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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 -- RHODE ISLAND COLLEGE (SEE TITLE 16 CHAPTER 97 -  
- THE RHODE ISLAND BOARD OF EDUCATION ACT)

Introduced By: Representatives Serpa, Amore, O'Brien, Hull, Ranglin-Vassell, Donovan,  
Bennett, Messier, J Lombardi, and Speakman

Date Introduced: June 11, 2021

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 16-33-1, 16-33-2, 16-33-2.1, 16-33-4, 16-33-6, 16-33-7, 16-33-8  
2 and 16-33-9 of the General Laws in Chapter 16-33 entitled "Rhode Island College [See Title 16  
3 Chapter 97 - The Rhode Island Board of Education Act]" are hereby amended to read as follows:

4 ~~16-33-1. Management by board of governors for higher education~~ **Management by**  
5 **board of trustees -- Board established.**

6 ~~The Rhode Island College shall be under the management of the board of governors for~~  
7 ~~higher education as provided by chapter 59 of this title.~~

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

18 (b) The board is empowered to hold and operate the property in trust for the state; and to

1 acquire, hold, and dispose of the property and other like property as deemed necessary for the  
2 execution of its corporate purposes. The board is made successor to all powers, rights, duties, and  
3 privileges for Rhode Island college formerly belonging to the council on postsecondary education  
4 pertaining to postsecondary education and the board of governors for higher education.

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

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

14 (2) The board is empowered to enter into collective bargaining agreements as appropriate  
15 with its employees, and all existing collective bargaining agreements in effect when the board is  
16 established pursuant to § 16-33-2.2 shall be transferred from the council on postsecondary  
17 education to the board.

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

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

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

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

34 (1) The performance-based measures shall include, but not be limited to, the following

1 metrics:

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

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

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

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

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

12 (h) The board shall hold the college accountable for developing and implementing transfer  
13 pathways for students from the community college of Rhode Island.

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

25 **16-33-2. Powers over college -- Purposes of college.**

26 The board of ~~governors for higher education~~ trustees shall be responsible for the control,  
27 management, and operation of Rhode Island ~~College~~ college in the same manner as prior to July 1,  
28 1960, the board of trustees for state colleges had been responsible for the control, management, and  
29 operation of the institution under the name of Rhode Island College of Education, and shall  
30 continue to exercise the powers previously conferred upon the trustees of Rhode Island Normal  
31 School, and any further powers, including the power to confer degrees, as shall be necessary for  
32 the continuance and maintenance of the Rhode Island ~~College~~ college as a college the chief purpose  
33 of which shall be the preparation of teachers, principals, supervisors, and superintendents for  
34 service in the public schools of Rhode Island. The board of ~~governors for higher education~~ trustees

1 is authorized to extend the scope of the educational interests of Rhode Island ~~College~~ college to  
2 include, in addition to and without in any way limiting its educational programs related to the  
3 educational preparation of teachers for the schools of the state, general education through degree  
4 programs in the liberal arts and sciences.

5 **16-33-2.1. Additional powers of the President of the College** **Additional powers of the**  
6 **president of the college.**

7 In addition to any powers granted to the president of Rhode Island ~~College~~ college by law  
8 or regulation, and consistent with shared governance practices, in conformity with § 16-33-6, the  
9 president shall have the following additional powers and duties:

10 (a) To create and consolidate departments, divisions, programs, and courses of study within  
11 the college ~~with the assistance of the commissioner of postsecondary education~~ within the approved  
12 role and scope adopted by the ~~council on postsecondary education pursuant to § 16-59-4~~ board of  
13 trustees. Any new or proposed eliminations of departments, divisions, programs or courses of study  
14 that are outside the role and scope approved by the ~~council~~ board shall require the review and  
15 approval of the ~~council on postsecondary education~~ board of trustees.

16 (b) To adopt a budget for the college and submit it to the ~~council for postsecondary~~  
17 ~~education~~ board of trustees for approval.

18 (c) To be responsible for the general management of property of the college.

19 (d) To recommend to the ~~council on postsecondary education, after consultation with the~~  
20 ~~commissioner of postsecondary, education~~ board of trustees tables of organization for the college.

