropolitan area;

2. Recommend courses and programs at the third and fourth years of undergraduate study leading toward completion of the bachelor's degree and programs of graduate study to be offered by the participating institutions; and

3. Negotiate contracts with institutions for courses and programs of study approved by the State Regents; such contracts shall be negotiated with Langston University, the University of Oklahoma, Oklahoma State University, and Northeastern State University unless the Board of Trustees determines that none of said institutions can satisfactorily offer programs for which need has been established by the Board of Trustees.

Courses and programs offered at the undergraduate level shall not duplicate those offered by Tulsa Junior College.

C. The Board of Trustees of the center shall prepare an annual budget which shall include the costs of administering and operating the center and which shall cover the amounts paid by it to the institutions with whom agreements are entered into pursuant to the provisions of paragraph 3 of subsection B of this section. The Board of Trustees for the center shall establish the usual and customary accounts established by other higher education institutions within the Office of State Finance necessary to carry out its duties.

SECTION 3. AMENDATORY 70 O.S. 1991, Section 4604, is amended to read as follows:

Section 4604. A. There is hereby created a board of trustees to be appointed by the Governor with the advice and consent of the Senate. Such Board shall be a body corporate and shall adopt and use an official seal.

B. The Board shall consist of nine (9) voting members, no fewer than five of whom shall reside in the City of Tulsa. The regular term of each member shall be nine (9) years, except that the initial nine (9) members shall serve their terms for the period to which originally appointed, in numbered positions having dates of expiration identical to the dates of expiration of the original appointments:

Position No. 1. The term of office of one member shall expire on the 30th day of June, 1986, and each nine (9) years thereafter;

Position No. 2. The term of office of one member shall expire on the 30th day of June, 1987, and each nine (9) years thereafter;

Position No. 3. The term of office of one member shall expire on the 30th day of June, 1988, and each nine (9) years thereafter;

Position No. 4. The term of office of one member shall expire on the 30th day of June, 1989, and each nine (9) years thereafter;

Position No. 5. The term of office of one member shall expire on the 30th day of June, 1990, and each nine (9) years thereafter;

Position No. 6. The term of office of one member shall expire on the 30th day of June, 1991, and each nine (9) years thereafter;

Position No. 7. The term of office of one member shall expire on the 30th day of June, 1993, and each nine (9) years thereafter;

Position No. 8. The term of office of one member shall expire on the 30th day of June, 1994, and each nine (9) years thereafter;

Position No. 9. The term of one member shall expire on the 30th day of June, 1996, and each nine (9) years thereafter.

The office, the term of which expires on the 30th day of June, 1992, is hereby abolished.

The Board shall elect a chair, vice-chair and secretary annually, each of whom shall serve for a term of one (1) fiscal year and until a successor is elected and qualified, and who shall perform such duties as the Board directs. The Board shall comply with the Oklahoma Open Meeting Act, Section 301 et seq. of Title 25 of the Oklahoma Statutes, and the Oklahoma Open Records Act, Section 24A.1 et seq. of Title 51 of the Oklahoma Statutes. Except as otherwise specifically provided by law, the Board of Trustees of the University Center at Tulsa shall have the same powers and duties as governing boards of other institutions in The Oklahoma State System of Higher Education and may do all things necessary and convenient to make the University Center at Tulsa effective for the purpose for which it is operated.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 4607 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. Each member of the Board of Trustees of University Center at Tulsa shall take and subscribe to oaths required of state officials generally.

