

IN THE SENATE

SENATE BILL NO. 1278

BY WERK, MALEPEAI, STENNETT

AN ACT

RELATING TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO; PROVIDING A SHORT TITLE; AMENDING SECTION 33-107, IDAHO CODE, TO EXPAND THE POWERS AND DUTIES OF THE STATE BOARD OF EDUCATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-2804, IDAHO CODE, TO EXPAND THE POWERS AND DUTIES OF THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. SHORT TITLE. This act may be known and may be cited as the "University Technology Transfer Act."

SECTION 2. That Section 33-107, Idaho Code, be, and the same is hereby amended to read as follows:

33-107. GENERAL POWERS AND DUTIES OF THE STATE BOARD. The state board shall have power to:

(1) Perform all duties prescribed for it by the school laws of the state;

(2) Acquire, hold and dispose of title, rights and interests in real and personal property;

(3) Have general supervision, through its executive departments and offices, of all entities of public education supported in whole or in part by state funds;

(4) Delegate to its executive secretary, to its executive officer, or to such other administrators as the board may appoint, such powers as said officers require to carry out the policies, orders and directives of the board;

(5) Through its executive departments and offices:

(a) Enforce the school laws of the state;

(b) Study the educational conditions and needs of the state and recommend to the legislature needed changes in existing laws or additional legislation;

(6) In addition to the powers conferred by chapter 24, title 33, Idaho Code:

(a) Maintain a register of postsecondary educational institutions approved to provide programs and courses that lead to a degree or which provide, offer and sell degrees in accordance with the procedures established in chapter 24, title 33, Idaho Code;

(b) Determine whether to accept academic credit at public postsecondary educational institutions in Idaho. Academic credit shall not be transferred into any Idaho public postsecondary institution from a postsecondary educational institution or other

1 entity that is not accredited by an organization recognized by the
2 board~~;~~

3 (c) Maintain a register of proprietary schools approved to conduct,
4 provide, offer or sell a course or courses of study in accordance with
5 the procedures established in chapter 24, title 33, Idaho Code;

6 (7) Prescribe the courses and programs of study to be offered at
7 the public institutions of higher education, after consultation with the
8 presidents of the affected institutions;

9 (8) Approve new courses and programs of study to be offered at community
10 colleges organized pursuant to chapter 21, title 33, Idaho Code, when the
11 courses or programs of study are academic in nature and the credits derived
12 therefrom are intended to be transferable to other state institutions of
13 higher education for credit toward a baccalaureate degree, and when the
14 courses or programs of study have been authorized by the board of trustees of
15 the community college;

16 (9) Allow colleges and universities under its control to enhance
17 technology transfer to the market by Idaho-based companies and to establish
18 foundations to enhance technology transfer to the market by Idaho-based
19 companies.

20 SECTION 3. That Section 33-2804, Idaho Code, be, and the same is hereby
21 amended to read as follows:

22 33-2804. GENERAL DUTIES OF BOARD. (1) The members of the state board
23 of education, in the performance of their functions as the board of regents
24 of the university and their successors in office, shall constitute a body
25 corporate, by the name of the regents of the ~~U~~university of Idaho, and shall
26 possess all the powers necessary or convenient to accomplish the objects
27 and perform the duties prescribed by law, and shall have the custody of
28 the books, records, buildings and other property of said university. The
29 board shall elect a president, secretary and treasurer, who shall perform
30 such duties as shall be prescribed by the ~~by laws~~ bylaws of the board. The
31 secretary shall keep a faithful record of all the transactions of the board
32 and of the executive committee thereof. The treasurer shall perform all the
33 duties of such office, subject to such ~~regulations~~ rules as the board may
34 adopt, and shall be bonded to the state of Idaho in the time, form and manner
35 prescribed by chapter 8, title 59, Idaho Code.

36 (2) The university of Idaho shall be authorized to enhance technology
37 transfer to the market by Idaho-based companies and to establish foundations
38 to enhance technology transfer to the market by Idaho-based companies.

39 SECTION 4. An emergency existing therefor, which emergency is hereby
40 declared to exist, this act shall be in full force and effect on and after its
41 passage and approval.