

1 **SENATE FLOOR VERSION**

2 February 28, 2023

3 **AS AMENDED**

4 SENATE BILL NO. 167

5 By: Haste

6 An Act relating to higher education; **providing**  
7 **legislative findings**; amending 70 O.S. 2021, Section  
8 3213.1, which relates to the University Center at  
9 Ponca City; removing language granting Northern  
10 Oklahoma College certain exclusive authority;  
11 updating reference; amending 70 O.S. 2021, Section  
12 3405.1, which relates to availability of courses in  
13 Muskogee; allowing certain institution to offer lower  
14 division classes; amending 70 O.S. 2021, Section  
15 4662, which relates to Oklahoma State University-  
16 Tulsa; allowing the institution to offer certain  
17 lower division courses; amending 70 O.S. 2021,  
18 Section 4667, which relates to the Langston  
19 University Branch in Tulsa; updating statutory  
20 reference; allowing the institution to offer certain  
21 lower division courses; removing language prohibiting  
22 Oklahoma State University-Tulsa from duplicating  
23 certain programs offered by the Langston University  
24 Branch in Tulsa; amending 70 O.S. 2021, Section 4668,  
which relates to the Northeastern State University  
branch in Broken Arrow; allowing the institution to  
offer certain lower division courses; removing  
language prohibiting Oklahoma State University-Tulsa  
from duplicating certain programs offered by the  
Northeastern State University branch in Broken Arrow;  
clarifying references; amending 70 O.S. 2021, Section  
4669, which relates to Rogers State University;  
removing language directing the institution to  
contract specifically with certain institution;  
repealing 70 O.S. 2021, Section 4665, which relates  
to prohibiting duplication of certain courses offered  
by Tulsa Community College; updating statutory  
language; **providing for noncodification**; providing an  
effective date; and declaring an emergency.

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

2       **SECTION 1.**       NEW LAW       A new section of law not to be  
3 codified in the Oklahoma Statutes reads as follows:

4       The Legislature finds that barriers restricting the offering of  
5 courses at some institutions of higher education within The Oklahoma  
6 State System of Higher Education are no longer necessary; therefore,  
7 it is recommended that the State Regents for Higher Education  
8 exercise all powers necessary or convenient to accomplish the  
9 purposes and objectives of Article XIII-A of the Oklahoma  
10 Constitution and review all applicable policies related to degree  
11 program offerings and expedite its degree program approval process  
12 to maximize availability of postsecondary education options in this  
13 state.

14       **SECTION 2.**       AMENDATORY       70 O.S. 2021, Section 3213.1, is  
15 amended to read as follows:

16       Section 3213.1. A. The Oklahoma State Regents for Higher  
17 Education shall make educational program resources at institutions  
18 in The Oklahoma State System of Higher Education available to the  
19 people in the Ponca City area. This program shall be known as the  
20 University Center at Ponca City.

21       B. The State Regents shall draw upon the educational programs  
22 of institutions best suited to provide the kind of educational  
23 programs needed and shall, in pursuance of Article XIII-A of the  
24 Constitution of Oklahoma and appropriate statutes, set the standards

1 of education as they relate to the programs operated to assure that  
2 credits earned by students will be fully accepted at institutions of  
3 higher education to which the students may transfer the credit to  
4 apply toward an educational study objective. ~~Northern Oklahoma~~  
5 ~~College shall have exclusive authority to offer all lower division~~  
6 ~~courses and programs at the University Center at Ponca City as~~  
7 ~~listed in the current college catalog of Northern Oklahoma College.~~

8 C. The State Regents may establish appropriate funds and  
9 accounts, including a revolving fund, in the ~~Office of State Finance~~  
10 Office of Management and Enterprise Services for servicing the  
11 fiscal operations of the University Center at Ponca City. The funds  
12 and accounts shall be subject to the direct supervision, management,  
13 and control of the board of trustees created by subsection D of this  
14 section. The people locally shall provide suitable physical plant  
15 accommodations for the University Center at Ponca City.

16 D. There is hereby created a board of nine (9) trustees to be  
17 appointed by the Governor by and with the consent of the Senate to  
18 serve as the administrative agency for the University Center at  
19 Ponca City. The board shall be a body corporate and shall adopt and  
20 use an official seal. The board so created shall have the authority  
21 to submit a budget annually to the Oklahoma State Regents for Higher  
22 Education, administer monies budgeted by the State Regents, provide  
23 educational facilities, recommend courses and programs to be offered  
24 by participating institutions, select a chief executive officer

1 whose duties include the general coordination of approved programs  
2 and services, and the selection of other appropriate nonteaching  
3 personnel. The board of trustees is authorized to expend all monies  
4 allocated to the University Center at Ponca City as may be necessary  
5 to perform the duties and responsibilities imposed upon the board by  
6 this section. For purposes of acquiring and taking title to real  
7 and personal property from sources other than state appropriations,  
8 the board is authorized to enter into contracts and to adopt rules  
9 and regulations pertaining to such actions. The initial nine (9)  
10 members shall serve their terms for the period to which originally  
11 appointed, in numbered positions having dates of expiration  
12 identical to the dates of expiration of the original appointments:

