

2021 -- H 5888

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

RELATING TO EDUCATION -- UNIVERSITY OF RHODE ISLAND

Introduced By: Representatives Fogarty, McEntee, Craven, Caldwell, Tanzi, Carson,  
Amore, McGaw, C Lima, and Kennedy

Date Introduced: February 24, 2021

Referred To: House State Government & Elections

(University of Rhode Island)

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  
19 privileges for the university of Rhode Island formerly belonging to the council on postsecondary

1 education pertaining to postsecondary education and the board of governors for higher education.

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

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

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

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

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

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

31 (f) The board shall evaluate data on which to base performance of the university as  
32 described in subsection (g) of this section which shall be defined by the president of the university.  
33 These measures may include and incorporate outcomes or goals from multiple, previous years. The  
34 lack of information from previous years, however, will not affect the use of performance-based

1 measures.

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

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

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

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

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

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

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

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

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

31 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

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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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