

# HOUSE BILL 259

F2

11r0337

(PRE-FILED)

---

By: **Delegate Ivey**

Requested: August 31, 2020

Introduced and read first time: January 13, 2021

Assigned to: Appropriations

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Historically Black Colleges and Universities – Independence From University**  
3 **System of Maryland**

4 FOR the purpose of reorganizing State government by establishing Bowie State University,  
5 Coppin State University, and University of Maryland Eastern Shore as universities  
6 independent of the University System of Maryland; prohibiting the inclusion of  
7 certain historically black colleges and universities within the University System of  
8 Maryland; creating certain historically black colleges and universities as certain  
9 entities with certain Boards of Regents with certain responsibilities, powers, duties,  
10 authorities, and degree offerings subject to certain recommendations, standards,  
11 guidelines, consultations, and provisions of law; establishing certain boards as the  
12 governing body of certain historically black colleges and universities; providing for  
13 the membership and terms of office of certain boards; providing that members of  
14 certain boards serve without compensation and are entitled to certain  
15 reimbursement under certain circumstances; providing for the leadership, time and  
16 place of meetings, quorum, and actions of certain boards; requiring certain reports  
17 to certain entities by certain dates; providing for the responsibilities, powers, duties,  
18 and authorities of the President of certain historically black colleges and universities  
19 subject to certain policies, plans, and collaborations; requiring certain historically  
20 black colleges and universities to use a certain financial management system for  
21 certain purposes; requiring the Legislative Auditor to perform certain audits;  
22 providing for the application of the Maryland Tort Claims Act to certain historically  
23 black colleges and universities; stating that all property of certain historically black  
24 colleges and universities is property of the State; requiring certain historically black  
25 colleges and universities to undertake certain high impact economic development  
26 activities subject to certain review and comment processes; prohibiting a member of  
27 certain boards from engaging in certain activity pertaining to certain political  
28 candidates and contributions and from being a certain candidate while serving on a  
29 certain board; establishing a certain police force of certain historically black colleges  
30 and universities; providing for the powers, duties, qualifications, and training of

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 certain police officers in consultation with certain entities; exempting certain  
2 historically black colleges and universities from certain provisions of law; prohibiting  
3 any business entity created, invested in, financed, or operated by a certain  
4 historically black college and university from being considered an agency or  
5 instrumentality of the State or a unit of the Executive Branch for any purpose;  
6 stating that a financial obligation or liability of certain entities is not the debt or  
7 obligation of the State or the university; requiring certain income to be credited to a  
8 certain historically black college and university subject to a certain offset; specifying  
9 the terms of the initial members of the boards for Bowie State University, Coppin  
10 State University, and University of Maryland Eastern Shore; requiring the  
11 University System of Maryland to transfer the use of certain property to a certain  
12 historically black college and university on or before a certain date; providing for the  
13 transfer of certain funds, functions, duties, powers, books, records, property,  
14 equipment, fixtures, assets, liabilities, obligations, credits, rights, privileges, and  
15 employees of certain agencies to certain agencies; providing for the continued  
16 validity of any transaction affected under this Act and entered into prior to a certain  
17 date; providing that, subject to certain exceptions, all existing laws, regulations,  
18 proposed regulations, standards and guidelines, policies, orders and other directives,  
19 forms, plans, memberships, contracts, property investigations, administrative and  
20 judicial responsibilities, rights to sue and be sued, and all other duties and  
21 responsibilities associated with certain historically black colleges and universities  
22 prior to a certain date shall continue until a certain action; providing that any  
23 licensure, registration, permit, or certification of any person or unit affected by this  
24 Act in effect prior to a certain date remains in effect for a certain time period;  
25 requiring the publisher of the Annotated Code of Maryland, in consultation with and  
26 subject to the approval of the Department of Legislative Services, to correct certain  
27 cross-references or terminology rendered obsolete under this Act and to include a  
28 certain note; defining certain terms; and generally relating to the University System  
29 of Maryland and historically black colleges and universities in the State.

30 BY repealing and reenacting, with amendments,  
31 Article – Education  
32 Section 12–101(b)(6) and 12–101.1  
33 Annotated Code of Maryland  
34 (2018 Replacement Volume and 2020 Supplement)

35 BY adding to  
36 Article – Education  
37 Section 14–501 through 14–513 to be under the new subtitle “Subtitle 5. Bowie State  
38 University”; 14–601 through 14–613 to be under the new subtitle “Subtitle 6.  
39 Coppin State University”; and 14–701 through 14–713 to be under the new  
40 subtitle “Subtitle 7. University of Maryland Eastern Shore” and the amended  
41 title “Title 14. Public Senior Institutions of Higher Education”  
42 Annotated Code of Maryland  
43 (2018 Replacement Volume and 2020 Supplement)

1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
2 That the Laws of Maryland read as follows:

3 **Article – Education**

4 12–101.

5 (b) (6) “Constituent institutions”, “institutions”, or “campuses” means the  
6 following public senior higher education institutions under the jurisdiction of the Board of  
7 Regents:

8 (i) University of Maryland, which is a strategic partnership between  
9 the following two distinct campuses within the University System of Maryland:

10 1. The University of Maryland, Baltimore Campus; and

11 2. The University of Maryland, College Park Campus;

12 (ii) University of Maryland Baltimore County;

13 (iii) [University of Maryland Eastern Shore;

14 (iv)] University of Maryland Global Campus;

15 [(v) Bowie State University;

16 (vi) Coppin State University;

17 (vii)] (IV) Frostburg State University;

18 [(viii)] (V) Salisbury University;

19 [(ix)] (VI) Towson University; and

20 [(x)] (VII) University of Baltimore.

21 12–101.1.

22 The University System of Maryland may not include:

23 (1) **BOWIE STATE UNIVERSITY;**

24 (2) **COPPIN STATE UNIVERSITY;**

25 (3) **Morgan State University; OR**

1           **(4) UNIVERSITY OF MARYLAND EASTERN SHORE.**

2           Title 14. [Morgan State University and St. Mary's College of Maryland]  
3           **PUBLIC SENIOR INSTITUTIONS OF HIGHER EDUCATION.**

4                           **SUBTITLE 5. BOWIE STATE UNIVERSITY.**

5   **14-501.**

6           **(A) (1) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**  
7   **INDICATED.**

8                   **(2) "BOARD" MEANS THE BOARD OF REGENTS OF BOWIE STATE**  
9   **UNIVERSITY.**

10           **(3) "UNIVERSITY" MEANS BOWIE STATE UNIVERSITY.**

11           **(B) (1) THERE IS A BODY CORPORATE AND POLITIC KNOWN AS BOWIE**  
12   **STATE UNIVERSITY.**

13                   **(2) THE UNIVERSITY IS AN INSTRUMENTALITY OF THE STATE AND A**  
14   **PUBLIC CORPORATION.**

15                   **(3) THE UNIVERSITY IS AN INDEPENDENT UNIT OF STATE**  
16   **GOVERNMENT.**

17                   **(4) THE EXERCISE BY THE UNIVERSITY OF THE POWERS CONFERRED**  
18   **BY THIS SUBTITLE IS THE PERFORMANCE OF AN ESSENTIAL PUBLIC FUNCTION.**

19           **(C) BOWIE STATE UNIVERSITY:**

20                   **(1) HAS THE RESPONSIBILITY, WITH OTHER EDUCATIONAL**  
21   **INSTITUTIONS, FOR PROVIDING HIGHER EDUCATION RESEARCH AND GRADUATE**  
22   **STUDY;**

23                   **(2) OFFERS BACCALAUREATE AND GRADUATE DEGREES IN THE ARTS**  
24   **AND SCIENCES;**

25                   **(3) OFFERS THE PROFESSIONAL AND GRADUATE PROGRAMS**  
26   **APPROVED BY THE BOARD AND THE COMMISSION;**

27                   **(4) SHALL BE DEDICATED TO THE DEVELOPMENT AND DELIVERY OF**  
28   **COMPREHENSIVE AND HIGH-QUALITY ACADEMIC PROGRAMS AND SERVICES TO ITS**  
29   **UNIVERSITY COMMUNITY AND THE CITIZENS OF MARYLAND; AND**

1           **(5) SHALL SERVE A DIVERSE CITIZENRY IN AN INNOVATIVE AND**  
2 **COLLABORATIVE MANNER, ALL THE WHILE EXERCISING ITS RESPONSIBILITIES**  
3 **WITH UNCOMPROMISING INTEGRITY THROUGH STRONG, BUT COMPASSIONATE,**  
4 **LEADERSHIP.**

5 **14-502.**

6           **BOWIE STATE UNIVERSITY MAY NOT BE INCLUDED IN THE UNIVERSITY**  
7 **SYSTEM OF MARYLAND.**

8 **14-503.**

9           **(A) THE GOVERNMENT OF THE UNIVERSITY IS VESTED IN THE BOARD.**

10           **(B) THE BOARD CONSISTS OF 15 MEMBERS APPOINTED BY THE GOVERNOR**  
11 **WITH THE ADVICE AND CONSENT OF THE SENATE.**

12           **(C) (1) (I) TWO MEMBERS OF THE BOARD SHALL BE STUDENTS IN**  
13 **GOOD ACADEMIC STANDING AT THE UNIVERSITY WHO:**

14                           **1. ARE AT LEAST 18 YEARS OLD; AND**

15                           **2. HAVE THE QUALIFICATIONS REQUIRED TO BE**  
16 **STUDENT BODY PRESIDENT.**

17                           **(II) EACH OF THE STUDENT MEMBERS SERVES FOR A TERM OF**  
18 **1 YEAR AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.**

19                           **(III) THE STUDENT MEMBERS MAY BE RESIDENTS OF A STATE**  
20 **OTHER THAN MARYLAND, BUT THE RESIDENCY STATUS OF THE STUDENT MEMBERS**  
21 **MAY NOT BE CONSIDERED IN DETERMINING THE NUMBER OF RESIDENT OR**  
22 **NONRESIDENT REGENTS AS PROVIDED FOR IN SUBSECTION (D)(2) OF THIS SECTION.**

23           **(2) THE REMAINING MEMBERS OF THE BOARD SHALL INCLUDE:**

24                           **(I) A MINIMUM OF FIVE MEMBERS, INCLUDING THE CHAIR,**  
25 **WHO HAVE ATTENDED A HISTORICALLY BLACK COLLEGE OR UNIVERSITY;**

26                           **(II) THREE MEMBERS SELECTED BY THE ALUMNI ASSOCIATION**  
27 **OF THE UNIVERSITY; AND**

1 (III) ONE MEMBER SELECTED BY THE LOCAL CHAPTER OF THE  
2 NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE (NAACP).

3 (3) THE MEMBERSHIP OF THE BOARD SHALL, TO THE EXTENT  
4 PRACTICABLE, BE REPRESENTATIVE OF THE STUDENT BODY DEMOGRAPHICS OF  
5 THE UNIVERSITY.

6 (D) (1) EXCEPT FOR THE STUDENT MEMBERS:

7 (I) EACH MEMBER SERVES FOR A TERM OF 5 YEARS AND UNTIL  
8 A SUCCESSOR IS APPOINTED AND QUALIFIES;

9 (II) THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY  
10 THE TERMS PROVIDED FOR MEMBERS OF THE BOARD ON JULY 1, 2021; AND

11 (III) A MEMBER MAY NOT SERVE MORE THAN TWO CONSECUTIVE  
12 TERMS.

13 (2) EXCEPT FOR THE STUDENT MEMBERS, NOT MORE THAN THREE  
14 MEMBERS OF THE BOARD WHO ARE NOT ALUMNI OF BOWIE STATE UNIVERSITY MAY  
15 BE RESIDENTS OF OTHER STATES.

16 (3) A MEMBER APPOINTED TO FILL A VACANCY IN AN UNEXPIRED  
17 TERM SERVES ONLY FOR THE REMAINDER OF THAT TERM AND UNTIL A SUCCESSOR  
18 IS APPOINTED AND QUALIFIES.

19 (E) EACH MEMBER OF THE BOARD:

20 (1) SERVES WITHOUT COMPENSATION; AND

21 (2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES IN  
22 ACCORDANCE WITH THE STANDARD STATE TRAVEL REGULATIONS.

23 14-504.

24 (A) EACH YEAR THE BOARD:

25 (1) SHALL ELECT ONE OF ITS NONSTUDENT MEMBERS AS ITS CHAIR;  
26 AND

27 (2) MAY ELECT ANY OTHER OFFICER IT REQUIRES.

1           **(B) THE BOARD SHALL DETERMINE THE TIME AND PLACE OF ITS MEETINGS**  
2 **AND MAY ADOPT RULES FOR THE CONDUCT OF ITS MEETINGS.**

3           **(C) (1) A MAJORITY OF THE MEMBERS SHALL CONSTITUTE A QUORUM**  
4 **FOR THE TRANSACTION OF BUSINESS.**

5           **(2) NO FORMAL ACTION MAY BE TAKEN BY THE BOARD WITHOUT THE**  
6 **APPROVAL OF A MAJORITY OF THE MEMBERS OF THE BOARD.**

7 **14-505.**

8           **(A) IN ADDITION TO ANY OTHER POWERS GRANTED AND DUTIES IMPOSED**  
9 **BY THIS SUBTITLE, AND SUBJECT TO THE PROVISIONS OF TITLE 11 OF THIS ARTICLE**  
10 **AND ANY OTHER RESTRICTIONS IMPOSED BY LAW BY SPECIFIC REFERENCE TO THE**  
11 **UNIVERSITY OR BY ANY TRUST AGREEMENT INVOLVING A PLEDGE OF PROPERTY OR**  
12 **MONEY, THE BOARD:**

13           **(1) IS RESPONSIBLE FOR THE MANAGEMENT OF THE UNIVERSITY**  
14 **AND HAS ALL THE POWERS, RIGHTS, AND PRIVILEGES THAT GO WITH THAT**  
15 **RESPONSIBILITY, INCLUDING THE POWERS AND DUTIES SET FORTH IN THIS**  
16 **SECTION;**

17           **(2) MAY NOT BE SUPERSEDED IN ITS AUTHORITY BY ANY OTHER**  
18 **STATE AGENCY OR OFFICE IN MANAGING THE AFFAIRS OF THE UNIVERSITY; AND**

19           **(3) SHALL HAVE ALL THE POWERS OF A MARYLAND CORPORATION**  
20 **WHICH ARE NOT LIMITED BY LAW BY SPECIFIC REFERENCE TO THE UNIVERSITY.**

21           **(B) IN ADDITION TO THE POWERS SET FORTH ELSEWHERE IN THIS**  
22 **SUBTITLE, THE UNIVERSITY MAY:**

23           **(1) ADOPT AND ALTER AN OFFICIAL SEAL;**

24           **(2) MAINTAIN AN OFFICE AT THE PLACE THE BOARD MAY**  
25 **DESIGNATE;**

26           **(3) ENTER INTO CONTRACTS OF ANY KIND, AND EXECUTE ALL**  
27 **INSTRUMENTS NECESSARY OR CONVENIENT WITH RESPECT TO ITS CARRYING OUT**  
28 **THE POWERS IN THIS SUBTITLE TO ACCOMPLISH THE PURPOSES OF THE**  
29 **UNIVERSITY; AND**

