

2022 -- H 8123

LC004577

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO EDUCATION -- UNIVERSITY OF RHODE ISLAND (SEE TITLE 16
CHAPTER 97 -- THE RHODE ISLAND BOARD OF EDUCATION ACT)

Introduced By: Representatives Fogarty, McEntee, McGaw, Tanzi, Carson, Speakman,
Donovan, Ranglin-Vassell, Amore, and Craven

Date Introduced: April 08, 2022

Referred To: House State Government & Elections

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-32-2 of the General Laws in Chapter 16-32 entitled "University
2 of Rhode Island [See Title 16 Chapter 97 - The Rhode Island Board of Education Act]" is hereby
3 amended to read as follows:

4 **16-32-2. Board of Trustees established.**

5 (a) There is hereby created a board of trustees for the university of Rhode Island, sometimes
6 referred to as the "board" or "board of trustees," which shall be and is constituted a public
7 corporation, empowered to sue and be sued in its own name; to borrow money; to compromise and
8 settle claims; to have a seal; and to make and execute contracts and other instruments necessary or
9 convenient to the exercise of its powers; and to exercise all the powers, in addition to those
10 specifically enumerated in this chapter, usually appertaining to public corporations entrusted with
11 control of postsecondary educational institutions and functions. Upon its organization, the board
12 shall be vested with the legal title to all property, real and personal, now owned by and/or under
13 the control or in the custody of the council on postsecondary education for the use of the university
14 of Rhode Island, including all its departments, divisions, and branches, sometimes referred to as
15 the property.

16 (b) The board is empowered to hold and operate the property in trust for the state; to
17 acquire, hold, and dispose of the property and other like property as deemed necessary for the
18 execution of its corporate purposes. The board is made successor to all powers, rights, duties, and

1 privileges for the university of Rhode Island formerly belonging to the council on postsecondary
2 education pertaining to postsecondary education and the board of governors for higher education.

3 (c) The board shall be the employer of record for the university. It shall retain all authority
4 formerly vested in the council on postsecondary education and the board of education regarding
5 the employment of faculty and staff at the university of Rhode Island. The board shall appoint the
6 president of the university and shall review their performance on an annual basis.

7 (1) The board is empowered to enter into contracts and agreements with the council on
8 postsecondary education and/or the department of administration related to employee benefits,
9 including but not limited to retirement benefits, health, dental, vision and life insurance, disability
10 insurance, workers' compensation, and tuition waivers to maximize the state's and university's
11 purchasing and investment portfolio and educational opportunities for the benefit of its employees.

12 (2) The board is empowered to enter into collective bargaining agreements as appropriate
13 with its employees and all existing collective bargaining agreements in effect when the board is
14 established pursuant to § 16-32-2.2 shall be transferred from the council on postsecondary
15 education to the board.

16 (d) The board shall make rules and regulations for the control and use of all public
17 properties and highways under its care, and for violations of those rules and regulations; penalties,
18 up to one hundred dollars (\$100) and costs for any one offense, may be imposed by any district
19 court or police court in the city or town where the violation occurs; and, in general, the board shall
20 take all actions necessary for the proper execution of the powers and duties granted to, and imposed
21 upon, the board by the terms of this chapter.

22 (e) The board shall make rules and regulations pursuant to chapter 2 of title 37 to implement
23 its responsibilities as a public agency for procurement purposes as defined in § 37-2-7(16).

24 (1) Notwithstanding the provisions of § 37-2-22, small procurements made by the board
25 and the university shall not exceed an aggregate amount of fifty thousand dollars (\$50,000) for
26 construction and ten thousand dollars (\$10,000) for all other purchases, regardless of the source of
27 funding, and shall be made in accordance with small purchase regulations promulgated by the
28 board. These thresholds may be increased annually through an amendment to the small purchase
29 regulations promulgated by the board of trustees, to reflect the annual increase in the federal
30 Consumer Price Index published by the United States Department of Labor from the date of any
31 prior adjustment.

32 (f) The board shall evaluate data on which to base performance of the university as
33 described in subsection (g) of this section which shall be defined by the president of the university.
34 These measures may include and incorporate outcomes or goals from multiple, previous years. The

1 lack of information from previous years, however, will not affect the use of performance-based
2 measures.

3 (g) The university of Rhode Island shall have unique measures consistent with its purpose,
4 role, scope, and mission. The board shall provide faculty and students an opportunity to provide
5 input on the development of performance measures.

6 (1) The performance-based measures shall include, but not be limited to, the following
7 metrics:

8 (i) The number and percentage, including growth in relation to enrollment and prior years
9 of bachelor's degrees awarded to first-time, full-time students within four (4) years and six (6)
10 years, including summer graduates;

11 (ii) The number of degrees awarded that are tied to Rhode Island's high demand, high-wage
12 employment opportunities consistent with the institution's mission;

13 (iii) One metric that applies only to the university, in consultation with the president, which
14 shall consider faculty, staff, and student input; and

15 (iv) Any other metrics that are deemed appropriate by the board.

16 (2) Weight may be assigned to any of the aforementioned metrics to reinforce the mission
17 of the university, the economic needs of the state, and the socio-economic status of the students.

18 (h) The board shall hold the university accountable for developing and implementing
19 transfer pathways for students from the community college of Rhode Island and Rhode Island
20 college.

21 (i) The board shall supervise, coordinate, and/or authorize audits, civil and administrative
22 investigations, and inspections or oversight reviews, when necessary, relating to expenditure of
23 state or federal funds, or to any and all university programs and operations, as well as the
24 procurement of any supplies, services, or construction, by the university. In the course of an audit
25 or investigation, the board authorized auditor(s) shall review statutes and regulations of the
26 university and shall determine if the university is in compliance and shall make recommendations
27 concerning the efficiency of operations, and the effect of such statutes or regulations on internal
28 controls and the prevention and detection of fraud, waste, and abuse. The board authorized
29 auditor(s) may recommend policies or procedures that may strengthen internal controls, or assist in
30 the prevention or detection of fraud, waste, and abuse or mismanagement. Any audits conducted
31 shall be transmitted to the office of internal audit established in chapter 7.1 of title 35.

32 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO EDUCATION -- UNIVERSITY OF RHODE ISLAND (SEE TITLE 16
CHAPTER 97 -- THE RHODE ISLAND BOARD OF EDUCATION ACT)

1 This act would allow the board of trustees of the University of Rhode Island to make small
2 procurements, up to fifty thousand dollars (\$50,000), for construction and ten thousand dollars
3 (\$10,000) for all other purchases pursuant to small purchase regulations promulgated by the board.
4 The purchasing thresholds may be increased annually by the board to reflect annual increases in
5 the federal Consumer Price Index published by the United States Department of Labor.

6 This act would take effect upon passage.

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