

## Committee Substitute for House Bill No. 1200

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1200 -- By ROSS and WELLS of the House and FORD of the Senate.

An Act relating to schools; amending 70 O.S. 1991, Section 3201, as last amended by Section 1, Chapter 276, O.S.L. 1996 (70 O.S. Supp. 1998, Section 3201), which relates to higher education; modifying and adding to list; amending Section 2, Chapter 325, O.S.L. 1998 (70 O.S. Supp. 1998, Section 4662), which relates to Oklahoma State University/Tulsa; modifying name of certain branch institution; amending Section 3, Chapter 325, O.S.L. 1998 (70 O.S. Supp. 1998, Section 4663), which relates to Oklahoma State University/Tulsa Board of Trustees; modifying name of certain branch institution and board of regents; amending Section 4, Chapter 325, O.S.L. 1998 (70 O.S. Supp. 1998, Section 4664), which relates to funding; modifying name of certain branch institution; amending Section 5, Chapter 325, O.S.L. 1998 (70 O.S. Supp. 1998, Section 4665), which relates to nonduplicating courses; modifying name of certain branch institution; amending Section 6, Chapter 325, O.S.L. 1998 (70 O.S. Supp. 1998, Section 4666), which relates to Langston University; modifying name of certain branch institution; amending Section 7, Chapter 325, O.S.L. 1998 (70 O.S. Supp. 1998, Section 4667), which relates to Langston University branch; modifying name of certain branch institution; amending Section 8, Chapter 325, O.S.L. 1998 (70 O.S. Supp. 1998, Section 4668), which relates to Northeastern State University; modifying name of certain branch institution; amending Section 10, Chapter 325, O.S.L. 1998 (70 O.S. Supp. 1998, Section 4670), which relates to Board of Regents of Rogers University; modifying name of certain branch institution; amending Section 11, Chapter 325, O.S.L. 1998 (70 O.S. Supp. 1998, Section 4671), which relates to Oklahoma State University; modifying name of certain branch institution; 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, as last amended by Section 1, Chapter 276, O.S.L. 1996 (70

O.S. Supp. 1998, 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:

1. University of Oklahoma;
2. Oklahoma State University;
3. Langston University;
4. Oklahoma Panhandle State University;
5. Murray State College;
6. Connors State College of Agriculture and Applied Science;
7. Cameron University;

8. Eastern Oklahoma State College;
9. Northeastern Oklahoma Agricultural and Mechanical College;
10. University of Central Oklahoma;
11. East Central University;
12. Northeastern State University;
13. Northwestern Oklahoma State University;
14. Southeastern Oklahoma State University;
15. Southwestern Oklahoma State University;
16. University of Science and Arts of Oklahoma;
17. Carl Albert State College;
18. Redlands Community College;
19. Northern Oklahoma College;
20. Oklahoma City Community College;
21. Rose State College;
22. Seminole State College;
23. Tulsa Community College;
24. Rogers State University, and ;
25. Western Oklahoma State College; and
26. Oklahoma State University-Tulsa.

SECTION 2. AMENDATORY Section 2, Chapter 325, O.S.L. 1998 (70 O.S. Supp. 1998, Section 4662), is amended to read as follows:

Section 4662. On January 1, 1999, there shall be established as a successor to Rogers University in Tulsa a branch institution of Oklahoma State University which shall be known as ~~Oklahoma State University/Tulsa~~ Oklahoma State University-Tulsa and shall offer upper division undergraduate courses and baccalaureate degree programs. No later than July 1, 2001, the Board of Regents for the Oklahoma Agricultural and Mechanical Colleges, in cooperation with the Oklahoma State Regents for Higher Education, shall have developed and implemented programs leading to baccalaureate degrees that can be earned at ~~Oklahoma State University/Tulsa~~ Oklahoma State University-Tulsa. Beginning with the 2001 - 2002 academic year,

degrees earned at ~~Oklahoma State University/Tulsa~~ Oklahoma State University-Tulsa shall be designated as awarded by the Oklahoma State Regents for Higher Education acting through Oklahoma State University; provided that dual degree programs may be offered at ~~Oklahoma State University/Tulsa~~ Oklahoma State University-Tulsa and dual degrees may be awarded through Oklahoma State University and other institutions.