1           **(4) IN ACCORDANCE WITH SUBSECTION (Q)(6) OF THIS SECTION,**  
2 **ACQUIRE, HOLD, LEASE, USE, ENCUMBER, TRANSFER, EXCHANGE, OR DISPOSE OF**  
3 **REAL AND PERSONAL PROPERTY.**

4           **(C) IN ADDITION TO THE POWERS SET FORTH IN TITLE 19 OF THIS ARTICLE**  
5 **AND SUBJECT TO THE APPROVAL OF THE BOARD OF PUBLIC WORKS, THE**  
6 **UNIVERSITY MAY BORROW MONEY FROM ANY SOURCE FOR ANY CORPORATE**  
7 **PURPOSE, INCLUDING WORKING CAPITAL FOR ITS OPERATIONS, RESERVE FUNDS OR**  
8 **INTEREST, AND MORTGAGE, PLEDGE, OR OTHERWISE ENCUMBER THE PROPERTY OR**  
9 **FUNDS OF THE UNIVERSITY, AND CONTRACT WITH OR ENGAGE THE SERVICES OF**  
10 **ANY PERSON IN CONNECTION WITH ANY FINANCING, INCLUDING FINANCIAL**  
11 **INSTITUTIONS, ISSUERS OF CREDIT, OR INSURERS.**

12           **(D) (1) THE BOARD MAY ADOPT RULES AND REGULATIONS NOT**  
13 **INCONSISTENT WITH LAW FOR THE GOVERNMENT AND MANAGEMENT OF THE**  
14 **UNIVERSITY.**

15           **(2) SUBJECT TO TITLE 3 OF THE GENERAL PROVISIONS ARTICLE,**  
16 **THE BOARD MAY ADOPT RULES AND REGULATIONS AND PRESCRIBE POLICIES AND**  
17 **PROCEDURES FOR THE MANAGEMENT, MAINTENANCE, OPERATION, AND CONTROL**  
18 **OF THE UNIVERSITY.**

19           **(3) EXCEPT WITH RESPECT TO CLASSIFIED EMPLOYEE GRIEVANCE**  
20 **APPEALS, TITLE 10, SUBTITLES 1 AND 2 OF THE STATE GOVERNMENT ARTICLE**  
21 **(“ADMINISTRATIVE PROCEDURE ACT”) ARE NOT APPLICABLE TO THE BOARD.**

22           **(E) THE BOARD MAY REVIEW OR ADOPT POLICIES AND PROCEDURES OF**  
23 **THE UNIVERSITY WITH RESPECT TO:**

24           **(1) ACCREDITATION;**

25           **(2) PROGRAMS AND FUNCTIONS;**

26           **(3) ACTUAL AND POTENTIAL CAPABILITIES;**

27           **(4) ADMISSIONS;**

28           **(5) CURRICULA;**

29           **(6) GRADUATION;**

30           **(7) THE AWARDING OF DEGREES; AND**

1           **(8) GENERAL POLICYMAKING.**

2           **(F) THE BOARD MAY PREPARE AND SUBMIT ANNUAL BUDGETS AND SPEND**  
3 **FUNDS BUDGETED FOR NONSALARY ITEMS ON APPROPRIATE ACTIVITIES.**

4           **(G) SUBJECT TO ANY APPLICABLE STATE LAW, RULE, OR REGULATION, THE**  
5 **BOARD MAY CONTRACT WITH ANY PERSON TO RECEIVE OR PROVIDE SERVICES,**  
6 **RESEARCH, TRAINING, OR DEMONSTRATIONS.**

7           **(H) (1) (I) ON THE RECOMMENDATION OF THE PRESIDENT, AND IN**  
8 **ACCORDANCE WITH THE REQUIREMENTS OF TITLE 3 OF THE STATE PERSONNEL**  
9 **AND PENSIONS ARTICLE, THE BOARD SHALL ESTABLISH GENERAL STANDARDS AND**  
10 **GUIDELINES GOVERNING THE APPOINTMENT, COMPENSATION, ADVANCEMENT,**  
11 **TENURE, AND TERMINATION OF ALL FACULTY, EXECUTIVE STAFF, AND**  
12 **PROFESSIONAL ADMINISTRATIVE PERSONNEL IN THE UNIVERSITY.**

13                           **(II) SUBJECT TO THE ESTABLISHED STANDARDS AND**  
14 **GUIDELINES, AND IN ACCORDANCE WITH THE REQUIREMENTS OF TITLE 3 OF THE**  
15 **STATE PERSONNEL AND PENSIONS ARTICLE, THE PRESIDENT MAY:**

16                                   **1. ADOPT ADDITIONAL PERSONNEL POLICIES,**  
17 **INCLUDING CONSIDERATION OF HIRING A CONTRACTUAL EMPLOYEE TO FILL A**  
18 **VACANT POSITION IN THE SAME OR SIMILAR CLASSIFICATION IN WHICH THE**  
19 **CONTRACTUAL EMPLOYEE IS EMPLOYED; AND**

20                                   **2. APPROVE INDIVIDUAL PERSONNEL ACTIONS**  
21 **AFFECTING THE TERMS AND CONDITIONS OF ACADEMIC AND ADMINISTRATIVE**  
22 **APPOINTMENTS.**

23           **(2) EXCEPT AS OTHERWISE PROVIDED BY LAW, APPOINTMENTS OF**  
24 **THE UNIVERSITY ARE NOT SUBJECT TO OR CONTROLLED BY THE PROVISIONS OF**  
25 **THE STATE PERSONNEL AND PENSIONS ARTICLE THAT GOVERN THE STATE**  
26 **PERSONNEL MANAGEMENT SYSTEM.**

27           **(3) (I) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE**  
28 **BOARD MAY CREATE ANY POSITION TO THE EXTENT THAT THE COST OF THE**  
29 **POSITION, INCLUDING ANY FRINGE BENEFIT COSTS, IS FUNDED FROM EXISTING**  
30 **FUNDS.**

31                           **(II) NOTHING IN THIS PARAGRAPH MAY BE CONSTRUED TO**  
32 **REQUIRE ANY ADDITIONAL STATE GENERAL FUND SUPPORT.**



1                   **(I) BE RESPONSIBLE AND ACCOUNTABLE TO THE BOARD FOR**  
2 **THE DISCIPLINE AND SUCCESSFUL CONDUCT OF THE UNIVERSITY AND**  
3 **SUPERVISION OF EACH OF ITS DEPARTMENTS; AND**

4                   **(II) TAKE EVERY INITIATIVE IN:**

5                   1.   **IMPLEMENTING THE POLICIES OF THE BOARD; AND**

6                   2.   **PROMOTING THE UNIVERSITY'S DEVELOPMENT AND**  
7 **EFFICIENCY.**

8                   **(4) SUBJECT TO THE AUTHORITY AND APPLICABLE POLICIES OF THE**  
9 **BOARD, THE PRESIDENT SHALL:**

10                   **(I) DEVELOP A PLAN OF INSTITUTIONAL MISSION, GOALS, AND**  
11 **PRIORITIES;**

12                   **(II) HAVE THE AUTHORITY TO DEVELOP NEW ACADEMIC**  
13 **PROGRAMS AND CURTAIL OR ELIMINATE EXISTING PROGRAMS;**

14                   **(III) FORMULATE OPERATING AND CAPITAL BUDGET REQUESTS;**

15                   **(IV) APPOINT, PROMOTE, FIX SALARIES FOR, GRANT TENURE**  
16 **TO, ASSIGN DUTIES TO, AND TERMINATE PERSONNEL;**

17                   **(V) ESTABLISH ADMISSIONS STANDARDS;**

18                   **(VI) SET TUITION AND FEES;**

19                   **(VII) ADMINISTER FINANCIAL AID;**

20                   **(VIII) ENTER INTO CONTRACTS AND COOPERATIVE AGREEMENTS;**

21                   **(IX) HAVE THE AUTHORITY TO ACCEPT GIFTS AND GRANTS AND**  
22 **MAINTAIN AND MANAGE ENDOWMENT INCOME;**

23                   **(X) HAVE THE AUTHORITY TO RECOMMEND A CHANGE IN THE**  
24 **NAME OR STATUS OF THE INSTITUTION;**

25                   **(XI) REGULATE AND ADMINISTER ATHLETIC AND STUDENT**  
26 **ACTIVITIES;**

1 (XII) IN COMPLIANCE WITH STATE, FEDERAL, AND BOARD  
2 MANDATES AND POLICIES, OVERSEE AFFIRMATIVE ACTION AND EQUAL  
3 EMPLOYMENT OPPORTUNITIES;

4 (XIII) ESTABLISH ORGANIZATIONS FOR THE ADMINISTRATION OF  
5 CAMPUS ALUMNI AFFAIRS;

6 (XIV) ESTABLISH TRAFFIC REGULATIONS FOR THE CAMPUS; AND

7 (XV) PERFORM ANY OTHER DUTIES ASSIGNED BY THE BOARD.

8 (5) THE PRESIDENT MAY DELEGATE AUTHORITY TO APPOINT AND  
9 REMOVE PERSONNEL TO THE VICE PRESIDENTS AND PROGRAM DIRECTORS OF THE  
10 UNIVERSITY.

11 (L) (1) THE BOARD MAY APPLY FOR, ACCEPT, AND SPEND ANY GIFT OR  
12 GRANT FROM THE FEDERAL GOVERNMENT, ANY FOUNDATION, OR ANY OTHER  
13 PERSON.

14 (2) ANY GIFT OR GRANT THE BOARD ACCEPTS SHALL BE DEPOSITED  
15 WITH THE STATE TREASURER IN A NONBUDGETED ACCOUNT AND MAY BE INVESTED  
16 AS THE BOARD DIRECTS IN ACCORDANCE WITH LAW.

17 (M) THE BOARD MAY PERFORM ANY OTHER DUTY NECESSARY TO CARRY  
18 OUT ITS POWERS.

19 (N) (1) THE PRESIDENT SHALL DEVELOP AN OVERALL PLAN THAT IS  
20 CONSISTENT WITH THE STATEWIDE PLAN FOR HIGHER EDUCATION AND THE  
21 CHARTER THAT:

22 (I) SETS FORTH BOTH LONG-RANGE AND SHORT-RANGE  
23 GOALS, OBJECTIVES, AND PRIORITIES FOR POSTSECONDARY EDUCATION,  
24 RESEARCH, AND SERVICE PROVIDED BY THE UNIVERSITY;

25 (II) SUBJECT TO § 11-105 OF THIS ARTICLE, IDENTIFIES THE  
26 ROLE, FUNCTION, AND MISSION OF THE UNIVERSITY;

27 (III) PROVIDES FOR THE ENHANCEMENT OF THE UNIVERSITY;

28 (IV) ENCOURAGES AND SUPPORTS HIGH-QUALITY  
29 UNDERGRADUATE AND GRADUATE PROGRAMS ON ITS CAMPUSES; AND

1 (V) STIMULATES OUTREACH TO THE COMMUNITY AND STATE  
2 THROUGH CLOSE RELATIONSHIPS WITH PUBLIC ELEMENTARY AND SECONDARY  
3 SCHOOLS, BUSINESS AND INDUSTRY, AND GOVERNMENT AGENCIES.

4 (2) THE BOARD SHALL REVIEW, MODIFY AS IT DEEMS NECESSARY,  
5 AND APPROVE THE PLAN.

6 (3) ON OR BEFORE JULY 1 EACH YEAR, THE BOARD SHALL SUBMIT TO  
7 THE COMMISSION, TO THE GOVERNOR, AND, SUBJECT TO § 2-1257 OF THE STATE  
8 GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY AN ANNUAL REVIEW OF THE  
9 PLAN.

10 (O) (1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, AND EXCEPT  
11 AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE UNIVERSITY SHALL USE  
12 THE STATEWIDE FINANCIAL MANAGEMENT INFORMATION SYSTEM ADMINISTERED  
13 BY THE DEPARTMENT OF BUDGET AND MANAGEMENT AS ITS ACCOUNTING,  
14 BUDGETING, PERSONNEL, AND PAYROLL SYSTEMS.

15 (2) THE UNIVERSITY MAY USE AN INTERNAL FINANCIAL  
16 MANAGEMENT INFORMATION SYSTEM SOFTWARE PROGRAM AND STATE-APPROVED  
17 INTERFACES FOR ITS ACCOUNTING, BUDGETING, PERSONNEL, AND PAYROLL  
18 SYSTEMS.

19 (P) THE LEGISLATIVE AUDITOR SHALL AUDIT ALL EXPENDITURES AND  
20 ACCOUNTS OF THE UNIVERSITY IN ACCORDANCE WITH §§ 2-1220 THROUGH 2-1227  
21 OF THE STATE GOVERNMENT ARTICLE.

22 (Q) (1) THE BOARD:

23 (I) HAS THE POWER TO SUE OR BE SUED; AND

24 (II) MAY CARRY COMPREHENSIVE LIABILITY INSURANCE TO  
25 PROTECT THE BOARD, ITS AGENTS, AND EMPLOYEES.

26 (2) THE DETERMINATION WHETHER TO PURCHASE INSURANCE, AND  
27 ITS SCOPE AND LIMITATIONS, SHALL BE WITHIN THE BOARD'S DISCRETION, TAKING  
28 INTO ACCOUNT COMMERCIAL AVAILABILITY AND AFFORDABILITY AND THE  
29 EXISTENCE AND EXTENT OF INSURANCE SECURED BY THE STATE TREASURER.

30 (3) (I) TITLE 12, SUBTITLE 1 OF THE STATE GOVERNMENT  
31 ARTICLE ("MARYLAND TORT CLAIMS ACT") APPLIES TO CLAIMS OR ACTIONS  
32 AGAINST THE UNIVERSITY, THE BOARD, AND EMPLOYEES OF THE UNIVERSITY.