B. Each member of the Board shall be reimbursed for necessary travel expenses, as may be approved by the Board, as provided in the

State Travel Reimbursement Act, Section 500.1 et seq. of Title 74 of the Oklahoma Statutes.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 4608 of Title 70, unless there is created a duplication in numbering, reads as follows:

Subject to Section 2 of this act the Board of Trustees of University Center at Tulsa shall have the supervision, management and control of University Center at Tulsa and shall have the following powers and duties:

1. Adopt such rules and regulations as it deems necessary to govern University Center at Tulsa;

2. Employ and fix the compensation and duties of such personnel as it deems necessary, including architects, attorneys, engineers and other professional and technical persons for its operation and for the operation of University Center at Tulsa. Any of such personnel having custody of public funds or other public property may be required to furnish corporate surety bonds in such amounts as may be deemed necessary by the Board, payable to the State of Oklahoma and conditioned upon a faithful accounting of all such funds and property;

3. Enter into contracts, purchase supplies, materials and equipment, and incur such other expenses as may be necessary to make its powers effective;

4. Authorize officials at University Center at Tulsa to act in its behalf in the making of contracts, or in carrying out the powers conferred upon it;

5. Receive and make disposition of monies, grants and property from federal agencies, and administer the same in accordance with federal requirements;

6. Accept gifts of real and personal property, money and other things, and use or dispose of the same in accordance with the rules of the Board of Regents of University Center at Tulsa and any directions of the donors or grantors thereof;

7. Direct the disposition of all monies appropriated by the Legislature or by the Congress or derived from the sale of bonds or received from any other source by University Center at Tulsa;

8. Acquire and take title to real and personal property in its name, on behalf of University Center at Tulsa, and convey, exchange or dispose of, or otherwise manage or control, such property in the interest of such institution, including the granting of leases, permits, easements and licenses over or upon any such real property. The Board shall have custody of abstracts of title and instruments affecting the ownership of or title to real property belonging to University Center at Tulsa;

9. Institute any action in the name of the Board before any court having jurisdiction of such actions;

10. Determine the need for and cause to be constructed buildings, on a self-liquidating basis, at University Center at Tulsa;

11. Establish and maintain plans for retirement of employees at University Center at Tulsa and for payment of deferred compensation of such employees and provide hospital and medical benefits, accident, health and life insurance, and annuity contracts for such employees and their dependents. The Board may pay for all or a part of the cost thereof for employees, with funds available for the operation of the institution. Amounts payable by an employee for such insurance or annuity contracts may, with the consent of the employee, be deducted from his or her salary. Nothing in this paragraph shall be construed as authorizing said benefits for, or the hiring of, faculty;

12. Maintain an inventory of all property belonging to University Center at Tulsa;

13. Audit all accounts against the funds allocated to University Center at Tulsa;

14. Provide penalties and forfeitures by way of damages and otherwise for the violation of rules and regulations of the Board, which may be sued for and collected in the name of the Board before any court having jurisdiction of such actions; and

15. Do all things necessary or convenient to carry out the powers expressly granted to it, or to make University Center at Tulsa effective for the purposes for which it is maintained or operated.

SECTION 6. AMENDATORY 70 O.S. 1991, Section 3213, is amended to read as follows:

Section 3213. A. The Oklahoma State Regents for Higher Education shall make educational program resources at institutions in The Oklahoma State System of Higher Education available to the people in the Ardmore area. The State Regents shall draw upon the educational programs of institutions best suited to provide the kind of educational programs needed and shall, in pursuance of Article XIII-A of the Constitution of Oklahoma and appropriate statutes, set the standards of education as they relate to the programs operated to assure that credits earned by students will be fully accepted at institutions of higher education to which the students may transfer the credit to apply toward an educational study objective. The State Regents may establish appropriate funds and accounts, including a revolving fund, in the Office of State Finance for servicing the fiscal operations of the Ardmore Higher Education Program. Such funds and accounts shall be subject to the direct supervision, management, and control of the board of trustees created by subsection B of this section. The people locally shall provide suitable physical plant accommodations for the program.