21 (e) To submit to the ~~office of postsecondary commissioner~~ board of trustees and to compile  
22 and analyze the following information for presentation to the ~~council for postsecondary education~~  
23 ~~and the board of education~~ board annually by May 1 the following:

24 (1) A detailed departmental breakdown of all faculty members employed at the college by  
25 rank (including all professors, associate professors, assistant professors, lecturers, and instructors)  
26 and tenure (tenured and non-tenured, and other) and by race (African American, Hispanic, Native  
27 American, and Asian) and gender.

28 (2) A detailed report on current student enrollments for each class at the college by race  
29 and gender, by academic department, and by outreach program (e.g. talent development),  
30 guaranteed admissions program, and the current levels of funding and staff support for each of  
31 these programs.

32 (3) A report on the current status of the African and Afro-American studies programs at  
33 the college and a five (5) year budgetary history of the programs along with projections for  
34 budgetary support for the next two (2) years.

1 (4) A plan for recruitment of African American and Hispanic faculty into tenure track  
2 positions at the college with specific reference to and planned involvement with the New England  
3 higher education's minority faculty recruitment and development plan.

4 (5) Copies of the report shall be furnished to the ~~council of postsecondary education and~~  
5 ~~the board of education~~ board of trustees.

6 (f) To assist the board of trustees in preparation and maintenance of a three (3) year  
7 strategic funding plan for the college, and to assist the board in the preparation and presentation  
8 annually to the state budget officer in accordance with § 35-3-4 of a total college budget.

9 (g) To monitor, publish, and report to the board of trustees the level of performance on all  
10 metrics of the college set forth in § 16-33-2.2 and in accordance with this chapter. The president  
11 shall revise the metrics at a time when performance has reached a level pre-defined by the board.  
12 Future metrics may further goals identified by the board, the board of education and the governor's  
13 workforce board, and the purpose and mission of the college. The college shall publish its  
14 performance on all of its associated metrics prescribed in this chapter on its website.

15 **16-33-4. Students paying tuition.**

16 The board of ~~governors for higher education~~ trustees may admit to the classes of the college  
17 persons not intending to teach in the public schools of the state upon the payment by them of any  
18 tuition fees as may be determined by the board. The board shall make, each term, a return to the  
19 general treasurer of all money received by it in pursuance of this authority.

20 **16-33-6. Award of degrees -- Curriculum and government.**

21 The board of ~~governors for higher education~~ trustees, with the approval of the president  
22 and a committee of the faculty of Rhode Island ~~College~~ college, shall award academic degrees and  
23 diplomas and confer honors in the same manner as is customary in American colleges. It shall also  
24 be the duty of the president and a committee of the faculty, with the approval of the board of  
25 ~~governors for higher education~~ trustees, to arrange courses of study, prescribe any qualifications  
26 for the admission of students and any rules of study, exercise, discipline, and government as the  
27 president and committee may deem proper.

28 **16-33-7. Diploma on graduation.**

29 Persons who shall have passed the regular course of studies at Rhode Island ~~College~~ college  
30 shall, on the written recommendation of the president, receive a diploma issued by the board of  
31 ~~governors for higher education~~ trustees.

32 **16-33-8. Appropriations and disbursements.**

33 (a) The general assembly shall annually appropriate any sum as it may deem necessary for  
34 the maintenance and support of the Rhode Island ~~College~~ college.

1 (b) The state controller is authorized and directed to draw his or her orders upon the general  
2 treasurer for the payment of the sum upon receipt by the controller of vouchers approved by the  
3 board of ~~governors for higher education~~ trustees.

4 **16-33-9. Assent to federal provisions for college housing.**

5 All proceeds of the loan or loans received by the board of ~~governors for higher education~~  
6 trustees for the construction of housing facilities for the Rhode Island ~~College college~~ shall be paid  
7 to the general treasurer of the state and deposited by the treasurer in a separate fund to be known  
8 as the "Rhode Island ~~College college~~ housing loan fund."