1                   **(II) SUBJECT TO ALL EXCLUSIONS AND LIMITATIONS IN THAT**  
2 **SUBTITLE, THE IMMUNITY OF THE UNIVERSITY IS WAIVED TO THE EXTENT OF ANY**  
3 **INSURANCE COVERAGE PURCHASED UNDER THIS SUBSECTION.**

4                   **(4) THIS SUBSECTION MAY NOT BE CONSTRUED TO WAIVE OR**  
5 **ABROGATE SOVEREIGN IMMUNITY WITH RESPECT TO ANY CLAIM THAT IS NOT**  
6 **COVERED BY OR EXCEEDS THE LIMITS OF AN INSURANCE POLICY.**

7                   **(5) THIS SUBSECTION MAY NOT BE CONSTRUED TO WAIVE OR**  
8 **ABROGATE THE IMMUNITY OF THE UNIVERSITY UNDER THE ELEVENTH**  
9 **AMENDMENT TO THE UNITED STATES CONSTITUTION.**

10                   **(6) (I) SUBJECT TO THE APPROVAL OF THE BOARD OF PUBLIC**  
11 **WORKS, THE BOARD MAY ACQUIRE, LEASE, ENCUMBER, SELL, OR OTHERWISE**  
12 **DISPOSE OF REAL PROPERTY HELD BY THE STATE FOR THE USE OF THE**  
13 **UNIVERSITY.**

14                   **(II) THE BOARD MAY ACQUIRE, LEASE, ENCUMBER, SELL, OR**  
15 **OTHERWISE DISPOSE OF PERSONAL PROPERTY.**

16                   **(III) ALL PROPERTY OF THE UNIVERSITY IS THE PROPERTY OF**  
17 **THE STATE.**

18                   **(R) (1) EXCEPT AS PROVIDED IN SUBSECTION (K)(1) OF THIS SECTION,**  
19 **THE BOARD MAY DELEGATE ANY PART OF ITS AUTHORITY OVER THE AFFAIRS OF**  
20 **THE UNIVERSITY TO THE PRESIDENT.**

21                   **(2) THE BOARD MAY MODIFY OR RESCIND AT ANY TIME IN WHOLE OR**  
22 **IN PART ANY DELEGATION OF AUTHORITY GRANTED BY IT TO THE PRESIDENT.**

23 **14-506.**

24                   **(A) IN THIS SECTION, “HIGH IMPACT ECONOMIC DEVELOPMENT ACTIVITY”**  
25 **MEANS AN INITIATIVE, TRANSACTION, OR OTHER UNDERTAKING BY THE**  
26 **UNIVERSITY TO CREATE OR FACILITATE:**

27                   **(1) 20 OR MORE NEW JOBS IN THE STATE;**

28                   **(2) THE AWARD OR COMPLETION OF AT LEAST \$1,000,000 IN**  
29 **EXTERNALLY FUNDED RESEARCH OR OTHER PROJECTS;**

1           **(3) THE ESTABLISHMENT OR RELOCATION OF ONE OR MORE NEW**  
2 **COMPANIES TO BE REGISTERED OR INCORPORATED IN THE STATE AND DOING**  
3 **BUSINESS IN THE STATE;**

4           **(4) THE PRODUCTION OF AT LEAST \$1,000,000 OF ANNUAL GROSS**  
5 **REVENUE;**

6           **(5) THE LICENSING AND POTENTIAL COMMERCIALIZATION OF A**  
7 **PROMISING NEW TECHNOLOGY OR OTHER PRODUCT; OR**

8           **(6) AN ACADEMIC PROGRAM TO MEET WORKFORCE DEMAND IN A**  
9 **DOCUMENTED LABOR SHORTAGE FIELD.**

10           **(B) TO PROMOTE THE ECONOMIC INTERESTS OF THE STATE AS MANDATED**  
11 **IN §§ 10–205(C) AND 15–107 OF THIS ARTICLE, THE UNIVERSITY SHALL UTILIZE ITS**  
12 **POWERS AS A PUBLIC CORPORATION TO UNDERTAKE HIGH IMPACT ECONOMIC**  
13 **DEVELOPMENT ACTIVITIES THAT SUPPORT:**

14                   **(1) JOB CREATION AND WORKFORCE DEVELOPMENT;**

15                   **(2) TECHNOLOGY TRANSFER, COMMERCIALIZATION, AND**  
16 **ENTREPRENEURSHIP; AND**

17                   **(3) INCREASED SPONSORED RESEARCH FUNDING AND OTHER**  
18 **REVENUES.**

19           **(C) IN ORDER FOR AN ACTIVITY TO QUALIFY AS A HIGH IMPACT ECONOMIC**  
20 **DEVELOPMENT ACTIVITY, THE PRESIDENT, OR THE PRESIDENT’S DESIGNEE, SHALL**  
21 **NOTIFY THE BOARD AND THE BOARD OF PUBLIC WORKS OF ANY ACTIVITY FOR**  
22 **REVIEW.**

23           **(D) (1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, FOR ANY**  
24 **HIGH IMPACT ECONOMIC DEVELOPMENT ACTIVITY WITHIN THE SCOPE OF § 5–310**  
25 **OR § 10–305 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, THE BOARD**  
26 **SHALL BE FULLY RESPONSIBLE FOR ADMINISTERING THE REVIEW AND COMMENT**  
27 **PROCESS PRESCRIBED IN THOSE SECTIONS.**

28                   **(2) IN ADMINISTERING THE REVIEW AND COMMENT PROCESS**  
29 **PRESCRIBED IN §§ 5–310 AND 10–305 OF THE STATE FINANCE AND PROCUREMENT**  
30 **ARTICLE, THE BOARD SHALL INCLUDE IN THAT PROCESS THE APPROPRIATE**  
31 **LEGISLATIVE COMMITTEES AND UNITS OF STATE GOVERNMENT, WHICH MAY**  
32 **INCLUDE:**

1 (I) COMMITTEES OF THE GENERAL ASSEMBLY;

2 (II) THE BOARD OF PUBLIC WORKS;

3 (III) THE MARYLAND HISTORICAL TRUST;

4 (IV) THE DEPARTMENT OF PLANNING;

5 (V) THE DEPARTMENT OF THE ENVIRONMENT; AND

6 (VI) THE DEPARTMENT OF NATURAL RESOURCES.

7 (3) THE BOARD SHALL ADOPT POLICIES AND PROCEDURES TO  
8 ENSURE THAT THE NOTICE AND OPPORTUNITY FOR REVIEW ARE CONDUCTED IN A  
9 MANNER THAT PROVIDES A REASONABLE PERIOD TO COMPLETE WHILE NOT  
10 IMPAIRING THE INSTITUTION'S CAPACITY FOR THE EXPEDITIOUS AND SUCCESSFUL  
11 PURSUIT OF A HIGH IMPACT ECONOMIC DEVELOPMENT ACTIVITY.

12 (E) ON OR BEFORE OCTOBER 1 EACH YEAR, THE BOARD SHALL REPORT TO  
13 THE BOARD OF PUBLIC WORKS AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE  
14 GOVERNMENT ARTICLE, THE SENATE FINANCE COMMITTEE, THE HOUSE  
15 ECONOMIC MATTERS COMMITTEE, THE SENATE BUDGET AND TAXATION  
16 COMMITTEE, AND THE HOUSE APPROPRIATIONS COMMITTEE ON THE HIGH IMPACT  
17 ECONOMIC DEVELOPMENT ACTIVITIES UNDERTAKEN UNDER THIS SECTION DURING  
18 THE IMMEDIATELY PRECEDING FISCAL YEAR.

19 14-507.

20 (A) IN CONSULTATION WITH THE COMMISSION AND THE PRESIDENT, THE  
21 BOARD SHALL UNDERTAKE GOOD-FAITH EFFORTS TO:

22 (1) ACHIEVE THE GOALS, MEASURES, AND COMMITMENTS  
23 CONTAINED IN ANY APPLICABLE EQUAL EDUCATIONAL OPPORTUNITY PLAN  
24 ADOPTED BY THE STATE;

25 (2) DEVOTE AMPLE RESOURCES TO ACHIEVING THE EQUAL  
26 EMPLOYMENT OPPORTUNITY GOALS AND OBJECTIVES; AND

27 (3) ENSURE THAT WOMEN AND MINORITIES ARE EQUITABLY  
28 REPRESENTED AMONG THE STUDENT BODY, FACULTY, STAFF, AND  
29 ADMINISTRATION OF THE UNIVERSITY, SO THAT THE UNIVERSITY REFLECTS THE  
30 DIVERSITY OF THE STATE'S POPULATION.

1           **(B) IN CARRYING OUT ITS RESPONSIBILITIES UNDER THIS SECTION, THE**  
2 **BOARD MAY:**

3                   **(1) DESIGNATE AN OFFICE TO COORDINATE AND MONITOR THE**  
4 **EQUITY ACTIVITIES AND PROGRAMS OF THE UNIVERSITY;**

5                   **(2) REQUIRE THE UNIVERSITY TO SUBMIT PLANS, REPORTS, AND**  
6 **DATA IN THE FORMAT THE BOARD PRESCRIBES; AND**

7                   **(3) CONDUCT STUDIES OF THE EFFECTIVENESS OF INSTITUTIONAL**  
8 **EFFORTS AND METHODS.**

9 **14-508.**

10           **(A) IN THIS SECTION, “CANDIDATE”, “CONTRIBUTION”, AND “POLITICAL**  
11 **COMMITTEE” HAVE THE MEANINGS STATED IN § 1-101 OF THE ELECTION LAW**  
12 **ARTICLE.**

13           **(B) THE RESTRICTIONS IN THIS SECTION APPLY FROM THE DATE OF A**  
14 **MEMBER’S APPOINTMENT TO THE BOARD UNTIL THE END OF THE MEMBER’S**  
15 **TENURE ON THE BOARD.**

16           **(C) (1) A MEMBER OF THE BOARD MAY NOT, FOR THE BENEFIT OF THE**  
17 **GOVERNOR, THE LIEUTENANT GOVERNOR, THE ATTORNEY GENERAL, OR THE**  
18 **COMPTROLLER, A MEMBER OF THE GENERAL ASSEMBLY, OR A CANDIDATE FOR**  
19 **ELECTION TO THE OFFICE OF GOVERNOR, LIEUTENANT GOVERNOR, ATTORNEY**  
20 **GENERAL, COMPTROLLER, OR MEMBER OF THE GENERAL ASSEMBLY, ENGAGE IN**  
21 **THE FOLLOWING ACTIVITIES:**

22                   **(I) SOLICITING OR TRANSMITTING A POLITICAL**  
23 **CONTRIBUTION FROM ANY PERSON, INCLUDING A POLITICAL COMMITTEE;**

24                   **(II) SERVING ON A FUND-RAISING COMMITTEE OR A POLITICAL**  
25 **COMMITTEE;**

26                   **(III) ACTING AS A TREASURER FOR A CANDIDATE OR OFFICIAL**  
27 **OR AS TREASURER OR CHAIR OF A POLITICAL COMMITTEE;**

28                   **(IV) ORGANIZING OR ESTABLISHING A POLITICAL COMMITTEE**  
29 **FOR THE PURPOSE OF SOLICITING OR TRANSMITTING CONTRIBUTIONS FROM ANY**  
30 **PERSON; OR**

1 (V) FORWARDING TICKETS FOR FUND-RAISING ACTIVITIES, OR  
2 OTHER SOLICITATIONS FOR POLITICAL CONTRIBUTIONS, TO A POTENTIAL  
3 CONTRIBUTOR.

4 (2) THIS SECTION DOES NOT PROHIBIT A MEMBER OF THE BOARD  
5 FROM:

6 (I) MAKING A PERSONAL POLITICAL CONTRIBUTION;

7 (II) INFORMING ANY ENTITY OF A POSITION TAKEN BY A  
8 CANDIDATE OR OFFICIAL; OR

9 (III) ENGAGING IN OTHER ACTIVITIES NOT SPECIFICALLY  
10 PROHIBITED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

11 (3) A MEMBER OF THE BOARD MAY NOT BE A CANDIDATE FOR A  
12 PUBLIC OFFICE WHILE SERVING ON THE BOARD.

13 14-509.

14 (A) IN THIS SECTION, "COLLEGIATE RECOVERY PROGRAM" MEANS A  
15 PROGRAM THAT PROVIDES SUPPORT AND SERVICES FOR STUDENTS RECOVERING  
16 FROM ALCOHOL OR DRUG ADDICTION WHO ARE ENROLLED AT THE UNIVERSITY.

17 (B) ON THE RECOMMENDATION OF THE PRESIDENT, THE BOARD SHALL  
18 ESTABLISH GENERAL STANDARDS AND GUIDELINES FOR A COLLEGIATE RECOVERY  
19 PROGRAM TO BE IMPLEMENTED AT THE UNIVERSITY.

20 (C) THE PRESIDENT, IN COLLABORATION WITH FACULTY, STAFF, AND  
21 STUDENTS ENROLLED AT THE INSTITUTION, SHALL DEVELOP AND IMPLEMENT A  
22 COLLEGIATE RECOVERY PROGRAM TAILORED FOR THE UNIVERSITY THAT:

23 (1) SATISFIES THE STANDARDS AND GUIDELINES ESTABLISHED BY  
24 THE BOARD UNDER SUBSECTION (B) OF THIS SECTION; AND

25 (2) ADDRESSES THE NEEDS OF STUDENTS AT THE UNIVERSITY WHO  
26 ARE RECOVERING FROM ALCOHOL OR DRUG ADDICTION.

27 14-510.

28 (A) THERE IS A BOWIE STATE UNIVERSITY POLICE FORCE.

1           **(B) (1) A UNIVERSITY POLICE OFFICER HAS THE POWERS GRANTED TO A**  
2 **PEACE AND POLICE OFFICER.**

3           **(2) A UNIVERSITY POLICE OFFICER MAY EXERCISE THESE POWERS**  
4 **ONLY ON PROPERTY THAT IS OWNED, LEASED, OPERATED BY, OR UNDER THE**  
5 **CONTROL OF THE UNIVERSITY.**

6           **(3) A UNIVERSITY POLICE OFFICER MAY NOT EXERCISE THESE**  
7 **POWERS ON ANY OTHER PROPERTY UNLESS:**

8                   **(I) ENGAGED IN FRESH PURSUIT OF A SUSPECTED OFFENDER;**

9                   **(II) NECESSARY TO FACILITATE THE ORDERLY FLOW OF**  
10 **TRAFFIC TO AND FROM PROPERTY OWNED, LEASED, OPERATED BY, OR UNDER THE**  
11 **CONTROL OF THE UNIVERSITY; OR**

12                   **(III) ORDERED TO DO SO BY THE GOVERNOR.**

13           **(C) (1) IN CONSULTATION WITH THE SECRETARY OF STATE POLICE AND**  
14 **THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION, THE BOARD**  
15 **SHALL ADOPT STANDARDS, QUALIFICATIONS, AND PREREQUISITES OF CHARACTER,**  
16 **TRAINING, EDUCATION, HUMAN AND PUBLIC RELATIONS, AND EXPERIENCE FOR THE**  
17 **UNIVERSITY POLICE OFFICERS, INCLUDING STANDARDS FOR THE PERFORMANCE**  
18 **OF THEIR DUTIES.**

19           **(2) TO THE EXTENT PRACTICABLE, THE BOARD SHALL ADOPT**  
20 **STANDARDS THAT ARE SIMILAR TO THE STANDARDS ADOPTED FOR THE**  
21 **DEPARTMENT OF STATE POLICE.**

22           **(3) STANDARDS ADOPTED ON OR AFTER JULY 1, 2021, ON MINIMUM**  
23 **HIRING QUALIFICATIONS OF THE UNIVERSITY POLICE OFFICERS MAY NOT AFFECT**  
24 **THE STATUS OF ANY INDIVIDUAL WHO WAS A QUALIFIED UNIVERSITY POLICE**  
25 **OFFICER ON THAT DATE.**

