

STATE OF OKLAHOMA

2nd Session of the 43rd Legislature (1992)

SENATE BILL NO. 957

BY: CULLISON and FORD

AS INTRODUCED

AN ACT RELATING TO SCHOOLS; AMENDING 70 O.S. 1991, SECTIONS 3201, 3213, 4601, 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; 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; CREATING BOARD OF REGENTS OF THE UNIVERSITY CENTER AT TULSA; SETTING LENGTHS OF TERMS OF REGENTS; PROVIDING FOR APPOINTMENTS OF REGENTS; REQUIRING REGENTS TO TAKE LOYALTY OATHS; AUTHORIZING REIMBURSEMENT FOR TRAVEL EXPENSES; PROVIDING FOR INCORPORATION AND ADOPTION OF SEAL OF BOARD OF REGENTS OF UNIVERSITY CENTER AT TULSA; PROVIDING FOR ELECTION OF CHAIR, VICE-CHAIR, AND SECRETARY AND LIMITING TERMS; DEFINING POWERS AND DUTIES OF BOARD OF REGENTS OF UNIVERSITY CENTER AT

TULSA; PROVIDING FOR ALLOCATION OF FUNDS;
ESTABLISHING CERTAIN ACCOUNTS; PROVIDING FOR
CODIFICATION; PROVIDING FOR RECODIFICATION;
REPEALING 70 O.S. 1991, SECTIONS 4603 AND 4604,
WHICH RELATE TO THE BOARD OF TRUSTEES OF THE
UNIVERSITY CENTER AT TULSA AND CERTAIN FINANCIAL
REQUIREMENTS; 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 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. ~~The board so created shall have the same powers and duties and shall serve the same terms of office as members of the board of trustees for the University Center at Tulsa.~~ 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 ~~chairman~~ chair, ~~vice-chairman~~ vice-chair, and secretary annually.

SECTION 3. AMENDATORY 70 O.S. 1991, Section 4601, is amended to read as follows:

Section 4601. A. The Oklahoma State Regents for Higher Education are hereby authorized and directed to establish a university center to be located at Tulsa which is known as "University Center at Tulsa" shall be a full member of The Oklahoma State System of Higher Education. The Board of Regents of the Center shall make additional programs of public higher education available to citizens in the Tulsa metropolitan area. The Center, to be known as University Center at Tulsa, 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 State Regents 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. The Board of Regents of the Center shall determine the upper division and graduate education needs of the Tulsa metropolitan area and shall meet those needs by entering into contracts with Langston University, Northeastern State University, Oklahoma State University, and the University of Oklahoma to offer courses at the third and fourth years of undergraduate study leading toward completion of the bachelor's degree and programs of graduate study leading toward the master's degree. The courses and programs

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

C. The Board of Regents 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 named in subsection B of this section pursuant to its contracts with said institutions to provide courses and programs at the Center. The portion of the Center's budget covering the funds due the institutions named in subsection B of this section for the provision of courses and programs at the Center under existing contracts shall be allocated by the Oklahoma State Regents for Higher Education directly to those institutions. The portion of the Center's budget covering the amounts necessary to satisfy the Center's obligations pursuant to contracts between the Center and institutions named in subsection B of this section for courses and programs at the Center shall be allocated to the Center as part of its budget. The Board of Regents 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 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 4606 of Title 70, unless there is created a duplication in numbering, reads as follows:

There is hereby created the Board of Regents of University Center at Tulsa, which shall consist of ten (10) voting members appointed by the Governor, by and with the advice and consent of the Senate. No fewer than five of the members shall reside in the City of Tulsa. The regular term of each member shall be nine (9) years. Provided that persons now serving on the board of trustees for University Center at Tulsa shall be members of and shall continue to serve on the Board of Regents for the terms for which they were appointed. Each member of the Board shall be a citizen of this

state and shall not be a state or county official. Appointments shall be to numbered positions on the Board and the terms of members of the Board shall be as follows:

Position No. 1. The term of office of one member shall expire on the 30th day of June 1995, and each nine (9) years thereafter;

Position No. 2. The term of office of one member shall expire on the 30th day of June 1996, and each nine (9) years thereafter;

Position No. 3. The term of office of one member shall expire on the 30th day of June 1997, and each nine (9) years thereafter;

Position No. 4. The term of office of one member shall expire on the 30th day of June 1998, and each nine (9) years thereafter;

Position No. 5. The term of office of one member shall expire on the 30th day of June 1999, and each nine (9) years thereafter;

Position No. 6. The term of office of one member shall expire on the 30th day of June 2000, 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;

Position No. 10. The term of office of one member shall expire on the 30th day of June 2005, and each nine (9) years thereafter.

SECTION 5. 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 Regents 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 6. 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:

The Board of Regents of University Center at Tulsa shall be a body corporate, and shall adopt and use an official seal. It shall annually elect a chair, a vice-chair, and a secretary, 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 adopt rules and regulations as it deems necessary for the governing of the Board and the discharge of its duties, and shall comply with the Open Meeting Act, Section 301 et seq. of Title 25 of the Oklahoma Statutes, and the Open Records Act, Section 24A.1 et seq. of Title 51 of the Oklahoma Statutes.

SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 4609 of Title 70, unless there is created a duplication in numbering, reads as follows:

The Board of Regents 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 make such other expenditures 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 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 salary;

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 8. 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 ~~University Center at Tulsa~~ Ardmore Higher Education Program. The board shall organize and elect a ~~chairman~~ chair, ~~vice-chairman~~ vice-chair, and secretary annually.

SECTION 9. RECODIFICATION 70 O.S. 1991, Section 4604.1 shall be recodified as Section 6.1 of Title 51 of the Oklahoma Statutes.

SECTION 10. REPEALER 70 O.S. 1991, Sections 4603 and 4604, are hereby repealed.

SECTION 11. This act shall become effective July 1, 1992.

SECTION 12. 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.