SECTION 3. AMENDATORY Section 3, Chapter 325, O.S.L. 1998 (70 O.S. Supp. 1998, Section 4663), is amended to read as follows:

Section 4663. A. On January 1, 1999, there shall be created the Board of Trustees for ~~Oklahoma State University/Tulsa~~ Oklahoma State University-Tulsa which shall consist of seven members who reside in Tulsa County or contiguous counties and two members of the Board of Regents for the Oklahoma Agricultural and Mechanical Colleges (~~A&M Board~~) (OSU/A&M Board) who shall serve as voting, ex officio members, one of whom shall reside in the First Congressional District. The second member from the ~~A&M~~ OSU/A&M Board shall be appointed by the ~~A&M~~ OSU/A&M Board. For purposes of serving on the Board of Trustees, the members of the ~~A&M~~ OSU/A&M Board who are appointed to the Board of Trustees shall not be subject to the dual office holding restrictions in Section 6 of Title 51 of the Oklahoma Statutes. The Governor shall appoint the other members of the Board of Trustees with the advice and consent of the Senate. The members shall be appointed to numbered positions with staggered terms to expire as provided in this section. Successors to the initial board members shall serve seven-year terms that shall expire on June 30 of the seventh year following appointment. Vacancies on the Board shall be filled for the unexpired term by the Governor with the advice and consent of the Senate. Four of the nine members on the initial Board of Trustees shall be appointed by the Governor with the advice and consent of the Senate from the members of the Board of Regents of Rogers University who are residents of Tulsa and are serving on the effective date of this act. The four members appointed from the Board of Regents of Rogers University shall be appointed to the positions numbered one through four. The remaining three members appointed by the Governor shall be appointed to positions five through seven. The member of the ~~A&M~~ OSU/A&M Board who resides in the First Congressional District shall hold position number eight. The second member of the ~~A&M~~ OSU/A&M Board shall hold position number nine. The numbered positions and terms shall be as follows:

1. Position No. 1: The term of office of one member shall expire on the 30th day of June, 2000, and each seven (7) years thereafter;

2. Position No. 2: The term of office of one member shall expire on the 30th day of June, 2001, and each seven (7) years thereafter;

3. Position No. 3: The term of office of one member shall expire on the 30th day of June, 2002, and each seven (7) years thereafter;

4. Position No. 4: The term of office of one member shall expire on the 30th day of June, 2003, and each seven (7) years thereafter;

5. Position No. 5: The term of office of one member shall expire on the 30th day of June, 2004, and each seven (7) years thereafter;

6. Position No. 6: The term of office of one member shall expire on the 30th day of June, 2005, and each seven (7) years thereafter;

7. Position No. 7: The term of office of one member shall expire on the 30th day of June, 2006, and each seven (7) years thereafter;

8. Position No. 8: The term of office shall coincide with the member's term on the ~~A&M OSU/A&M~~ Board; and

9. Position No. 9: The term of office shall coincide with the member's term on the ~~A&M OSU/A&M~~ Board.

B. The Board of Trustees shall be a body corporate and shall adopt and use an official seal. The Board shall elect a chair, vice-chair, and secretary annually, each of whom shall serve for a term of one 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 which it deems necessary for the operation of the Board and the discharge of its duties and shall cause the minutes of all meetings to be kept. The Board shall comply with the Oklahoma Open Meeting Act and the Oklahoma Open Records Act.

C. The Board of Trustees for ~~Oklahoma State University/Tulsa~~ Oklahoma State University-Tulsa may be authorized by the ~~A&M OSU/A&M~~ Board to supervise and manage the campus of ~~Oklahoma State University/Tulsa~~ Oklahoma State University-Tulsa and perform other functions as necessary. The Board of Trustees shall promulgate rules and enact policies to govern the processes and procedures of the Board. The policies of the Board of Regents of Rogers University, including but not limited to policies on personnel and student participation, that are in effect on the date that the Board of Regents of Rogers University is dissolved shall be deemed adopted by the Board of Trustees unless specifically amended or repealed by the ~~A&M OSU/A&M~~ Board. The ~~A&M OSU/A&M~~ Board and the Board of Trustees shall appoint a joint committee of at least two members from each board and at least two members of the staff of each institution to develop and propose mutually

agreed upon rules and policies to formalize the review and oversight procedures and the relationships between the ~~A&M OSU/A&M~~ Board, the Board of Trustees, Oklahoma State University in Stillwater, and ~~Oklahoma State University/Tulsa~~ Oklahoma State University-Tulsa. It is the intent of the Legislature that in the interests of immediate responsiveness to the needs of students, employees, and the business community that the decision or approval process be expedited.