26           **(D) THE BOARD SHALL ADOPT RULES AND REGULATIONS GOVERNING THE**  
27 **OPERATION AND CONDUCT OF THE BOWIE STATE UNIVERSITY POLICE FORCE AND**  
28 **OF UNIVERSITY POLICE OFFICERS.**

29 **14-511.**

30           **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**  
31 **INDICATED.**

1           **(2) “COMPUTER-BASED INSTRUCTIONAL TECHNOLOGY” HAS THE**  
2 **MEANING STATED IN § 12-101 OF THIS ARTICLE.**

3           **(3) “TECHNOLOGY” HAS THE MEANING STATED IN § 12-101 OF THIS**  
4 **ARTICLE.**

5           **(B) (1) EXCEPT AS PROVIDED IN § 11-203(E) OF THE STATE FINANCE**  
6 **AND PROCUREMENT ARTICLE, THE UNIVERSITY IS EXEMPT FROM DIVISION II OF**  
7 **THE STATE FINANCE AND PROCUREMENT ARTICLE.**

8           **(2) (I) SUBJECT TO REVIEW AND APPROVAL BY THE BOARD OF**  
9 **PUBLIC WORKS AND THE ADMINISTRATIVE, EXECUTIVE, AND LEGISLATIVE**  
10 **REVIEW COMMITTEE OF THE GENERAL ASSEMBLY, THE BOARD SHALL DEVELOP**  
11 **POLICIES AND PROCEDURES GOVERNING PROCUREMENTS BY THE UNIVERSITY.**

12           **(II) THE POLICIES AND PROCEDURES DEVELOPED UNDER**  
13 **SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL PROMOTE THE PURPOSES OF THE**  
14 **STATE PROCUREMENT LAW AS SET FORTH IN § 11-201 OF THE STATE FINANCE AND**  
15 **PROCUREMENT ARTICLE.**

16           **(C) THE BOARD SHALL DEVELOP AN INFORMATION TECHNOLOGY PLAN FOR**  
17 **THE UNIVERSITY THAT INCLUDES INFORMATION TECHNOLOGY POLICIES AND**  
18 **STANDARDS, INCLUDING POLICIES AND STANDARDS FOR INFORMATION**  
19 **MANAGEMENT AND TELECOMMUNICATION SYSTEMS, THAT ARE FUNCTIONALLY**  
20 **COMPATIBLE WITH THE STATE INFORMATION TECHNOLOGY PLAN ESTABLISHED**  
21 **UNDER TITLE 3, SUBTITLE 4 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

22           **(D) ON OR BEFORE JANUARY 1, 2021, THE BOARD SHALL DEVELOP A**  
23 **NONVISUAL ACCESS CLAUSE FOR USE IN THE PROCUREMENT OF COMPUTER-BASED**  
24 **INSTRUCTIONAL TECHNOLOGY.**

25           **(E) THE NONVISUAL ACCESS CLAUSE DEVELOPED UNDER SUBSECTION (D)**  
26 **OF THIS SECTION SHALL BE CONSISTENT WITH THE STANDARDS DEVELOPED BY THE**  
27 **DEPARTMENT OF BUDGET AND MANAGEMENT IN ACCORDANCE WITH THE**  
28 **PROVISIONS OF § 3-412 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

29 **14-512.**

30           **(A) CONSISTENT WITH § 15-107 OF THIS ARTICLE AND ANY OTHER**  
31 **APPLICABLE LAW, THE BOARD MAY ESTABLISH, INVEST IN, FINANCE, AND OPERATE**  
32 **BUSINESSES OR BUSINESS ENTITIES WHEN THE BOARD FINDS THAT DOING SO**  
33 **WOULD FURTHER ONE OR MORE GOALS OF THE UNIVERSITY AND IS RELATED TO**  
34 **THE MISSION OF THE UNIVERSITY.**

1           **(B) (1) A BUSINESS ENTITY ESTABLISHED, INVESTED IN, FINANCED, OR**  
2 **OPERATED IN ACCORDANCE WITH THIS SECTION MAY NOT BE CONSIDERED AN**  
3 **AGENCY OR INSTRUMENTALITY OF THE STATE OR A UNIT OF THE EXECUTIVE**  
4 **BRANCH FOR ANY PURPOSE.**

5           **(2) A FINANCIAL OBLIGATION OR LIABILITY OF A BUSINESS ENTITY**  
6 **ESTABLISHED, INVESTED IN, FINANCED, OR OPERATED IN ACCORDANCE WITH THIS**  
7 **SECTION MAY NOT BE A DEBT OR OBLIGATION OF THE STATE OR THE UNIVERSITY.**

8           **(C) (1) SUBJECT TO THE REQUIREMENTS OF THIS SECTION, THE**  
9 **UNIVERSITY MAY ESTABLISH, INVEST IN, FINANCE, OR OPERATE A CORPORATION,**  
10 **FOUNDATION, CONSORTIUM, OR OTHER ENTITY THAT IS INTENDED TO SUPPORT A**  
11 **HIGH IMPACT ECONOMIC DEVELOPMENT ACTIVITY, AS DEFINED IN § 14-506 OF THIS**  
12 **SUBTITLE.**

13           **(2) NOTWITHSTANDING THE PROVISIONS OF §§ 5-501 THROUGH**  
14 **5-504 OF THE GENERAL PROVISIONS ARTICLE AND SUBJECT TO § 5-525 OF THE**  
15 **GENERAL PROVISIONS ARTICLE, AN OFFICIAL OR EMPLOYEE OF A PUBLIC**  
16 **INSTITUTION OF HIGHER EDUCATION MAY BE A DIRECTOR, OFFICIAL, OR EMPLOYEE**  
17 **OF AN ENTITY INTENDED TO SUPPORT A HIGH IMPACT ECONOMIC DEVELOPMENT**  
18 **ACTIVITY, IF THE INDIVIDUAL'S PARTICIPATION ADVANCES THE INTERESTS OF THE**  
19 **UNIVERSITY.**

20           **(3) DIVISION II OF THE STATE FINANCE AND PROCUREMENT**  
21 **ARTICLE DOES NOT APPLY TO TRANSACTIONS BETWEEN AN ENTITY ESTABLISHED,**  
22 **FINANCED, OR OPERATED UNDER THIS SUBSECTION AND THE UNIVERSITY THAT**  
23 **ESTABLISHED, FINANCED, OR OPERATED THE ENTITY.**

24           **(4) (I) THE BOARD SHALL ADOPT POLICIES AND PROCEDURES**  
25 **GOVERNING THE ESTABLISHMENT OF HIGH IMPACT ECONOMIC DEVELOPMENT**  
26 **ENTITIES TO ENSURE THAT THE UNIVERSITY'S PARTICIPATION IN THE ENTITY**  
27 **FURTHERS THE INTERESTS OF THE UNIVERSITY AND THE STATE.**

28           **(II) THE POLICIES AND PROCEDURES UNDER SUBPARAGRAPH**  
29 **(I) OF THIS PARAGRAPH SHALL INCLUDE REQUIREMENTS FOR:**

30                   **1. RECOGNITION OF THE ENTITY BY THE BOARD;**

31                   **2. AN ANNUAL AUDIT OF THE ENTITY BY AN**  
32 **INDEPENDENT CERTIFIED PUBLIC ACCOUNTANT; AND**

1                   **3. ADEQUATE SAFEGUARDS WITH REGARD TO**  
2 **CONFLICTS OF INTEREST, PROPER CONTRACTING PRACTICES, AND OTHER**  
3 **FUNDAMENTAL ETHICAL AND BUSINESS PRACTICE STANDARDS.**

4           **(D) THE BOARD SHALL SUBMIT TO THE GOVERNOR AND, IN ACCORDANCE**  
5 **WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY**  
6 **AN ANNUAL REPORT ON:**

7                   **(1) THE BUSINESS ENTITIES ESTABLISHED IN ACCORDANCE WITH**  
8 **THIS SECTION;**

9                   **(2) FUNDS INVESTED IN, AND FINANCING PROVIDED TO, BUSINESS**  
10 **ENTITIES ESTABLISHED IN ACCORDANCE WITH THIS SECTION;**

11                   **(3) OWNERSHIP INTERESTS IN ANY BUSINESS ENTITIES**  
12 **ESTABLISHED IN ACCORDANCE WITH THIS SECTION; AND**

13                   **(4) THE CURRENT STATUS OF THE BUSINESS ENTITIES.**

14 **14-513.**

15           **THE INTEREST OR OTHER INCOME FROM THE INVESTMENT OF ANY FUNDS OF**  
16 **THE UNIVERSITY SHALL BE CREDITED TO THE UNIVERSITY, PROVIDED THAT ANY**  
17 **INTEREST ESTIMATED TO BE EARNED ON THE STATE APPROPRIATION MUST BE**  
18 **OFFSET BY AN EQUIVALENT REDUCTION IN STATE GENERAL FUND SUPPORT.**

19                   **SUBTITLE 6. COPPIN STATE UNIVERSITY.**

20 **14-601.**

21                   **(A) (1) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**  
22 **INDICATED.**

23                   **(2) “BOARD” MEANS THE BOARD OF REGENTS OF COPPIN STATE**  
24 **UNIVERSITY.**

25                   **(3) “UNIVERSITY” MEANS COPPIN STATE UNIVERSITY.**

26                   **(B) (1) THERE IS A BODY CORPORATE AND POLITIC KNOWN AS COPPIN**  
27 **STATE UNIVERSITY.**

28                   **(2) THE UNIVERSITY IS AN INSTRUMENTALITY OF THE STATE AND A**  
29 **PUBLIC CORPORATION.**

1           **(3) THE UNIVERSITY IS AN INDEPENDENT UNIT OF STATE**  
2 **GOVERNMENT.**

3           **(4) THE EXERCISE BY THE UNIVERSITY OF THE POWERS CONFERRED**  
4 **BY THIS SUBTITLE IS THE PERFORMANCE OF AN ESSENTIAL PUBLIC FUNCTION.**

5           **(C) COPPIN STATE UNIVERSITY:**

6           **(1) HAS THE RESPONSIBILITY, WITH OTHER EDUCATIONAL**  
7 **INSTITUTIONS, FOR PROVIDING HIGHER EDUCATION RESEARCH AND GRADUATE**  
8 **STUDY;**

9           **(2) OFFERS BACCALAUREATE AND GRADUATE DEGREES IN THE ARTS**  
10 **AND SCIENCES;**

11           **(3) OFFERS THE PROFESSIONAL AND GRADUATE PROGRAMS**  
12 **APPROVED BY THE BOARD AND THE COMMISSION;**

13           **(4) SHALL BE DEDICATED TO THE DEVELOPMENT AND DELIVERY OF**  
14 **COMPREHENSIVE AND HIGH-QUALITY ACADEMIC PROGRAMS AND SERVICES TO ITS**  
15 **UNIVERSITY COMMUNITY AND THE CITIZENS OF MARYLAND; AND**

16           **(5) SHALL SERVE A DIVERSE CITIZENRY IN AN INNOVATIVE AND**  
17 **COLLABORATIVE MANNER, ALL THE WHILE EXERCISING ITS RESPONSIBILITIES**  
18 **WITH UNCOMPROMISING INTEGRITY THROUGH STRONG, BUT COMPASSIONATE,**  
19 **LEADERSHIP.**

20 **14-602.**

21           **COPPIN STATE UNIVERSITY MAY NOT BE INCLUDED IN THE UNIVERSITY**  
22 **SYSTEM OF MARYLAND.**

23 **14-603.**

24           **(A) THE GOVERNMENT OF THE UNIVERSITY IS VESTED IN THE BOARD.**

25           **(B) THE BOARD CONSISTS OF 15 MEMBERS APPOINTED BY THE GOVERNOR**  
26 **WITH THE ADVICE AND CONSENT OF THE SENATE.**

27           **(C) (1) (I) TWO MEMBERS OF THE BOARD SHALL BE STUDENTS IN**  
28 **GOOD ACADEMIC STANDING AT THE UNIVERSITY WHO:**

1                   1.     **ARE AT LEAST 18 YEARS OLD; AND**

2                   2.     **HAVE THE QUALIFICATIONS REQUIRED TO BE**  
3 **STUDENT BODY PRESIDENT.**

4                   (ii)   **EACH OF THE STUDENT MEMBERS SERVES FOR A TERM OF**  
5 **1 YEAR AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.**

6                   (iii)   **THE STUDENT MEMBERS MAY BE RESIDENTS OF A STATE**  
7 **OTHER THAN MARYLAND, BUT THE RESIDENCY STATUS OF THE STUDENT MEMBERS**  
8 **MAY NOT BE CONSIDERED IN DETERMINING THE NUMBER OF RESIDENT OR**  
9 **NONRESIDENT REGENTS AS PROVIDED FOR IN SUBSECTION (D)(2) OF THIS SECTION.**

10                  (2)   **THE REMAINING MEMBERS OF THE BOARD SHALL INCLUDE:**

11                   (i)    **A MINIMUM OF FIVE MEMBERS, INCLUDING THE CHAIR,**  
12 **WHO HAVE ATTENDED A HISTORICALLY BLACK COLLEGE OR UNIVERSITY;**

13                   (ii)   **THREE MEMBERS SELECTED BY THE ALUMNI ASSOCIATION**  
14 **OF THE UNIVERSITY; AND**

15                   (iii)   **ONE MEMBER SELECTED BY THE LOCAL CHAPTER OF THE**  
16 **NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE (NAACP).**

17                  (3)   **THE MEMBERSHIP OF THE BOARD SHALL, TO THE EXTENT**  
18 **PRACTICABLE, BE REPRESENTATIVE OF THE STUDENT BODY DEMOGRAPHICS OF**  
19 **THE UNIVERSITY.**

20                  (D)   (1)   **EXCEPT FOR THE STUDENT MEMBERS:**

21                   (i)    **EACH MEMBER SERVES FOR A TERM OF 5 YEARS AND UNTIL**  
22 **A SUCCESSOR IS APPOINTED AND QUALIFIES;**

23                   (ii)   **THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY**  
24 **THE TERMS PROVIDED FOR MEMBERS OF THE BOARD ON JULY 1, 2021; AND**

25                   (iii)   **A MEMBER MAY NOT SERVE MORE THAN TWO CONSECUTIVE**  
26 **TERMS.**

27                  (2)   **EXCEPT FOR THE STUDENT MEMBERS, NOT MORE THAN THREE**  
28 **MEMBERS OF THE BOARD WHO ARE NOT ALUMNI OF COPPIN STATE UNIVERSITY**  
29 **MAY BE RESIDENTS OF OTHER STATES.**

1           **(3) A MEMBER APPOINTED TO FILL A VACANCY IN AN UNEXPIRED**  
2 **TERM SERVES ONLY FOR THE REMAINDER OF THAT TERM AND UNTIL A SUCCESSOR**  
3 **IS APPOINTED AND QUALIFIES.**

4           **(E) EACH MEMBER OF THE BOARD:**

5           **(1) SERVES WITHOUT COMPENSATION; AND**

6           **(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES IN**  
7 **ACCORDANCE WITH THE STANDARD STATE TRAVEL REGULATIONS.**