B. There is hereby created a board of ten (10) trustees to be appointed by the Governor by and with the consent of the Senate to serve as the administrative agency for the Ardmore Higher Education Program. Such board shall be a body corporate and shall adopt and use an official seal. The board so created shall have the authority to submit a budget annually to the Oklahoma State Regents for Higher Education, administer monies budgeted by the State Regents, negotiate agreements with institutions for courses and programs of study approved by the State Regents, provide educational facilities, recommend courses and programs to be offered by participating institutions, select a chief executive officer whose duties include the general coordination of approved programs and services and the selection of other appropriate nonteaching personnel. The board of trustees is authorized to expend all monies allocated to the Ardmore Higher Education Program as may be necessary to perform the duties and responsibilities imposed upon the board by this section. For purposes of acquiring and taking title to real and personal property from sources other than state appropriations, the board is authorized to enter into contracts and to adopt rules and regulations pertaining to such actions. The initial nine (9) members shall serve their terms for the period to which originally appointed, in numbered positions having dates of expiration identical to the dates of expiration of the original appointments:

Position No. 1. The term of office of one member shall expire on the 30th day of June, 1986, and each nine (9) years thereafter;

Position No. 2. The term of office of one member shall expire on the 30th day of June, 1987, and each nine (9) years thereafter;

Position No. 3. The term of office of one member shall expire on the 30th day of June, 1988, and each nine (9) years thereafter;

Position No. 4. The term of office of one member shall expire on the 30th day of June, 1989, and each nine (9) years thereafter;

Position No. 5. The term of office of one member shall expire on the 30th day of June, 1990, and each nine (9) years thereafter;

Position No. 6. The term of office of one member shall expire on the 30th day of June, 1991, and each nine (9) years thereafter;

Position No. 7. The term of office of one member shall expire on the 30th day of June, 1992, and each nine (9) years thereafter;

Position No. 8. The term of office of one member shall expire on the 30th day of June, 1993, and each nine (9) years thereafter;

Position No. 9. The term of office of one member shall expire on the 30th day of June, 1994, and each nine (9) years thereafter.

The tenth member shall be appointed to Position No. 10, the term of office of which shall expire on the 30th day of June, 1996, and each nine (9) years thereafter.

The board shall organize and elect a chair, vice-chair and secretary annually.

SECTION 7. AMENDATORY 70 O.S. 1991, Section 4427, is amended to read as follows:

Section 4427. There is hereby created a board of nine (9) trustees to be appointed by the Governor by and with the consent of the Senate to serve as the administrative agency for the McCurtain County Higher Education Program. The initial nine (9) members shall serve their terms for the period to which originally appointed, in numbered positions having dates of expiration identical to the dates of expiration of the original appointments:

Position No. 1. The term of office of one member shall expire on the 30th day of June, 1986, and each nine (9) years thereafter;

Position No. 2. The term of office of one member shall expire on the 30th day of June, 1987, and each nine (9) years thereafter;

Position No. 3. The term of office of one member shall expire on the 30th day of June, 1988, and each nine (9) years thereafter;

Position No. 4. The term of office of one member shall expire on the 30th day of June, 1989, and each nine (9) years thereafter;

Position No. 5. The term of office of one member shall expire on the 30th day of June, 1990, and each nine (9) years thereafter;

Position No. 6. The term of office of one member shall expire on the 30th day of June, 1991, and each nine (9) years thereafter;

Position No. 7. The term of office of one member shall expire on the 30th day of June, 1992, and each nine (9) years thereafter;

Position No. 8. The term of office of one member shall expire on the 30th day of June, 1993, and each nine (9) years thereafter;

Position No. 9. The term of office of one member shall expire on the 30th day of June, 1994, and each nine (9) years thereafter.

The board so created shall have the same powers and duties as members of the board of trustees for the Ardmore Higher Education Program. The board shall organize and elect a chair, vice-chair and secretary annually.

SECTION 8. RECODIFICATION 70 O.S. 1991, Section 4604.1 shall be recodified as Section 6.1 of Title 51 of the Oklahoma Statutes.

SECTION 9. REPEALER 70 O.S. 1991, Section 4603, is hereby repealed.

SECTION 10. This act shall become effective July 1, 1992.

SECTION 11. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.