9 SECTION 2. Chapter 16-33 of the General Laws entitled "Rhode Island College [See Title  
10 16 Chapter 97 - The Rhode Island Board of Education Act]" is hereby amended by adding thereto  
11 the following sections:

12 **16-33-2.2. Appointment and removal of the board of trustees.**

13 (a) There is hereby established a board of trustees for Rhode Island college consisting of  
14 thirteen (13) members. The chair of the board of education and the chair of the council on  
15 postsecondary education shall serve in a non-voting, ex officio capacity on the board of trustees.  
16 The president of Rhode Island college shall appoint one faculty member and one student member  
17 who shall be a full-time student in good standing at the college and who shall each serve in a non-  
18 voting, ex officio capacity for a single two (2) year term. The governor shall appoint nine (9) voting  
19 members, with the advice and consent of the senate, to serve on the board of trustees, until the  
20 expiration of their term and their successor is appointed. In making these appointments the governor  
21 shall give due consideration to recommendations from the president of Rhode Island college and at  
22 least three (3) of those members appointed by the governor shall be residents of the State of Rhode  
23 Island, at least one of those members shall be selected from a list of names of at least three (3)  
24 individuals submitted by the speaker of the house of representatives, and at least one of those  
25 members shall be selected from a list of names of at least three (3) individuals submitted by the  
26 president of the senate. Three (3) of the voting members initially appointed pursuant to this section  
27 shall serve terms of three (3) years; three (3) voting members initially appointed pursuant to this  
28 section shall serve terms of two (2) years; and Three (3) voting members initially appointed  
29 pursuant to this section shall serve terms of one year. Seven (7) voting members of the board shall  
30 constitute a quorum and the vote of a majority of those present and voting shall be required for  
31 action.

32 (b) After the initial terms of appointment have expired, the governor shall appoint members  
33 to succeed those voting members whose terms have expired; the members shall be filled in the  
34 same manner of the original appointment as set forth in subsection (a) of this section and shall each

1 serve for a term of three (3) years, or until their successors are appointed and qualified.

2 (c) A majority of the board shall elect the chair of the board from among the nine (9) voting  
3 board members pursuant to rules and regulations adopted by the board establishing the procedure  
4 for electing a chair.

5 (d) Public members of the board shall be removable by the appointing authority of the  
6 member for cause only, and removal solely for partisan or personal reasons unrelated to capacity  
7 or fitness for the office shall be unlawful. No removal shall be made for any cause except after ten  
8 (10) days' notice in writing of specific charges, with opportunity for the member to be present in  
9 person and with counsel at a public hearing before the appointing authority, to introduce witnesses  
10 and documentary evidence in his or her own defense, and to confront and cross-examine adversary  
11 witnesses; and appeal shall lie to the superior court from the governor's determination.

12 **16-33-11. Exemption from provisions of administrative procedures act.**

13 The provisions of chapter 35 of title 42, ("administrative procedures act"), shall not apply  
14 to this chapter.

15 **16-33-12. Receipts from sources other than appropriations.**

16 (a) Notwithstanding any general laws to the contrary, all receipts from all sources other  
17 than state appropriations shall not be deposited into the general fund of the state, but shall be  
18 deposited by the general treasurer of the state into a restricted account for the benefit of the board  
19 of trustees, and shall be paid out by the treasurer upon the order of the board, without the necessity  
20 of appropriation or re-appropriation by the general assembly.

21 (b) The board of trustees shall ensure that the college has a structure in place to prohibit  
22 the college from accepting funds that would interfere with or restrict academic freedom at the  
23 college. Nothing contained in this section shall be construed in a way as to prohibit a donor from  
24 earmarking funds for a particular purpose or use, including, but not limited to, research,  
25 scholarships, construction, or development.

26 **16-33-13. Fiscal accounts -- Receipts -- Petty cash funds.**

27 (a) The treasurer of Rhode Island college, as appointed by the board of trustees, shall:

28 (1) Keep an accurate account of his or her receipts and expenditures, which shall be audited  
29 by the state controller; and

30 (2) Turn over to the general treasurer at monthly intervals all sums of money received by  
31 him or her during the preceding month which shall be credited to the proper accounts and funds by  
32 the general treasurer.