8 **14-604.**

9           **(A) EACH YEAR THE BOARD:**

10           **(1) SHALL ELECT ONE OF ITS NONSTUDENT MEMBERS AS ITS CHAIR;**  
11 **AND**

12           **(2) MAY ELECT ANY OTHER OFFICER IT REQUIRES.**

13           **(B) THE BOARD SHALL DETERMINE THE TIME AND PLACE OF ITS MEETINGS**  
14 **AND MAY ADOPT RULES FOR THE CONDUCT OF ITS MEETINGS.**

15           **(C) (1) A MAJORITY OF THE MEMBERS SHALL CONSTITUTE A QUORUM**  
16 **FOR THE TRANSACTION OF BUSINESS.**

17           **(2) NO FORMAL ACTION MAY BE TAKEN BY THE BOARD WITHOUT THE**  
18 **APPROVAL OF A MAJORITY OF THE MEMBERS OF THE BOARD.**

19 **14-605.**

20           **(A) IN ADDITION TO ANY OTHER POWERS GRANTED AND DUTIES IMPOSED**  
21 **BY THIS SUBTITLE, AND SUBJECT TO THE PROVISIONS OF TITLE 11 OF THIS ARTICLE**  
22 **AND ANY OTHER RESTRICTIONS IMPOSED BY LAW BY SPECIFIC REFERENCE TO THE**  
23 **UNIVERSITY OR BY ANY TRUST AGREEMENT INVOLVING A PLEDGE OF PROPERTY OR**  
24 **MONEY, THE BOARD:**

25           **(1) IS RESPONSIBLE FOR THE MANAGEMENT OF THE UNIVERSITY**  
26 **AND HAS ALL THE POWERS, RIGHTS, AND PRIVILEGES THAT GO WITH THAT**  
27 **RESPONSIBILITY, INCLUDING THE POWERS AND DUTIES SET FORTH IN THIS**  
28 **SECTION;**

1           **(2) MAY NOT BE SUPERSEDED IN ITS AUTHORITY BY ANY OTHER**  
2 **STATE AGENCY OR OFFICE IN MANAGING THE AFFAIRS OF THE UNIVERSITY; AND**

3           **(3) SHALL HAVE ALL THE POWERS OF A MARYLAND CORPORATION**  
4 **WHICH ARE NOT LIMITED BY LAW BY SPECIFIC REFERENCE TO THE UNIVERSITY.**

5           **(B) IN ADDITION TO THE POWERS SET FORTH ELSEWHERE IN THIS**  
6 **SUBTITLE, THE UNIVERSITY MAY:**

7           **(1) ADOPT AND ALTER AN OFFICIAL SEAL;**

8           **(2) MAINTAIN AN OFFICE AT THE PLACE THE BOARD MAY**  
9 **DESIGNATE;**

10           **(3) ENTER INTO CONTRACTS OF ANY KIND, AND EXECUTE ALL**  
11 **INSTRUMENTS NECESSARY OR CONVENIENT WITH RESPECT TO ITS CARRYING OUT**  
12 **THE POWERS IN THIS SUBTITLE TO ACCOMPLISH THE PURPOSES OF THE**  
13 **UNIVERSITY; AND**

14           **(4) IN ACCORDANCE WITH SUBSECTION (Q)(6) OF THIS SECTION,**  
15 **ACQUIRE, HOLD, LEASE, USE, ENCUMBER, TRANSFER, EXCHANGE, OR DISPOSE OF**  
16 **REAL AND PERSONAL PROPERTY.**

17           **(C) IN ADDITION TO THE POWERS SET FORTH IN TITLE 19 OF THIS ARTICLE**  
18 **AND SUBJECT TO THE APPROVAL OF THE BOARD OF PUBLIC WORKS, THE**  
19 **UNIVERSITY MAY BORROW MONEY FROM ANY SOURCE FOR ANY CORPORATE**  
20 **PURPOSE, INCLUDING WORKING CAPITAL FOR ITS OPERATIONS, RESERVE FUNDS OR**  
21 **INTEREST, AND MORTGAGE, PLEDGE, OR OTHERWISE ENCUMBER THE PROPERTY OR**  
22 **FUNDS OF THE UNIVERSITY, AND CONTRACT WITH OR ENGAGE THE SERVICES OF**  
23 **ANY PERSON IN CONNECTION WITH ANY FINANCING, INCLUDING FINANCIAL**  
24 **INSTITUTIONS, ISSUERS OF CREDIT, OR INSURERS.**

25           **(D) (1) THE BOARD MAY ADOPT RULES AND REGULATIONS NOT**  
26 **INCONSISTENT WITH LAW FOR THE GOVERNMENT AND MANAGEMENT OF THE**  
27 **UNIVERSITY.**

28           **(2) SUBJECT TO TITLE 3 OF THE GENERAL PROVISIONS ARTICLE,**  
29 **THE BOARD MAY ADOPT RULES AND REGULATIONS AND PRESCRIBE POLICIES AND**  
30 **PROCEDURES FOR THE MANAGEMENT, MAINTENANCE, OPERATION, AND CONTROL**  
31 **OF THE UNIVERSITY.**

1           **(3) EXCEPT WITH RESPECT TO CLASSIFIED EMPLOYEE GRIEVANCE**  
2 **APPEALS, TITLE 10, SUBTITLES 1 AND 2 OF THE STATE GOVERNMENT ARTICLE**  
3 **(“ADMINISTRATIVE PROCEDURE ACT”) ARE NOT APPLICABLE TO THE BOARD.**

4           **(E) THE BOARD MAY REVIEW OR ADOPT POLICIES AND PROCEDURES OF**  
5 **THE UNIVERSITY WITH RESPECT TO:**

6           **(1) ACCREDITATION;**

7           **(2) PROGRAMS AND FUNCTIONS;**

8           **(3) ACTUAL AND POTENTIAL CAPABILITIES;**

9           **(4) ADMISSIONS;**

10          **(5) CURRICULA;**

11          **(6) GRADUATION;**

12          **(7) THE AWARDING OF DEGREES; AND**

13          **(8) GENERAL POLICYMAKING.**

14          **(F) THE BOARD MAY PREPARE AND SUBMIT ANNUAL BUDGETS AND SPEND**  
15 **FUNDS BUDGETED FOR NONSALARY ITEMS ON APPROPRIATE ACTIVITIES.**

16          **(G) SUBJECT TO ANY APPLICABLE STATE LAW, RULE, OR REGULATION, THE**  
17 **BOARD MAY CONTRACT WITH ANY PERSON TO RECEIVE OR PROVIDE SERVICES,**  
18 **RESEARCH, TRAINING, OR DEMONSTRATIONS.**

19          **(H) (1) (I) ON THE RECOMMENDATION OF THE PRESIDENT, AND IN**  
20 **ACCORDANCE WITH THE REQUIREMENTS OF TITLE 3 OF THE STATE PERSONNEL**  
21 **AND PENSIONS ARTICLE, THE BOARD SHALL ESTABLISH GENERAL STANDARDS AND**  
22 **GUIDELINES GOVERNING THE APPOINTMENT, COMPENSATION, ADVANCEMENT,**  
23 **TENURE, AND TERMINATION OF ALL FACULTY, EXECUTIVE STAFF, AND**  
24 **PROFESSIONAL ADMINISTRATIVE PERSONNEL IN THE UNIVERSITY.**

25                   **(II) SUBJECT TO THE ESTABLISHED STANDARDS AND**  
26 **GUIDELINES, AND IN ACCORDANCE WITH THE REQUIREMENTS OF TITLE 3 OF THE**  
27 **STATE PERSONNEL AND PENSIONS ARTICLE, THE PRESIDENT MAY:**

28                   **1. ADOPT ADDITIONAL PERSONNEL POLICIES,**  
29 **INCLUDING CONSIDERATION OF HIRING A CONTRACTUAL EMPLOYEE TO FILL A**

1 VACANT POSITION IN THE SAME OR SIMILAR CLASSIFICATION IN WHICH THE  
2 CONTRACTUAL EMPLOYEE IS EMPLOYED; AND

3                   2. APPROVE INDIVIDUAL PERSONNEL ACTIONS  
4 AFFECTING THE TERMS AND CONDITIONS OF ACADEMIC AND ADMINISTRATIVE  
5 APPOINTMENTS.

6                   (2) EXCEPT AS OTHERWISE PROVIDED BY LAW, APPOINTMENTS OF  
7 THE UNIVERSITY ARE NOT SUBJECT TO OR CONTROLLED BY THE PROVISIONS OF  
8 THE STATE PERSONNEL AND PENSIONS ARTICLE THAT GOVERN THE STATE  
9 PERSONNEL MANAGEMENT SYSTEM.

10                   (3) (I) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE  
11 BOARD MAY CREATE ANY POSITION TO THE EXTENT THAT THE COST OF THE  
12 POSITION, INCLUDING ANY FRINGE BENEFIT COSTS, IS FUNDED FROM EXISTING  
13 FUNDS.

14                   (II) NOTHING IN THIS PARAGRAPH MAY BE CONSTRUED TO  
15 REQUIRE ANY ADDITIONAL STATE GENERAL FUND SUPPORT.

16                   (III) ON OR BEFORE SEPTEMBER 1 EACH YEAR, THE BOARD  
17 SHALL SUBMIT AN ANNUAL POSITION ACCOUNTABILITY REPORT TO THE  
18 DEPARTMENT OF BUDGET AND MANAGEMENT, THE DEPARTMENT OF LEGISLATIVE  
19 SERVICES, AND THE COMMISSION REPORTING THE TOTAL POSITIONS CREATED AND  
20 THE COST AND THE FUNDING SOURCE FOR ANY POSITIONS CREATED BY THE  
21 UNIVERSITY IN THE IMMEDIATELY PRECEDING FISCAL YEAR.

22                   (4) ON THE RECOMMENDATION OF THE PRESIDENT, THE BOARD  
23 SHALL DESIGNATE ONE OR MORE REPRESENTATIVES TO PARTICIPATE AS A PARTY  
24 IN COLLECTIVE BARGAINING ON BEHALF OF THE UNIVERSITY IN ACCORDANCE WITH  
25 TITLE 3 OF THE STATE PERSONNEL AND PENSIONS ARTICLE.

26                   (I) IN ACCORDANCE WITH THE REQUIREMENTS OF TITLE 3 OF THE STATE  
27 PERSONNEL AND PENSIONS ARTICLE, THE BOARD SHALL ESTABLISH GENERAL  
28 POLICIES AND GUIDELINES GOVERNING THE APPOINTMENT, COMPENSATION,  
29 ADVANCEMENT, TENURE, AND TERMINATION OF ALL CLASSIFIED PERSONNEL.

30                   (J) THE BOARD SHALL:

31                   (1) FIX TUITION AND OTHER FEES PAID BY RESIDENT AND  
32 NONRESIDENT STUDENTS;

1           **(2) EXCEPT FOR TUITION, USE THE RECEIPTS OF THE FEES FOR THE**  
2 **PURPOSE FOR WHICH THEY WERE COLLECTED WITHOUT FISCAL YEAR LIMITATION;**

3           **(3) BEFORE IMPLEMENTATION, REVIEW AND APPROVE EACH**  
4 **PROPOSAL FOR:**

5                   **(I) ANY NEW PROGRAM; AND**

6                   **(II) ANY SUBSTANTIAL EXPANSION, CURTAILMENT, OR**  
7 **DISCONTINUANCE OF ANY EXISTING PROGRAM; AND**

8           **(4) REVIEW, MODIFY AS IT DEEMS NECESSARY, AND APPROVE ANY**  
9 **OPERATING OR CAPITAL BUDGET REQUESTS.**

10           **(K) (1) THE BOARD SHALL APPOINT A PRESIDENT OF THE UNIVERSITY**  
11 **WHO SHALL BE THE CHIEF EXECUTIVE OFFICER OF THE UNIVERSITY AND THE**  
12 **CHIEF OF STAFF FOR THE BOARD.**

13                   **(2) THE PRESIDENT SERVES AT THE PLEASURE OF THE BOARD.**

14                   **(3) THE PRESIDENT SHALL:**

15                           **(I) BE RESPONSIBLE AND ACCOUNTABLE TO THE BOARD FOR**  
16 **THE DISCIPLINE AND SUCCESSFUL CONDUCT OF THE UNIVERSITY AND**  
17 **SUPERVISION OF EACH OF ITS DEPARTMENTS; AND**

18                           **(II) TAKE EVERY INITIATIVE IN:**

19                                   1. **IMPLEMENTING THE POLICIES OF THE BOARD; AND**

20                                   2. **PROMOTING THE UNIVERSITY'S DEVELOPMENT AND**  
21 **EFFICIENCY.**

22                   **(4) SUBJECT TO THE AUTHORITY AND APPLICABLE POLICIES OF THE**  
23 **BOARD, THE PRESIDENT SHALL:**

24                           **(I) DEVELOP A PLAN OF INSTITUTIONAL MISSION, GOALS, AND**  
25 **PRIORITIES;**

26                           **(II) HAVE THE AUTHORITY TO DEVELOP NEW ACADEMIC**  
27 **PROGRAMS AND CURTAIL OR ELIMINATE EXISTING PROGRAMS;**

28                           **(III) FORMULATE OPERATING AND CAPITAL BUDGET REQUESTS;**

1 (IV) APPOINT, PROMOTE, FIX SALARIES FOR, GRANT TENURE  
2 TO, ASSIGN DUTIES TO, AND TERMINATE PERSONNEL;

3 (V) ESTABLISH ADMISSIONS STANDARDS;

4 (VI) SET TUITION AND FEES;

5 (VII) ADMINISTER FINANCIAL AID;

6 (VIII) ENTER INTO CONTRACTS AND COOPERATIVE AGREEMENTS;

7 (IX) HAVE THE AUTHORITY TO ACCEPT GIFTS AND GRANTS AND  
8 MAINTAIN AND MANAGE ENDOWMENT INCOME;

9 (X) HAVE THE AUTHORITY TO RECOMMEND A CHANGE IN THE  
10 NAME OR STATUS OF THE INSTITUTION;

11 (XI) REGULATE AND ADMINISTER ATHLETIC AND STUDENT  
12 ACTIVITIES;

13 (XII) IN COMPLIANCE WITH STATE, FEDERAL, AND BOARD  
14 MANDATES AND POLICIES, OVERSEE AFFIRMATIVE ACTION AND EQUAL  
15 EMPLOYMENT OPPORTUNITIES;

16 (XIII) ESTABLISH ORGANIZATIONS FOR THE ADMINISTRATION OF  
17 CAMPUS ALUMNI AFFAIRS;

18 (XIV) ESTABLISH TRAFFIC REGULATIONS FOR THE CAMPUS; AND

19 (XV) PERFORM ANY OTHER DUTIES ASSIGNED BY THE BOARD.

20 (5) THE PRESIDENT MAY DELEGATE AUTHORITY TO APPOINT AND  
21 REMOVE PERSONNEL TO THE VICE PRESIDENTS AND PROGRAM DIRECTORS OF THE  
22 UNIVERSITY.