D. Subject to the oversight of the Board of Regents for the Oklahoma Agricultural and Mechanical Colleges, the Board of Trustees of ~~Oklahoma State University/Tulsa~~ Oklahoma State University-Tulsa shall set the compensation of the president of ~~Oklahoma State University/Tulsa~~ Oklahoma State University-Tulsa. On or after January 1, 1999, the ~~A&M OSU/A&M~~ Board may assign and delineate roles and responsibilities for the Board of Trustees for ~~Oklahoma State University/Tulsa~~ Oklahoma State University-Tulsa. Such responsibilities may include, but are not limited to, student services, facility operations, student financial services, budget preparations, endowed chairs at ~~Oklahoma State University/Tulsa~~ Oklahoma State University-Tulsa, and administrative operations as specified by the ~~A&M OSU/A&M~~ Board.

E. The Board of Trustees shall establish the usual and customary accounts established by higher education institutions within the Office of State Finance necessary to carry out its duties.

F. Until July 1, 2001, during the transition and development of ~~Oklahoma State University/Tulsa~~ Oklahoma State University-Tulsa, acting on behalf of the Board of Trustees for ~~Oklahoma State University/Tulsa~~ Oklahoma State University-Tulsa, Oklahoma State University is authorized and directed to negotiate contracts with institutions for courses and degree programs of study approved by the Oklahoma State Regents for Higher Education, as necessary to meet the higher education needs for the Tulsa metropolitan area. The number of degree programs offered by Northeastern State University and Langston University shall not be diminished or duplicated.

G. The president of ~~Oklahoma State University/Tulsa~~ Oklahoma State University-Tulsa shall be selected by the Board of Regents for the Oklahoma Agricultural and Mechanical Colleges after completion of a search process as set forth in this subsection. The ~~A&M OSU/A&M~~ Board shall appoint at least two of its members, one of whom must reside in the First Congressional District, and the Board of Trustees shall appoint at least two of its members to a search committee. The president of Oklahoma State University may appoint other representatives of faculty, staff, and students to the search committee. The president of Oklahoma State University shall recommend a candidate in consultation with the search committee to the Board of Trustees and the ~~A&M OSU/A&M~~ Board.

SECTION 4. AMENDATORY Section 4, Chapter 325, O.S.L. 1998 (70 O.S. Supp. 1998, Section 4664), is amended to read as follows:

Section 4664. The Oklahoma State Regents for Higher Education shall allocate funds from its consolidated appropriation to ~~Oklahoma State University/Tulsa~~ Oklahoma State University-Tulsa in the same manner as allocations are made to other higher education institutions. The funding for ~~Oklahoma State University/Tulsa~~ Oklahoma State University-Tulsa shall be at essentially the same rates based on program costs as the rates for the Oklahoma State University campus in Stillwater.

SECTION 5. AMENDATORY Section 5, Chapter 325, O.S.L. 1998 (70 O.S. Supp. 1998, Section 4665), is amended to read as follows:

Section 4665. Courses offered at the undergraduate level through ~~Oklahoma State University/Tulsa~~ Oklahoma State University-Tulsa shall not duplicate those offered by Tulsa Community College.

SECTION 6. AMENDATORY Section 6, Chapter 325, O.S.L. 1998 (70 O.S. Supp. 1998, Section 4666), is amended to read as follows:

Section 4666. In strengthening the State of Oklahoma's commitment to Langston's historical significance and future potential, the Oklahoma State Regents for Higher Education are directed and authorized to design a statewide plan for Langston University and report to the Legislature by January 1, 1999, for approval by the Legislature.

It is the intent of the Legislature that the functions and programs of ~~Oklahoma State University/Tulsa~~ Oklahoma State University-Tulsa shall be conducted in such manner as to cooperate with the Oklahoma State Regents for Higher Education in fulfilling the statewide mission for Langston University.

SECTION 7. AMENDATORY Section 7, Chapter 325, O.S.L. 1998 (70 O.S. Supp. 1998, Section 4667), is amended to read as follows:

Section 4667. On July 1, 2001, there shall be established a branch of Langston University within the Tulsa metropolitan area consistent with the statewide plan for Langston University as provided in Section ~~6~~ 4666 of this ~~act~~ title. Langston University shall continue to meet the missions and programs of the Langston Urban Center in Tulsa. The Oklahoma State Regents for Higher Education are authorized to make upper division undergraduate and graduate course offerings at the Langston University Branch in Tulsa available as the State Regents shall determine are appropriate. Undergraduate degree programs offered through ~~Oklahoma State University/Tulsa~~ Oklahoma State University-Tulsa shall not duplicate those

undergraduate degree programs offered by Langston University Branch in Tulsa, as determined by the Oklahoma State Regents for Higher Education and shall be consistent with and in furthering implementation of the statewide plan for Langston University as developed by the State Regents pursuant to Section ~~6~~ 4666 of this ~~act~~ title and filed with the Office for Civil Rights, United States Department of Education.