33 (b) The state controller shall establish an imprest fund or petty cash fund for the use of the  
34 treasurer of the college for expenditures of any nature as may be approved by the state controller.

1           **16-33-14. Audit of expenditures.**

2           The pre-audit of all expenditures under authority of the board by the state controller  
3 provided for in § 35-6-1 shall be purely ministerial, concerned only with the legality of the  
4 expenditure and the availability of the funds, and in no event shall the state controller interpose his  
5 or her judgment regarding the wisdom or expediency of any item or items of expenditure.

6           **16-33-15. Freedom from budget and lease control by other agencies.**

7           In order that the board of trustees may control the personnel and equipment of the college  
8 in the interest of educational efficiency, the board and the college are exempt from the provisions  
9 of § 35-3-1(a)(5) relating to the employment of personnel, and from any provision of § 42-20-8  
10 that relates to the director of administration.

11           **16-33-16. Applicability of merit system -- Teacher certification -- List of positions**  
12 **transferable to classified service.**

13           (a) The appointment, promotion, salaries, tenure, and dismissal of administrative,  
14 instructional, and research employees, and secretarial employees not exceeding ten (10) in number,  
15 and armed university police officers shall not be subject in any manner or degree to control by the  
16 state personnel administrator or by any officer or board other than the board of trustees. The  
17 certification of teachers at the Rhode Island college is abolished, except for teachers who elect to  
18 come or remain under it.

19           (b) All positions that are exempt from the merit system law, chapter 4 of title 36, that  
20 become vacant or that are to be established, must be forwarded to the state personnel administrator,  
21 who shall determine whether the position(s) in question shall remain in the board of trustees non-  
22 classified service or be established in the classified service of the state.

23           (c) No position presently in the classified service of the state subject to the merit system  
24 law, chapter 4 of title 36, shall be changed or modified so as to establish the position in the board  
25 of trustees non-classified service.

26           (d) Faculty positions, presidents, vice presidents, deans, assistant deans, and student  
27 employees of the college shall not be covered by the preceding provisions and shall remain in the  
28 non-classified service of the board.

29           **16-33-17. Permanent status for non-classified employees.**

30           All non-classified employees of the board of trustees who shall have twenty (20) years, not  
31 necessarily consecutive, of service credit, these credits having been earned in either the classified,  
32 non-classified, or unclassified service or any combination of these, shall be deemed to have  
33 acquired full status in their positions as the status is defined by § 36-4-59 with the base entry date  
34 prior to August 8, 1996; provided that, this provision shall not apply to faculty employed by the



1 board nor shall it apply to non-classified employees who have acquired tenure as faculty.

2 **16-33-18. Longevity payments -- Non-classified employees.**

3 (a) The non-classified employees of the board of trustees, except for faculty employees and  
4 except for non-classified employees already receiving longevity increases, shall be entitled to a  
5 longevity payment in the amount of five percent (5%) of base salary after ten (10) years of service  
6 and increasing to a total of ten percent (10%) of base salary after twenty (20) years of service. The  
7 provisions of this section will apply only to employees with a pay grade under nineteen (19). The  
8 longevity payments shall not be included in base salary.

9 (b) The board of trustees is authorized to promulgate regulations implementing the  
10 provisions of this section.

11 (c) Beginning on July 1, 2011, notwithstanding any rule, regulation, or provision of the  
12 public laws or general laws to the contrary, there shall be no further longevity increases for  
13 employees of the board of trustees; provided, however, for employees with longevity provisions  
14 pursuant to a collective bargaining agreement in effect on June 1, 2011, longevity increases shall  
15 cease beginning on July 1, 2011, or beginning upon the expiration of the applicable collective  
16 bargaining agreement, whichever occurs later. To the extent an employee has previously accrued  
17 longevity payments, the amount of the longevity payment earned by the employee for the last pay  
18 period in June, 2011, shall be added to the employee's base salary as of June 30, 2011, or in the  
19 case of an employee with longevity provisions pursuant to a collective bargaining agreement in  
20 effect on June 1, 2011, the amount of the longevity payment earned by the employee for the latter  
21 of the last pay period in June or the last pay period prior to the expiration of the applicable collective  
22 bargaining agreement shall be added to the employee's base salary as of June 30, 2011, or upon the  
23 expiration of the applicable collective bargaining agreement, whichever occurs later.