13       Position No. 1. The term of office of one member shall expire  
14 on June 30, 2013, and each nine (9) years thereafter;

15       Position No. 2. The term of office of one member shall expire  
16 on June 30, 2014, and each nine (9) years thereafter;

17       Position No. 3. The term of office of one member shall expire  
18 on June 30, 2015, and each nine (9) years thereafter;

19       Position No. 4. The term of office of one member shall expire  
20 on June 30, 2016, and each nine (9) years thereafter;

21       Position No. 5. The term of office of one member shall expire  
22 on June 30, 2017, and each nine (9) years thereafter;

23       Position No. 6. The term of office of one member shall expire  
24 on June 30, 2018, and each nine (9) years thereafter;

1 Position No. 7. The term of office of one member shall expire  
2 on June 30, 2019, and each nine (9) years thereafter;

3 Position No. 8. The term of office of one member shall expire  
4 on June 30, 2020, and each nine (9) years thereafter; and

5 Position No. 9. The term of office of one member shall expire  
6 on June 30, 2021, and each nine (9) years thereafter.

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

9 E. The board of trustees may establish and maintain plans for  
10 tenure and retirement of its employees and for payment of deferred  
11 compensation of employees and may provide hospital and medical  
12 benefits, accident, health and life insurance, and annuity contracts  
13 for employees and pay for all or part of the cost with funds  
14 available for payment of its operating expenses.

15 F. The board may establish with the State Treasurer any  
16 accounts as are necessary to operate retirement, deferred  
17 compensation, or benefits plans for its employees. The accounts  
18 shall be revolving funds not subject to fiscal year limitations.  
19 Funds deposited in the accounts may be invested in any of the types  
20 of instruments in which the State Treasurer is authorized by law to  
21 invest.

22 SECTION 3. AMENDATORY 70 O.S. 2021, Section 3405.1, is  
23 amended to read as follows:

24

1 Section 3405.1. A. The Oklahoma State Regents for Higher  
2 Education shall make resident college credit courses and programs  
3 available to the people of Muskogee.

4 B. The Oklahoma State Regents for Higher Education shall  
5 provide lower division classes and programs through a branch of  
6 Connors State College, which shall be established and located in  
7 Muskogee. The branch campus of Connors State College shall be  
8 governed by the Board of Regents for the Oklahoma Agricultural and  
9 Mechanical Colleges and administered through Connors State College.

10 C. The Oklahoma State Regents for Higher Education shall  
11 provide upper division classes and programs and graduate classes at  
12 the Masters level and may offer lower division classes and programs  
13 through a branch of Northeastern State University, which shall be  
14 established and located at Muskogee. The branch campus of  
15 Northeastern State University shall be governed by the Board of  
16 Regents of Oklahoma Colleges and administered through Northeastern  
17 State University.

18 SECTION 4. AMENDATORY 70 O.S. 2021, Section 4662, is  
19 amended to read as follows:

20 Section 4662. On January 1, 1999, there shall be established as  
21 a successor to Rogers University in Tulsa a branch institution of  
22 Oklahoma State University which shall be known as ~~Oklahoma State~~  
23 ~~University/Tulsa~~ Oklahoma State University-Tulsa and shall offer  
24 upper division undergraduate courses and baccalaureate degree

1 programs and may offer lower division undergraduate courses and  
2 baccalaureate degree programs. No later than July 1, 2001, the  
3 Board of Regents for the Oklahoma Agricultural and Mechanical  
4 Colleges, in cooperation with the Oklahoma State Regents for Higher  
5 Education, shall have developed and implemented programs leading to  
6 baccalaureate degrees that can be earned at ~~Oklahoma State~~  
7 ~~University/Tulsa~~ Oklahoma State University-Tulsa. Beginning with  
8 the 2001 - 2002 academic year, degrees earned at ~~Oklahoma State~~  
9 ~~University/Tulsa~~ Oklahoma State University-Tulsa shall be designated  
10 as awarded by the Oklahoma State Regents for Higher Education acting  
11 through Oklahoma State University; provided that dual degree  
12 programs may be offered at ~~Oklahoma State University/Tulsa~~ Oklahoma  
13 State University-Tulsa and dual degrees may be awarded through  
14 Oklahoma State University and other institutions.

15 SECTION 5. AMENDATORY 70 O.S. 2021, Section 4667, is  
16 amended to read as follows:

17 Section 4667. On July 1, 2001, there shall be established a  
18 branch of Langston University within the Tulsa metropolitan area  
19 consistent with the statewide plan for Langston University as  
20 provided in ~~Section 6 of this act~~ Section 4666 of this title.