23 (L) (1) THE BOARD MAY APPLY FOR, ACCEPT, AND SPEND ANY GIFT OR  
24 GRANT FROM THE FEDERAL GOVERNMENT, ANY FOUNDATION, OR ANY OTHER  
25 PERSON.

26 (2) ANY GIFT OR GRANT THE BOARD ACCEPTS SHALL BE DEPOSITED  
27 WITH THE STATE TREASURER IN A NONBUDGETED ACCOUNT AND MAY BE INVESTED  
28 AS THE BOARD DIRECTS IN ACCORDANCE WITH LAW.

1           **(M) THE BOARD MAY PERFORM ANY OTHER DUTY NECESSARY TO CARRY**  
2 **OUT ITS POWERS.**

3           **(N) (1) THE PRESIDENT SHALL DEVELOP AN OVERALL PLAN THAT IS**  
4 **CONSISTENT WITH THE STATEWIDE PLAN FOR HIGHER EDUCATION AND THE**  
5 **CHARTER THAT:**

6                   **(I) SETS FORTH BOTH LONG-RANGE AND SHORT-RANGE**  
7 **GOALS, OBJECTIVES, AND PRIORITIES FOR POSTSECONDARY EDUCATION,**  
8 **RESEARCH, AND SERVICE PROVIDED BY THE UNIVERSITY;**

9                   **(II) SUBJECT TO § 11-105 OF THIS ARTICLE, IDENTIFIES THE**  
10 **ROLE, FUNCTION, AND MISSION OF THE UNIVERSITY;**

11                   **(III) PROVIDES FOR THE ENHANCEMENT OF THE UNIVERSITY;**

12                   **(IV) ENCOURAGES AND SUPPORTS HIGH-QUALITY**  
13 **UNDERGRADUATE AND GRADUATE PROGRAMS ON ITS CAMPUSES; AND**

14                   **(V) STIMULATES OUTREACH TO THE COMMUNITY AND STATE**  
15 **THROUGH CLOSE RELATIONSHIPS WITH PUBLIC ELEMENTARY AND SECONDARY**  
16 **SCHOOLS, BUSINESS AND INDUSTRY, AND GOVERNMENT AGENCIES.**

17           **(2) THE BOARD SHALL REVIEW, MODIFY AS IT DEEMS NECESSARY,**  
18 **AND APPROVE THE PLAN.**

19           **(3) ON OR BEFORE JULY 1 EACH YEAR, THE BOARD SHALL SUBMIT TO**  
20 **THE COMMISSION, TO THE GOVERNOR, AND, SUBJECT TO § 2-1257 OF THE STATE**  
21 **GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY AN ANNUAL REVIEW OF THE**  
22 **PLAN.**

23           **(O) (1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, AND EXCEPT**  
24 **AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE UNIVERSITY SHALL USE**  
25 **THE STATEWIDE FINANCIAL MANAGEMENT INFORMATION SYSTEM ADMINISTERED**  
26 **BY THE DEPARTMENT OF BUDGET AND MANAGEMENT AS ITS ACCOUNTING,**  
27 **BUDGETING, PERSONNEL, AND PAYROLL SYSTEMS.**

28                   **(2) THE UNIVERSITY MAY USE AN INTERNAL FINANCIAL**  
29 **MANAGEMENT INFORMATION SYSTEM SOFTWARE PROGRAM AND STATE-APPROVED**  
30 **INTERFACES FOR ITS ACCOUNTING, BUDGETING, PERSONNEL, AND PAYROLL**  
31 **SYSTEMS.**

1           **(P) THE LEGISLATIVE AUDITOR SHALL AUDIT ALL EXPENDITURES AND**  
2 **ACCOUNTS OF THE UNIVERSITY IN ACCORDANCE WITH §§ 2-1220 THROUGH 2-1227**  
3 **OF THE STATE GOVERNMENT ARTICLE.**

4           **(Q) (1) THE BOARD:**

5                   **(I) HAS THE POWER TO SUE OR BE SUED; AND**

6                   **(II) MAY CARRY COMPREHENSIVE LIABILITY INSURANCE TO**  
7 **PROTECT THE BOARD, ITS AGENTS, AND EMPLOYEES.**

8                   **(2) THE DETERMINATION WHETHER TO PURCHASE INSURANCE, AND**  
9 **ITS SCOPE AND LIMITATIONS, SHALL BE WITHIN THE BOARD'S DISCRETION, TAKING**  
10 **INTO ACCOUNT COMMERCIAL AVAILABILITY AND AFFORDABILITY AND THE**  
11 **EXISTENCE AND EXTENT OF INSURANCE SECURED BY THE STATE TREASURER.**

12                   **(3) (I) TITLE 12, SUBTITLE 1 OF THE STATE GOVERNMENT**  
13 **ARTICLE ("MARYLAND TORT CLAIMS ACT") APPLIES TO CLAIMS OR ACTIONS**  
14 **AGAINST THE UNIVERSITY, THE BOARD, AND EMPLOYEES OF THE UNIVERSITY.**

15                   **(II) SUBJECT TO ALL EXCLUSIONS AND LIMITATIONS IN THAT**  
16 **SUBTITLE, THE IMMUNITY OF THE UNIVERSITY IS WAIVED TO THE EXTENT OF ANY**  
17 **INSURANCE COVERAGE PURCHASED UNDER THIS SUBSECTION.**

18                   **(4) THIS SUBSECTION MAY NOT BE CONSTRUED TO WAIVE OR**  
19 **ABROGATE SOVEREIGN IMMUNITY WITH RESPECT TO ANY CLAIM THAT IS NOT**  
20 **COVERED BY OR EXCEEDS THE LIMITS OF AN INSURANCE POLICY.**

21                   **(5) THIS SUBSECTION MAY NOT BE CONSTRUED TO WAIVE OR**  
22 **ABROGATE THE IMMUNITY OF THE UNIVERSITY UNDER THE ELEVENTH**  
23 **AMENDMENT TO THE UNITED STATES CONSTITUTION.**

24                   **(6) (I) SUBJECT TO THE APPROVAL OF THE BOARD OF PUBLIC**  
25 **WORKS, THE BOARD MAY ACQUIRE, LEASE, ENCUMBER, SELL, OR OTHERWISE**  
26 **DISPOSE OF REAL PROPERTY HELD BY THE STATE FOR THE USE OF THE**  
27 **UNIVERSITY.**

28                   **(II) THE BOARD MAY ACQUIRE, LEASE, ENCUMBER, SELL, OR**  
29 **OTHERWISE DISPOSE OF PERSONAL PROPERTY.**

30                   **(III) ALL PROPERTY OF THE UNIVERSITY IS THE PROPERTY OF**  
31 **THE STATE.**

1           **(R) (1) EXCEPT AS PROVIDED IN SUBSECTION (K)(1) OF THIS SECTION,**  
2 **THE BOARD MAY DELEGATE ANY PART OF ITS AUTHORITY OVER THE AFFAIRS OF**  
3 **THE UNIVERSITY TO THE PRESIDENT.**

4           **(2) THE BOARD MAY MODIFY OR RESCIND AT ANY TIME IN WHOLE OR**  
5 **IN PART ANY DELEGATION OF AUTHORITY GRANTED BY IT TO THE PRESIDENT.**

6 **14-606.**

7           **(A) IN THIS SECTION, “HIGH IMPACT ECONOMIC DEVELOPMENT ACTIVITY”**  
8 **MEANS AN INITIATIVE, TRANSACTION, OR OTHER UNDERTAKING BY THE**  
9 **UNIVERSITY TO CREATE OR FACILITATE:**

10           **(1) 20 OR MORE NEW JOBS IN THE STATE;**

11           **(2) THE AWARD OR COMPLETION OF AT LEAST \$1,000,000 IN**  
12 **EXTERNALLY FUNDED RESEARCH OR OTHER PROJECTS;**

13           **(3) THE ESTABLISHMENT OR RELOCATION OF ONE OR MORE NEW**  
14 **COMPANIES TO BE REGISTERED OR INCORPORATED IN THE STATE AND DOING**  
15 **BUSINESS IN THE STATE;**

16           **(4) THE PRODUCTION OF AT LEAST \$1,000,000 OF ANNUAL GROSS**  
17 **REVENUE;**

18           **(5) THE LICENSING AND POTENTIAL COMMERCIALIZATION OF A**  
19 **PROMISING NEW TECHNOLOGY OR OTHER PRODUCT; OR**

20           **(6) AN ACADEMIC PROGRAM TO MEET WORKFORCE DEMAND IN A**  
21 **DOCUMENTED LABOR SHORTAGE FIELD.**

22           **(B) TO PROMOTE THE ECONOMIC INTERESTS OF THE STATE AS MANDATED**  
23 **IN §§ 10-205(C) AND 15-107 OF THIS ARTICLE, THE UNIVERSITY SHALL UTILIZE ITS**  
24 **POWERS AS A PUBLIC CORPORATION TO UNDERTAKE HIGH IMPACT ECONOMIC**  
25 **DEVELOPMENT ACTIVITIES THAT SUPPORT:**

26           **(1) JOB CREATION AND WORKFORCE DEVELOPMENT;**

27           **(2) TECHNOLOGY TRANSFER, COMMERCIALIZATION, AND**  
28 **ENTREPRENEURSHIP; AND**

29           **(3) INCREASED SPONSORED RESEARCH FUNDING AND OTHER**  
30 **REVENUES.**

1           **(C) IN ORDER FOR AN ACTIVITY TO QUALIFY AS A HIGH IMPACT ECONOMIC**  
2 **DEVELOPMENT ACTIVITY, THE PRESIDENT, OR THE PRESIDENT’S DESIGNEE, SHALL**  
3 **NOTIFY THE BOARD AND THE BOARD OF PUBLIC WORKS OF ANY ACTIVITY FOR**  
4 **REVIEW.**

5           **(D) (1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, FOR ANY**  
6 **HIGH IMPACT ECONOMIC DEVELOPMENT ACTIVITY WITHIN THE SCOPE OF § 5–310**  
7 **OR § 10–305 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, THE BOARD**  
8 **SHALL BE FULLY RESPONSIBLE FOR ADMINISTERING THE REVIEW AND COMMENT**  
9 **PROCESS PRESCRIBED IN THOSE SECTIONS.**

10           **(2) IN ADMINISTERING THE REVIEW AND COMMENT PROCESS**  
11 **PRESCRIBED IN §§ 5–310 AND 10–305 OF THE STATE FINANCE AND PROCUREMENT**  
12 **ARTICLE, THE BOARD SHALL INCLUDE IN THAT PROCESS THE APPROPRIATE**  
13 **LEGISLATIVE COMMITTEES AND UNITS OF STATE GOVERNMENT, WHICH MAY**  
14 **INCLUDE:**

15                   **(I) COMMITTEES OF THE GENERAL ASSEMBLY;**

16                   **(II) THE BOARD OF PUBLIC WORKS;**

17                   **(III) THE MARYLAND HISTORICAL TRUST;**

18                   **(IV) THE DEPARTMENT OF PLANNING;**

19                   **(V) THE DEPARTMENT OF THE ENVIRONMENT; AND**

20                   **(VI) THE DEPARTMENT OF NATURAL RESOURCES.**

21           **(3) THE BOARD SHALL ADOPT POLICIES AND PROCEDURES TO**  
22 **ENSURE THAT THE NOTICE AND OPPORTUNITY FOR REVIEW ARE CONDUCTED IN A**  
23 **MANNER THAT PROVIDES A REASONABLE PERIOD TO COMPLETE WHILE NOT**  
24 **IMPAIRING THE INSTITUTION’S CAPACITY FOR THE EXPEDITIOUS AND SUCCESSFUL**  
25 **PURSUIT OF A HIGH IMPACT ECONOMIC DEVELOPMENT ACTIVITY.**

26           **(E) ON OR BEFORE OCTOBER 1 EACH YEAR, THE BOARD SHALL REPORT TO**  
27 **THE BOARD OF PUBLIC WORKS AND, IN ACCORDANCE WITH § 2–1257 OF THE STATE**  
28 **GOVERNMENT ARTICLE, THE SENATE FINANCE COMMITTEE, THE HOUSE**  
29 **ECONOMIC MATTERS COMMITTEE, THE SENATE BUDGET AND TAXATION**  
30 **COMMITTEE, AND THE HOUSE APPROPRIATIONS COMMITTEE ON THE HIGH IMPACT**  
31 **ECONOMIC DEVELOPMENT ACTIVITIES UNDERTAKEN UNDER THIS SECTION DURING**  
32 **THE IMMEDIATELY PRECEDING FISCAL YEAR.**

1 14-607.

2 (A) IN CONSULTATION WITH THE COMMISSION AND THE PRESIDENT, THE  
3 BOARD SHALL UNDERTAKE GOOD-FAITH EFFORTS TO:

4 (1) ACHIEVE THE GOALS, MEASURES, AND COMMITMENTS  
5 CONTAINED IN ANY APPLICABLE EQUAL EDUCATIONAL OPPORTUNITY PLAN  
6 ADOPTED BY THE STATE;

7 (2) DEVOTE AMPLE RESOURCES TO ACHIEVING THE EQUAL  
8 EMPLOYMENT OPPORTUNITY GOALS AND OBJECTIVES; AND

9 (3) ENSURE THAT WOMEN AND MINORITIES ARE EQUITABLY  
10 REPRESENTED AMONG THE STUDENT BODY, FACULTY, STAFF, AND  
11 ADMINISTRATION OF THE UNIVERSITY, SO THAT THE UNIVERSITY REFLECTS THE  
12 DIVERSITY OF THE STATE'S POPULATION.

13 (B) IN CARRYING OUT ITS RESPONSIBILITIES UNDER THIS SECTION, THE  
14 BOARD MAY:

15 (1) DESIGNATE AN OFFICE TO COORDINATE AND MONITOR THE  
16 EQUITY ACTIVITIES AND PROGRAMS OF THE UNIVERSITY;

17 (2) REQUIRE THE UNIVERSITY TO SUBMIT PLANS, REPORTS, AND  
18 DATA IN THE FORMAT THE BOARD PRESCRIBES; AND

19 (3) CONDUCT STUDIES OF THE EFFECTIVENESS OF INSTITUTIONAL  
20 EFFORTS AND METHODS.

21 14-608.

22 (A) IN THIS SECTION, "CANDIDATE", "CONTRIBUTION", AND "POLITICAL  
23 COMMITTEE" HAVE THE MEANINGS STATED IN § 1-101 OF THE ELECTION LAW  
24 ARTICLE.

25 (B) THE RESTRICTIONS IN THIS SECTION APPLY FROM THE DATE OF A  
26 MEMBER'S APPOINTMENT TO THE BOARD UNTIL THE END OF THE MEMBER'S  
27 TENURE ON THE BOARD.