24 **16-33-19. Appointment of campus police.**

25 (a) The board of trustees may appoint one or more persons who may act as police officers  
26 upon the property and highways of the college subject to the control of the board and upon the  
27 streets and highways immediately adjacent to those lands. The campus police officers shall protect  
28 the property of the college; suppress nuisances and disturbances and breaches of the peace; and  
29 enforce laws and regulations for the preservation of good order. They shall have the same powers  
30 and authority as that conferred upon municipal police officers, including the power to arrest persons  
31 for violations of state criminal statutes or for violations of city or town ordinances of the city or  
32 town in which the institution is located. They shall be required to attend and successfully complete  
33 the municipal police training academy before they shall be allowed to carry firearms. Additionally,  
34 any campus police officer observing the violation of any rule or regulation of the board adopted

1 pursuant to this chapter, including, but not limited to, parking and traffic regulations, may issue a  
2 summons in the manner and form set forth in § 31-27-12 or § 31-41.1-1 returnable to the district  
3 court, the police court of the city or town where the violation occurs, or the traffic tribunal as  
4 provided by law.

5 (b) Notwithstanding any other provision of law, all fines and penalties recovered for  
6 violation of rules and regulations made under authority of this section shall be accounted for by the  
7 appropriate authority, which shall forward all fines or penalties for nonmoving traffic violations to  
8 the general treasurer for use by the college on whose campus the citation or violation was issued.

9 **16-33-20. Conflicts of interest.**

10 No member of the board of trustees shall be employed in any position under the jurisdiction  
11 of the board, nor contract in any manner for any purpose with the board; nor shall the board  
12 purchase, sell, or lease any land, property, or supplies from or to any firm or business association  
13 of which any member of the board is owner, part owner, or officer or director. No person related  
14 by consanguinity or affinity in the first degree to any member of the board shall be employed in  
15 any capacity under the board's jurisdiction.

16 **16-33-21. Existing bond debt.**

17 The board of trustees is authorized to take all actions, and execute and deliver all  
18 agreements or instruments, necessary or convenient for the board to assume all of the obligations  
19 on behalf of, and in replacement of, or jointly with the council on postsecondary education under  
20 outstanding bonds issued by the Rhode Island health and educational building corporation or  
21 outstanding lease certificates of participation, in either case, issued for the benefit of the university  
22 of Rhode Island, the community college of Rhode Island, and/or Rhode Island college as may be  
23 necessary to ensure, among other items, that the college continues to meet its obligations under  
24 such bonds or certificates.

25 SECTION 3. Sections 16-59-1, 16-59-2 and 16-59-13 of the General Laws in Chapter 16-  
26 59 entitled "Council on Postsecondary Education [See Title 16 Chapter 97 - The Rhode Island  
27 Board of Education Act]" are hereby amended to read as follows:

28 **16-59-1. ~~Council on Postsecondary Education established~~ Council on postsecondary**  
29 **education established.**

30 (a) There is created a council on postsecondary education, sometimes referred to as the  
31 "council," which shall be and is constituted a public corporation, empowered to sue and be sued in  
32 its own name, and to exercise all the powers, in addition to those specifically enumerated in this  
33 chapter, usually appertaining to public corporations entrusted with control of postsecondary  
34 educational institutions and functions. Upon its organization, the council shall be invested with the

1 legal title (in trust for the state) to all property, real and personal, now owned by and/or under the  
2 control or in custody of the board of regents for education for the use of ~~Rhode Island college~~, the  
3 community college of Rhode Island and the system of community colleges of Rhode Island,  
4 including all departments, divisions, and branches of these.

5 (b) The council is empowered to hold and operate the property in trust for the state; to  
6 acquire, hold, and dispose of the property and other like property as deemed necessary for the  
7 execution of its corporate purposes. The council is made successor to all powers, rights, duties, and  
8 privileges formerly belonging to the board of regents for education pertaining to postsecondary  
9 education and the board of governors for higher education.