21 Langston University shall continue to meet the missions and programs  
22 of the Langston Urban Center in Tulsa. The Oklahoma State Regents  
23 for Higher Education are authorized to make lower division and upper  
24 division undergraduate and graduate course offerings at the Langston

1 University Branch in Tulsa available as the State Regents shall  
2 determine are appropriate. ~~Undergraduate degree programs offered~~  
3 ~~through Oklahoma State University/Tulsa shall not duplicate those~~  
4 ~~undergraduate degree programs offered by Langston University Branch~~  
5 ~~in Tulsa, as determined by the Oklahoma State Regents for Higher~~  
6 ~~Education and shall be consistent with and in furthering~~  
7 ~~implementation of the statewide plan for Langston University as~~  
8 ~~developed by the State Regents pursuant to Section 6 of this act and~~  
9 ~~filed with the Office for Civil Rights, United States Department of~~  
10 ~~Education.~~

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

23 It is the intent of the Legislature that Langston University be  
24 funded at a level consistent with the average allocation and



1 allotment of the institutions in the regional funding tier as  
2 established by the Oklahoma State Regents for Higher Education.

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

7 SECTION 6. AMENDATORY 70 O.S. 2021, Section 4668, is  
8 amended to read as follows:

9 Section 4668. On July 1, 2001, there may be established a  
10 branch of Northeastern State University within the Tulsa  
11 metropolitan area. The Oklahoma State Regents for Higher Education  
12 are authorized to make lower division and upper division  
13 undergraduate and graduate course offerings at the Northeastern  
14 State University branch in Broken Arrow available as the State  
15 Regents shall determine are appropriate. ~~Undergraduate degree~~  
16 ~~programs offered through Oklahoma State University/Tulsa shall not~~  
17 ~~duplicate those undergraduate degree programs offered by~~  
18 ~~Northeastern State University in Tulsa, as determined by the~~  
19 ~~Oklahoma State Regents for Higher Education.~~

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

24

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

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

10 SECTION 7. AMENDATORY 70 O.S. 2021, Section 4669, is  
11 amended to read as follows:

12 Section 4669. A. On January 1, 1999, there shall be created in  
13 Claremore, Oklahoma, and its other regionally accredited sites, as a  
14 successor to the Claremore campus of Rogers University, an  
15 institution of higher education to be known as Rogers State  
16 University. Rogers State University shall programmatically and  
17 budgetarily function as a regional institution within The Oklahoma  
18 State System of Higher Education, yet with a community college  
19 component. It shall be authorized to offer no less than the average  
20 number of programs and courses of study at other regional  
21 institutions of similar size and enrollment.

22 B. Rogers State University shall operate as an institution  
23 within The Oklahoma State System of Higher Education and shall be  
24 governed by the Board of Regents of the University of Oklahoma. The

1 president of Rogers State University shall report directly to the  
2 Board of Regents of the University of Oklahoma.

3 C. It is the intent of the Legislature that Rogers State  
4 University be funded initially at a level consistent with the  
5 average allocation and allotment of the institutions in the regional  
6 funding tier as established by the Oklahoma State Regents for Higher  
7 Education.

8 D. The Legislature recognizes the decision of the State  
9 Regents, pursuant to the powers vested in the State Regents by  
10 Section 2 of Article XIII-A of the Oklahoma Constitution, to change  
11 the function of Rogers State University, formerly known as the  
12 Claremore campus of Rogers University, to include a four-year  
13 baccalaureate and graduate degree granting function, as quickly as  
14 that can be done, giving due consideration to the protection of the  
15 institution's regional accreditation status. The State Regents will  
16 provide an annual report on the transition in Rogers State  
17 University function to the Governor, the Speaker of the House of  
18 Representatives, and the President Pro Tempore of the Senate,  
19 beginning on January 1, 2000, and continuing until Rogers State  
20 University is regionally accredited as a four-year baccalaureate and  
21 graduate degree granting institution.

22 E. Rogers State University shall maintain a community college  
23 component within the university and shall maintain admission  
24 standards, academic policies, and practices for the community

1 college component consistent with those approved for associate  
2 degree granting institutions by the Oklahoma State Regents for  
3 Higher Education.

4 F. Rogers State University is hereby authorized to contract  
5 with other regionally accredited institutions of higher education,  
6 ~~specifically including Northeastern State University,~~ for the  
7 delivery of courses and programs at any location where Rogers State  
8 University is authorized to deliver courses or programs. This  
9 authorization shall still remain in force after Rogers State  
10 University gains regional accreditation for upper division programs.

11 SECTION 8. REPEALER 70 O.S. 2021, Section 4665, is  
12 hereby repealed.

13 SECTION 9. This act shall become effective July 1, 2023.

14 SECTION 10. It being immediately necessary for the preservation  
15 of the public peace, health, or safety, an emergency is hereby  
16 declared to exist, by reason whereof this act shall take effect and  
17 be in full force from and after its passage and approval.

18 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION  
19 February 28, 2023 - DO PASS AS AMENDED  
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