28 (C) (1) A MEMBER OF THE BOARD MAY NOT, FOR THE BENEFIT OF THE  
29 GOVERNOR, THE LIEUTENANT GOVERNOR, THE ATTORNEY GENERAL, OR THE  
30 COMPTROLLER, A MEMBER OF THE GENERAL ASSEMBLY, OR A CANDIDATE FOR

1 ELECTION TO THE OFFICE OF GOVERNOR, LIEUTENANT GOVERNOR, ATTORNEY  
2 GENERAL, COMPTROLLER, OR MEMBER OF THE GENERAL ASSEMBLY, ENGAGE IN  
3 THE FOLLOWING ACTIVITIES:

4 (I) SOLICITING OR TRANSMITTING A POLITICAL  
5 CONTRIBUTION FROM ANY PERSON, INCLUDING A POLITICAL COMMITTEE;

6 (II) SERVING ON A FUND-RAISING COMMITTEE OR A POLITICAL  
7 COMMITTEE;

8 (III) ACTING AS A TREASURER FOR A CANDIDATE OR OFFICIAL  
9 OR AS TREASURER OR CHAIR OF A POLITICAL COMMITTEE;

10 (IV) ORGANIZING OR ESTABLISHING A POLITICAL COMMITTEE  
11 FOR THE PURPOSE OF SOLICITING OR TRANSMITTING CONTRIBUTIONS FROM ANY  
12 PERSON; OR

13 (V) FORWARDING TICKETS FOR FUND-RAISING ACTIVITIES, OR  
14 OTHER SOLICITATIONS FOR POLITICAL CONTRIBUTIONS, TO A POTENTIAL  
15 CONTRIBUTOR.

16 (2) THIS SECTION DOES NOT PROHIBIT A MEMBER OF THE BOARD  
17 FROM:

18 (I) MAKING A PERSONAL POLITICAL CONTRIBUTION;

19 (II) INFORMING ANY ENTITY OF A POSITION TAKEN BY A  
20 CANDIDATE OR OFFICIAL; OR

21 (III) ENGAGING IN OTHER ACTIVITIES NOT SPECIFICALLY  
22 PROHIBITED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

23 (3) A MEMBER OF THE BOARD MAY NOT BE A CANDIDATE FOR A  
24 PUBLIC OFFICE WHILE SERVING ON THE BOARD.

25 14-609.

26 (A) IN THIS SECTION, "COLLEGIATE RECOVERY PROGRAM" MEANS A  
27 PROGRAM THAT PROVIDES SUPPORT AND SERVICES FOR STUDENTS RECOVERING  
28 FROM ALCOHOL OR DRUG ADDICTION WHO ARE ENROLLED AT THE UNIVERSITY.

1           **(B) ON THE RECOMMENDATION OF THE PRESIDENT, THE BOARD SHALL**  
2 **ESTABLISH GENERAL STANDARDS AND GUIDELINES FOR A COLLEGIATE RECOVERY**  
3 **PROGRAM TO BE IMPLEMENTED AT THE UNIVERSITY.**

4           **(C) THE PRESIDENT, IN COLLABORATION WITH FACULTY, STAFF, AND**  
5 **STUDENTS ENROLLED AT THE INSTITUTION, SHALL DEVELOP AND IMPLEMENT A**  
6 **COLLEGIATE RECOVERY PROGRAM TAILORED FOR THE UNIVERSITY THAT:**

7                   **(1) SATISFIES THE STANDARDS AND GUIDELINES ESTABLISHED BY**  
8 **THE BOARD UNDER SUBSECTION (B) OF THIS SECTION; AND**

9                   **(2) ADDRESSES THE NEEDS OF STUDENTS AT THE UNIVERSITY WHO**  
10 **ARE RECOVERING FROM ALCOHOL OR DRUG ADDICTION.**

11 **14-610.**

12           **(A) THERE IS A COPPIN STATE UNIVERSITY POLICE FORCE.**

13           **(B) (1) A UNIVERSITY POLICE OFFICER HAS THE POWERS GRANTED TO A**  
14 **PEACE AND POLICE OFFICER.**

15                   **(2) A UNIVERSITY POLICE OFFICER MAY EXERCISE THESE POWERS**  
16 **ONLY ON PROPERTY THAT IS OWNED, LEASED, OPERATED BY, OR UNDER THE**  
17 **CONTROL OF THE UNIVERSITY.**

18                   **(3) A UNIVERSITY POLICE OFFICER MAY NOT EXERCISE THESE**  
19 **POWERS ON ANY OTHER PROPERTY UNLESS:**

20                           **(I) ENGAGED IN FRESH PURSUIT OF A SUSPECTED OFFENDER;**

21                           **(II) NECESSARY TO FACILITATE THE ORDERLY FLOW OF**  
22 **TRAFFIC TO AND FROM PROPERTY OWNED, LEASED, OPERATED BY, OR UNDER THE**  
23 **CONTROL OF THE UNIVERSITY; OR**

24                           **(III) ORDERED TO DO SO BY THE GOVERNOR.**

25           **(C) (1) IN CONSULTATION WITH THE SECRETARY OF STATE POLICE AND**  
26 **THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION, THE BOARD**  
27 **SHALL ADOPT STANDARDS, QUALIFICATIONS, AND PREREQUISITES OF CHARACTER,**  
28 **TRAINING, EDUCATION, HUMAN AND PUBLIC RELATIONS, AND EXPERIENCE FOR THE**  
29 **UNIVERSITY POLICE OFFICERS, INCLUDING STANDARDS FOR THE PERFORMANCE**  
30 **OF THEIR DUTIES.**

1           **(2) TO THE EXTENT PRACTICABLE, THE BOARD SHALL ADOPT**  
2 **STANDARDS THAT ARE SIMILAR TO THE STANDARDS ADOPTED FOR THE**  
3 **DEPARTMENT OF STATE POLICE.**

4           **(3) STANDARDS ADOPTED ON OR AFTER JULY 1, 2021, ON MINIMUM**  
5 **HIRING QUALIFICATIONS OF THE UNIVERSITY POLICE OFFICERS MAY NOT AFFECT**  
6 **THE STATUS OF ANY INDIVIDUAL WHO WAS A QUALIFIED UNIVERSITY POLICE**  
7 **OFFICER ON THAT DATE.**

8           **(D) THE BOARD SHALL ADOPT RULES AND REGULATIONS GOVERNING THE**  
9 **OPERATION AND CONDUCT OF THE COPPIN STATE UNIVERSITY POLICE FORCE AND**  
10 **OF UNIVERSITY POLICE OFFICERS.**

11 **14-611.**

12           **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**  
13 **INDICATED.**

14           **(2) “COMPUTER-BASED INSTRUCTIONAL TECHNOLOGY” HAS THE**  
15 **MEANING STATED IN § 12-101 OF THIS ARTICLE.**

16           **(3) “TECHNOLOGY” HAS THE MEANING STATED IN § 12-101 OF THIS**  
17 **ARTICLE.**

18           **(B) (1) EXCEPT AS PROVIDED IN § 11-203(E) OF THE STATE FINANCE**  
19 **AND PROCUREMENT ARTICLE, THE UNIVERSITY IS EXEMPT FROM DIVISION II OF**  
20 **THE STATE FINANCE AND PROCUREMENT ARTICLE.**

21           **(2) (I) SUBJECT TO REVIEW AND APPROVAL BY THE BOARD OF**  
22 **PUBLIC WORKS AND THE ADMINISTRATIVE, EXECUTIVE, AND LEGISLATIVE**  
23 **REVIEW COMMITTEE OF THE GENERAL ASSEMBLY, THE BOARD SHALL DEVELOP**  
24 **POLICIES AND PROCEDURES GOVERNING PROCUREMENTS BY THE UNIVERSITY.**

25           **(II) THE POLICIES AND PROCEDURES DEVELOPED UNDER**  
26 **SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL PROMOTE THE PURPOSES OF THE**  
27 **STATE PROCUREMENT LAW AS SET FORTH IN § 11-201 OF THE STATE FINANCE AND**  
28 **PROCUREMENT ARTICLE.**

29           **(C) THE BOARD SHALL DEVELOP AN INFORMATION TECHNOLOGY PLAN FOR**  
30 **THE UNIVERSITY THAT INCLUDES INFORMATION TECHNOLOGY POLICIES AND**  
31 **STANDARDS, INCLUDING POLICIES AND STANDARDS FOR INFORMATION**  
32 **MANAGEMENT AND TELECOMMUNICATION SYSTEMS, THAT ARE FUNCTIONALLY**

1 COMPATIBLE WITH THE STATE INFORMATION TECHNOLOGY PLAN ESTABLISHED  
2 UNDER TITLE 3, SUBTITLE 4 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

3 (D) ON OR BEFORE JANUARY 1, 2021, THE BOARD SHALL DEVELOP A  
4 NONVISUAL ACCESS CLAUSE FOR USE IN THE PROCUREMENT OF COMPUTER-BASED  
5 INSTRUCTIONAL TECHNOLOGY.

6 (E) THE NONVISUAL ACCESS CLAUSE DEVELOPED UNDER SUBSECTION (D)  
7 OF THIS SECTION SHALL BE CONSISTENT WITH THE STANDARDS DEVELOPED BY THE  
8 DEPARTMENT OF BUDGET AND MANAGEMENT IN ACCORDANCE WITH THE  
9 PROVISIONS OF § 3-412 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

10 14-612.

11 (A) CONSISTENT WITH § 15-107 OF THIS ARTICLE AND ANY OTHER  
12 APPLICABLE LAW, THE BOARD MAY ESTABLISH, INVEST IN, FINANCE, AND OPERATE  
13 BUSINESSES OR BUSINESS ENTITIES WHEN THE BOARD FINDS THAT DOING SO  
14 WOULD FURTHER ONE OR MORE GOALS OF THE UNIVERSITY AND IS RELATED TO  
15 THE MISSION OF THE UNIVERSITY.

16 (B) (1) A BUSINESS ENTITY ESTABLISHED, INVESTED IN, FINANCED, OR  
17 OPERATED IN ACCORDANCE WITH THIS SECTION MAY NOT BE CONSIDERED AN  
18 AGENCY OR INSTRUMENTALITY OF THE STATE OR A UNIT OF THE EXECUTIVE  
19 BRANCH FOR ANY PURPOSE.

20 (2) A FINANCIAL OBLIGATION OR LIABILITY OF A BUSINESS ENTITY  
21 ESTABLISHED, INVESTED IN, FINANCED, OR OPERATED IN ACCORDANCE WITH THIS  
22 SECTION MAY NOT BE A DEBT OR OBLIGATION OF THE STATE OR THE UNIVERSITY.

23 (C) (1) SUBJECT TO THE REQUIREMENTS OF THIS SECTION, THE  
24 UNIVERSITY MAY ESTABLISH, INVEST IN, FINANCE, OR OPERATE A CORPORATION,  
25 FOUNDATION, CONSORTIUM, OR OTHER ENTITY THAT IS INTENDED TO SUPPORT A  
26 HIGH IMPACT ECONOMIC DEVELOPMENT ACTIVITY, AS DEFINED IN § 14-606 OF THIS  
27 SUBTITLE.

28 (2) NOTWITHSTANDING THE PROVISIONS OF §§ 5-501 THROUGH  
29 5-504 OF THE GENERAL PROVISIONS ARTICLE AND SUBJECT TO § 5-525 OF THE  
30 GENERAL PROVISIONS ARTICLE, AN OFFICIAL OR EMPLOYEE OF A PUBLIC  
31 INSTITUTION OF HIGHER EDUCATION MAY BE A DIRECTOR, OFFICIAL, OR EMPLOYEE  
32 OF AN ENTITY INTENDED TO SUPPORT A HIGH IMPACT ECONOMIC DEVELOPMENT  
33 ACTIVITY, IF THE INDIVIDUAL'S PARTICIPATION ADVANCES THE INTERESTS OF THE  
34 UNIVERSITY.

1           **(3) DIVISION II OF THE STATE FINANCE AND PROCUREMENT**  
2 **ARTICLE DOES NOT APPLY TO TRANSACTIONS BETWEEN AN ENTITY ESTABLISHED,**  
3 **FINANCED, OR OPERATED UNDER THIS SUBSECTION AND THE UNIVERSITY THAT**  
4 **ESTABLISHED, FINANCED, OR OPERATED THE ENTITY.**

5           **(4) (I) THE BOARD SHALL ADOPT POLICIES AND PROCEDURES**  
6 **GOVERNING THE ESTABLISHMENT OF HIGH IMPACT ECONOMIC DEVELOPMENT**  
7 **ENTITIES TO ENSURE THAT THE UNIVERSITY'S PARTICIPATION IN THE ENTITY**  
8 **FURTHERS THE INTERESTS OF THE UNIVERSITY AND THE STATE.**

9           **(II) THE POLICIES AND PROCEDURES UNDER SUBPARAGRAPH**  
10 **(I) OF THIS PARAGRAPH SHALL INCLUDE REQUIREMENTS FOR:**

11                   **1. RECOGNITION OF THE ENTITY BY THE BOARD;**

12                   **2. AN ANNUAL AUDIT OF THE ENTITY BY AN**  
13 **INDEPENDENT CERTIFIED PUBLIC ACCOUNTANT; AND**

14                   **3. ADEQUATE SAFEGUARDS WITH REGARD TO**  
15 **CONFLICTS OF INTEREST, PROPER CONTRACTING PRACTICES, AND OTHER**  
16 **FUNDAMENTAL ETHICAL AND BUSINESS PRACTICE STANDARDS.**

17           **(D) THE BOARD SHALL SUBMIT TO THE GOVERNOR, AND, IN ACCORDANCE**  
18 **WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY,**  
19 **AN ANNUAL REPORT ON:**

20                   **(1) THE BUSINESS ENTITIES ESTABLISHED IN ACCORDANCE WITH**  
21 **THIS SECTION;**

22                   **(2) FUNDS INVESTED IN, AND FINANCING PROVIDED TO, BUSINESS**  
23 **ENTITIES ESTABLISHED IN ACCORDANCE WITH THIS SECTION;**

24                   **(3) OWNERSHIP INTERESTS IN ANY BUSINESS ENTITIES**  
25 **ESTABLISHED IN ACCORDANCE WITH THIS SECTION; AND**

26                   **(4) THE CURRENT STATUS OF THE BUSINESS ENTITIES.**

27 **14-613.**

28           **THE INTEREST OR OTHER INCOME FROM THE INVESTMENT OF ANY FUNDS OF**  
29 **THE UNIVERSITY SHALL BE CREDITED TO THE UNIVERSITY, PROVIDED THAT ANY**  
30 **INTEREST ESTIMATED TO BE EARNED ON THE STATE APPROPRIATION MUST BE**  
31 **OFFSET BY AN EQUIVALENT REDUCTION IN STATE GENERAL FUND SUPPORT.**

1           **SUBTITLE 7. UNIVERSITY OF MARYLAND EASTERN SHORE.**

2   **14-701.**

3           **(A) (1) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**  
4 **INDICATED.**