10 (c) The council shall be the employer of record for ~~Rhode Island college and~~ the community  
11 college of Rhode Island and the office of postsecondary education. It shall retain all authority  
12 formerly vested in the board of education regarding the employment of faculty and staff at ~~Rhode~~  
13 ~~Island college and~~ the community college of Rhode Island.

14 (d) The council shall be the governing body for the Rhode Island division of higher  
15 education assistance and shall retain all authority formerly vested in the higher education assistance  
16 authority board of directors pursuant to § 16-57-7; however, any debts, liabilities, or obligations of  
17 the council that result from its status as such governing body shall be payable solely from the  
18 revenues or assets of reserve funds set forth and established by the prior Rhode Island higher  
19 education assistance authority and/or the Rhode Island division of higher education assistance  
20 created pursuant to chapter 57 of this title, and not from any assets or property held by the council  
21 on public higher education pursuant to this chapter.

22 (e) The council on postsecondary education shall be the employer of record for the division  
23 of higher education assistance.

24 (f) The council on postsecondary education, simultaneous with the transfer of authority to  
25 the university of Rhode Island board of trustees pursuant to § 16-32-2, shall enter into a sublease  
26 with the university of Rhode Island board of trustees for the space the university currently occupies  
27 at the Rhode Island nursing education center in Providence, Rhode Island, such sublease being  
28 coterminous with the lease and incorporating the same terms, conditions and space allocations  
29 currently in effect under the lease, and P.L. 2014, ch. 145, art. 4, § 8, and that certain memorandum  
30 of understanding dated January 7, 2017, among the Rhode Island office of postsecondary  
31 commissioner, the university of Rhode Island and Rhode Island college.

32 (g) The council is empowered to enter into contracts and agreements with the board of  
33 trustees for the university of Rhode Island and/or the department of administration related to public  
34 higher education employee benefits, including, but not limited to, retirement benefits, health,

1 dental, vision and life insurance, disability insurance, workers' compensation, and tuition waivers  
2 to maximize the state's and council's purchasing and investment portfolio and educational  
3 opportunities for the benefit of its employees.

4 **16-59-2. Appointment of members of the council on postsecondary education.**

5 The governor shall establish the council for postsecondary education by appointing eight  
6 (8) members of the board of education established pursuant to chapter 97 of this title to serve as  
7 members of the council, until the expiration of their term as a member of the board of education  
8 and their successor is appointed. In addition the governor shall appoint one (1) student member  
9 who shall be a full time student in good standing at the ~~University of Rhode Island, Rhode Island~~  
10 ~~College or the Community College~~ community college of Rhode Island and who shall serve in a  
11 non-voting, ex-officio capacity for a single two (2) year term and shall rotate among the three (3)  
12 public institutions. The governor shall appoint the chair of the council on an annual basis from  
13 among the eight (8) voting council members. The chair of the board of education shall serve on the  
14 council in voting, ex-officio capacity. Five (5) voting members of the council shall constitute a  
15 quorum and the vote of a majority of those present and voting shall be required for action.

16 **16-59-13. Definitions.**

17 Where in this chapter the phrase "public colleges" or "public institutions of higher learning"  
18 or "public tax supported institutions of higher learning" or words of similar import are used they  
19 shall be taken to mean ~~Rhode Island college, and~~ the community college of Rhode Island, or any  
20 other ~~of these~~ public colleges, public institutions of higher learning, or public tax supported  
21 institutions of higher learning other than the university of Rhode Island, and Rhode Island college,  
22 which may be created, individually or collectively, as appropriate.

23 SECTION 4. This act shall take effect upon passage.

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LC002941  
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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

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

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1           This act would create a board of trustees to manage Rhode Island College, similar to that  
2           which was created for the University of Rhode Island in 2019. The board of trustees would be a  
3           public corporation and as such would have wide-sweeping authority such as appointment of the  
4           president of the college and employment of faculty. It would be empowered to sue or be sued, to  
5           borrow money, to enter into contracts, to hold legal title to property, to hold property in trust for  
6           the state, to enter into contracts and settle claims, to name a few.

7           This act would take effect upon passage.

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LC002941  
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