The Oklahoma State Regents for Higher Education shall fund Langston University at a level not less than its fiscal year 1998 level, and its Education and General Budget shall be held harmless from reductions in succeeding years. The Oklahoma State Regents for Higher Education shall allocate funds to Langston University sufficient to fund full time faculty in Tulsa at a level equal to seventy percent (70%) of its faculty level that existed in Tulsa in fiscal year 1998 and adequate building and classroom space which were funded in fiscal year 1998 in order to carry out all functions in Tulsa. The Board of Regents for the Oklahoma Agricultural and Mechanical Colleges shall allocate space for Langston University in Tulsa.

It is the intent of the Legislature that Langston University be funded at a level consistent with the average allocation and allotment of the institutions in the regional funding tier as established by the Oklahoma State Regents for Higher Education.

Beginning with the 2001 - 2002 academic year, degrees earned at Langston University Branch in Tulsa shall be designated as awarded by the Oklahoma State Regents for Higher Education acting through Langston University.

SECTION 8. AMENDATORY Section 8, Chapter 325, O.S.L. 1998 (70 O.S. Supp. 1998, Section 4668), is amended to read as follows:

Section 4668. On July 1, 2001, there may be established a branch of Northeastern State University within the Tulsa metropolitan area. The Oklahoma State Regents for Higher Education are authorized to make upper division undergraduate and graduate course offerings at the Northeastern State University branch available as the State Regents shall determine are appropriate. Undergraduate degree programs offered through ~~Oklahoma State University/Tulsa~~ Oklahoma State University-Tulsa shall not duplicate those undergraduate degree programs offered by Northeastern State University in Tulsa, as determined by the Oklahoma State Regents for Higher Education.

The Oklahoma State Regents for Higher Education shall fund Northeastern State University at a level not less than its fiscal year 1998 level, and its Education and General Budget shall be held harmless from reductions in succeeding years.

It is the intent of the Legislature that Northeastern State University be funded at a level consistent with the average allocation and allotment of the institutions in the regional funding tier as established by the Oklahoma State Regents for Higher Education.

Beginning with the 2001 - 2002 academic year, degrees earned at Northeastern State University Branch in Tulsa shall be designated as awarded by the Oklahoma State Regents for Higher Education acting through Northeastern State University.

SECTION 9. AMENDATORY Section 10, Chapter 325, O.S.L. 1998 (70 O.S. Supp. 1998, Section 4670), is amended to read as follows:

Section 4670. On January 1, 1999, the entity known as the Board of Regents of Rogers University, created by Section 4651 of Title 70 of the Oklahoma Statutes, shall be dissolved. No later than December 31, 1998, the Board of Regents of Rogers University shall determine how the property of Rogers University shall be divided, subject to the limitations provided in this section. The property and assets of Rogers University which have accrued from the beneficial interests running to Rogers University from the public trust created by the University Center at Tulsa Authority and the beneficial interests running to Rogers University from the foundation created for the benefit of Rogers University/Tulsa, shall be transferred to ~~Oklahoma State University/Tulsa~~ Oklahoma State University-Tulsa. The beneficial interests running to Rogers University from the foundation created for the benefit of Rogers University/Claremore shall be transferred to Rogers State University. The assets and obligations of Rogers University shall be divided between ~~Oklahoma State University/Tulsa~~ Oklahoma State University-Tulsa and Rogers State University with the assets that belonged to Rogers State College prior to June 30, 1996, being transferred to Rogers State University and the assets that belonged to University Center at Tulsa being transferred to ~~Oklahoma State University/Tulsa~~ Oklahoma State University-Tulsa. The Board of Regents of Rogers University shall determine how the assets acquired since May 30, 1996, shall be divided between the two institutions. In cases of disagreement concerning asset distribution, the Oklahoma State Regents for Higher Education shall make the final determination.

SECTION 10. AMENDATORY Section 11, Chapter 325, O.S.L. 1998 (70 O.S. Supp. 1998, Section 4671), is amended to read as follows:

Section 4671. No later than November 1, 1998, the president of Oklahoma State University shall submit to the Legislature a long-range plan for the development of the ~~Oklahoma State University/Tulsa~~ Oklahoma State University-Tulsa program.

SECTION 11. This act shall become effective July 1, 1999.

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.

COMMITTEE REPORT BY: COMMITTEE ON EDUCATION, dated 2-16-99 -- DO PASS, As Coauthored.