5                   **(2) “BOARD” MEANS THE BOARD OF REGENTS OF UNIVERSITY OF**  
6 **MARYLAND EASTERN SHORE.**

7                   **(3) “UNIVERSITY” MEANS UNIVERSITY OF MARYLAND EASTERN**  
8 **SHORE.**

9           **(B) (1) THERE IS A BODY CORPORATE AND POLITIC KNOWN AS**  
10 **UNIVERSITY OF MARYLAND EASTERN SHORE.**

11                   **(2) THE UNIVERSITY IS AN INSTRUMENTALITY OF THE STATE AND A**  
12 **PUBLIC CORPORATION.**

13                   **(3) THE UNIVERSITY IS AN INDEPENDENT UNIT OF STATE**  
14 **GOVERNMENT.**

15                   **(4) THE EXERCISE BY THE UNIVERSITY OF THE POWERS CONFERRED**  
16 **BY THIS SUBTITLE IS THE PERFORMANCE OF AN ESSENTIAL PUBLIC FUNCTION.**

17           **(C) UNIVERSITY OF MARYLAND EASTERN SHORE:**

18                   **(1) HAS THE RESPONSIBILITY, WITH OTHER EDUCATIONAL**  
19 **INSTITUTIONS, FOR PROVIDING HIGHER EDUCATION RESEARCH AND GRADUATE**  
20 **STUDY;**

21                   **(2) OFFERS BACCALAUREATE AND GRADUATE DEGREES IN THE ARTS**  
22 **AND SCIENCES;**

23                   **(3) OFFERS THE PROFESSIONAL AND GRADUATE PROGRAMS**  
24 **APPROVED BY THE BOARD AND THE COMMISSION;**

25                   **(4) SHALL BE DEDICATED TO THE DEVELOPMENT AND DELIVERY OF**  
26 **COMPREHENSIVE AND HIGH-QUALITY ACADEMIC PROGRAMS AND SERVICES TO ITS**  
27 **UNIVERSITY COMMUNITY AND THE CITIZENS OF MARYLAND; AND**

1           **(5) SHALL SERVE A DIVERSE CITIZENRY IN AN INNOVATIVE AND**  
2 **COLLABORATIVE MANNER, ALL THE WHILE EXERCISING ITS RESPONSIBILITIES**  
3 **WITH UNCOMPROMISING INTEGRITY THROUGH STRONG, BUT COMPASSIONATE,**  
4 **LEADERSHIP.**

5 **14-702.**

6           **THE UNIVERSITY OF MARYLAND EASTERN SHORE MAY NOT BE INCLUDED IN**  
7 **THE UNIVERSITY SYSTEM OF MARYLAND.**

8 **14-703.**

9           **(A) THE GOVERNMENT OF THE UNIVERSITY IS VESTED IN THE BOARD.**

10           **(B) THE BOARD CONSISTS OF 15 MEMBERS APPOINTED BY THE GOVERNOR**  
11 **WITH THE ADVICE AND CONSENT OF THE SENATE.**

12           **(C) (1) (I) TWO MEMBERS OF THE BOARD SHALL BE STUDENTS IN**  
13 **GOOD ACADEMIC STANDING AT THE UNIVERSITY WHO:**

14                           **1. ARE AT LEAST 18 YEARS OLD; AND**

15                           **2. HAVE THE QUALIFICATIONS REQUIRED TO BE**  
16 **STUDENT BODY PRESIDENT.**

17                           **(II) EACH OF THE STUDENT MEMBERS SERVES FOR A TERM OF**  
18 **1 YEAR AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.**

19                           **(III) THE STUDENT MEMBERS MAY BE RESIDENTS OF A STATE**  
20 **OTHER THAN MARYLAND, BUT THE RESIDENCY STATUS OF THE STUDENT MEMBERS**  
21 **MAY NOT BE CONSIDERED IN DETERMINING THE NUMBER OF RESIDENT OR**  
22 **NONRESIDENT REGENTS AS PROVIDED FOR IN SUBSECTION (D)(2) OF THIS SECTION.**

23           **(2) THE REMAINING MEMBERS OF THE BOARD SHALL INCLUDE:**

24                           **(I) A MINIMUM OF FIVE MEMBERS, INCLUDING THE CHAIR,**  
25 **WHO HAVE ATTENDED A HISTORICALLY BLACK COLLEGE OR UNIVERSITY;**

26                           **(II) THREE MEMBERS SELECTED BY THE ALUMNI ASSOCIATION**  
27 **OF THE UNIVERSITY; AND**

28                           **(III) ONE MEMBER SELECTED BY THE LOCAL CHAPTER OF THE**  
29 **NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE (NAACP).**

1           **(3) THE MEMBERSHIP OF THE BOARD SHALL, TO THE EXTENT**  
2 **PRACTICABLE, BE REPRESENTATIVE OF THE STUDENT BODY DEMOGRAPHICS OF**  
3 **THE UNIVERSITY.**

4           **(D) (1) EXCEPT FOR THE STUDENT MEMBERS:**

5                   **(I) EACH MEMBER SERVES FOR A TERM OF 5 YEARS AND UNTIL**  
6 **A SUCCESSOR IS APPOINTED AND QUALIFIES;**

7                   **(II) THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY**  
8 **THE TERMS PROVIDED FOR MEMBERS OF THE BOARD ON JULY 1, 2021; AND**

9                   **(III) A MEMBER MAY NOT SERVE MORE THAN TWO CONSECUTIVE**  
10 **TERMS.**

11           **(2) EXCEPT FOR THE STUDENT MEMBERS, NOT MORE THAN THREE**  
12 **MEMBERS OF THE BOARD WHO ARE NOT ALUMNI OF THE UNIVERSITY OF**  
13 **MARYLAND EASTERN SHORE MAY BE RESIDENTS OF OTHER STATES.**

14           **(3) A MEMBER APPOINTED TO FILL A VACANCY IN AN UNEXPIRED**  
15 **TERM SERVES ONLY FOR THE REMAINDER OF THAT TERM AND UNTIL A SUCCESSOR**  
16 **IS APPOINTED AND QUALIFIES.**

17           **(E) EACH MEMBER OF THE BOARD:**

18                   **(1) SERVES WITHOUT COMPENSATION; AND**

19                   **(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES IN**  
20 **ACCORDANCE WITH THE STANDARD STATE TRAVEL REGULATIONS.**

21 **14-704.**

22           **(A) EACH YEAR THE BOARD:**

23                   **(1) SHALL ELECT ONE OF ITS NONSTUDENT MEMBERS AS ITS CHAIR;**  
24 **AND**

25                   **(2) MAY ELECT ANY OTHER OFFICER IT REQUIRES.**

26           **(B) THE BOARD SHALL DETERMINE THE TIME AND PLACE OF ITS MEETINGS**  
27 **AND MAY ADOPT RULES FOR THE CONDUCT OF ITS MEETINGS.**

1           **(C) (1) A MAJORITY OF THE MEMBERS SHALL CONSTITUTE A QUORUM**  
2 **FOR THE TRANSACTION OF BUSINESS.**

3           **(2) NO FORMAL ACTION MAY BE TAKEN BY THE BOARD WITHOUT THE**  
4 **APPROVAL OF A MAJORITY OF THE MEMBERS OF THE BOARD.**

5 **14-705.**

6           **(A) IN ADDITION TO ANY OTHER POWERS GRANTED AND DUTIES IMPOSED**  
7 **BY THIS SUBTITLE, AND SUBJECT TO THE PROVISIONS OF TITLE 11 OF THIS ARTICLE**  
8 **AND ANY OTHER RESTRICTIONS IMPOSED BY LAW BY SPECIFIC REFERENCE TO THE**  
9 **UNIVERSITY OR BY ANY TRUST AGREEMENT INVOLVING A PLEDGE OF PROPERTY OR**  
10 **MONEY, THE BOARD:**

11           **(1) IS RESPONSIBLE FOR THE MANAGEMENT OF THE UNIVERSITY**  
12 **AND HAS ALL THE POWERS, RIGHTS, AND PRIVILEGES THAT GO WITH THAT**  
13 **RESPONSIBILITY, INCLUDING THE POWERS AND DUTIES SET FORTH IN THIS**  
14 **SECTION;**

15           **(2) MAY NOT BE SUPERSEDED IN ITS AUTHORITY BY ANY OTHER**  
16 **STATE AGENCY OR OFFICE IN MANAGING THE AFFAIRS OF THE UNIVERSITY; AND**

17           **(3) SHALL HAVE ALL THE POWERS OF A MARYLAND CORPORATION**  
18 **WHICH ARE NOT LIMITED BY LAW BY SPECIFIC REFERENCE TO THE UNIVERSITY.**

19           **(B) IN ADDITION TO THE POWERS SET FORTH ELSEWHERE IN THIS**  
20 **SUBTITLE, THE UNIVERSITY MAY:**

21           **(1) ADOPT AND ALTER AN OFFICIAL SEAL;**

22           **(2) MAINTAIN AN OFFICE AT THE PLACE THE BOARD MAY**  
23 **DESIGNATE;**

24           **(3) ENTER INTO CONTRACTS OF ANY KIND, AND EXECUTE ALL**  
25 **INSTRUMENTS NECESSARY OR CONVENIENT WITH RESPECT TO ITS CARRYING OUT**  
26 **THE POWERS IN THIS SUBTITLE TO ACCOMPLISH THE PURPOSES OF THE**  
27 **UNIVERSITY; AND**

28           **(4) IN ACCORDANCE WITH SUBSECTION (Q)(6) OF THIS SECTION,**  
29 **ACQUIRE, HOLD, LEASE, USE, ENCUMBER, TRANSFER, EXCHANGE, OR DISPOSE OF**  
30 **REAL AND PERSONAL PROPERTY.**

1           **(C) IN ADDITION TO THE POWERS SET FORTH IN TITLE 19 OF THIS ARTICLE**  
2 **AND SUBJECT TO THE APPROVAL OF THE BOARD OF PUBLIC WORKS, THE**  
3 **UNIVERSITY MAY BORROW MONEY FROM ANY SOURCE FOR ANY CORPORATE**  
4 **PURPOSE, INCLUDING WORKING CAPITAL FOR ITS OPERATIONS, RESERVE FUNDS OR**  
5 **INTEREST, AND MORTGAGE, PLEDGE, OR OTHERWISE ENCUMBER THE PROPERTY OR**  
6 **FUNDS OF THE UNIVERSITY, AND CONTRACT WITH OR ENGAGE THE SERVICES OF**  
7 **ANY PERSON IN CONNECTION WITH ANY FINANCING, INCLUDING FINANCIAL**  
8 **INSTITUTIONS, ISSUERS OF CREDIT, OR INSURERS.**

9           **(D) (1) THE BOARD MAY ADOPT RULES AND REGULATIONS NOT**  
10 **INCONSISTENT WITH LAW FOR THE GOVERNMENT AND MANAGEMENT OF THE**  
11 **UNIVERSITY.**

12           **(2) SUBJECT TO TITLE 3 OF THE GENERAL PROVISIONS ARTICLE,**  
13 **THE BOARD MAY ADOPT RULES AND REGULATIONS AND PRESCRIBE POLICIES AND**  
14 **PROCEDURES FOR THE MANAGEMENT, MAINTENANCE, OPERATION, AND CONTROL**  
15 **OF THE UNIVERSITY.**

16           **(3) EXCEPT WITH RESPECT TO CLASSIFIED EMPLOYEE GRIEVANCE**  
17 **APPEALS, TITLE 10, SUBTITLES 1 AND 2 OF THE STATE GOVERNMENT ARTICLE**  
18 **(“ADMINISTRATIVE PROCEDURE ACT”) ARE NOT APPLICABLE TO THE BOARD.**

19           **(E) THE BOARD MAY REVIEW OR ADOPT POLICIES AND PROCEDURES OF**  
20 **THE UNIVERSITY WITH RESPECT TO:**

21           **(1) ACCREDITATION;**

22           **(2) PROGRAMS AND FUNCTIONS;**

23           **(3) ACTUAL AND POTENTIAL CAPABILITIES;**

24           **(4) ADMISSIONS;**

25           **(5) CURRICULA;**

26           **(6) GRADUATION;**

27           **(7) THE AWARDING OF DEGREES; AND**

28           **(8) GENERAL POLICYMAKING.**

29           **(F) THE BOARD MAY PREPARE AND SUBMIT ANNUAL BUDGETS AND SPEND**  
30 **FUNDS BUDGETED FOR NONSALARY ITEMS ON APPROPRIATE ACTIVITIES.**

1           **(G) SUBJECT TO ANY APPLICABLE STATE LAW, RULE, OR REGULATION, THE**  
2 **BOARD MAY CONTRACT WITH ANY PERSON TO RECEIVE OR PROVIDE SERVICES,**  
3 **RESEARCH, TRAINING, OR DEMONSTRATIONS.**

4           **(H) (1) (I) ON THE RECOMMENDATION OF THE PRESIDENT, AND IN**  
5 **ACCORDANCE WITH THE REQUIREMENTS OF TITLE 3 OF THE STATE PERSONNEL**  
6 **AND PENSIONS ARTICLE, THE BOARD SHALL ESTABLISH GENERAL STANDARDS AND**  
7 **GUIDELINES GOVERNING THE APPOINTMENT, COMPENSATION, ADVANCEMENT,**  
8 **TENURE, AND TERMINATION OF ALL FACULTY, EXECUTIVE STAFF, AND**  
9 **PROFESSIONAL ADMINISTRATIVE PERSONNEL IN THE UNIVERSITY.**

10                           **(II) SUBJECT TO SUCH STANDARDS AND GUIDELINES, AND IN**  
11 **ACCORDANCE WITH THE REQUIREMENTS OF TITLE 3 OF THE STATE PERSONNEL**  
12 **AND PENSIONS ARTICLE, THE PRESIDENT MAY:**

13                                   **1. ADOPT ADDITIONAL PERSONNEL POLICIES,**  
14 **INCLUDING CONSIDERATION OF HIRING A CONTRACTUAL EMPLOYEE TO FILL A**  
15 **VACANT POSITION IN THE SAME OR SIMILAR CLASSIFICATION IN WHICH THE**  
16 **CONTRACTUAL EMPLOYEE IS EMPLOYED; AND**

17                                   **2. APPROVE INDIVIDUAL PERSONNEL ACTIONS**  
18 **AFFECTING THE TERMS AND CONDITIONS OF ACADEMIC AND ADMINISTRATIVE**  
19 **APPOINTMENTS.**

20                           **(2) EXCEPT AS OTHERWISE PROVIDED BY LAW, APPOINTMENTS OF**  
21 **THE UNIVERSITY ARE NOT SUBJECT TO OR CONTROLLED BY THE PROVISIONS OF**  
22 **THE STATE PERSONNEL AND PENSIONS ARTICLE THAT GOVERN THE STATE**  
23 **PERSONNEL MANAGEMENT SYSTEM.**

24                           **(3) (I) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE**  
25 **BOARD MAY CREATE ANY POSITION TO THE EXTENT THAT THE COST OF THE**  
26 **POSITION, INCLUDING ANY FRINGE BENEFIT COSTS, IS FUNDED FROM EXISTING**  
27 **FUNDS.**

28                                   **(II) NOTHING IN THIS PARAGRAPH MAY BE CONSTRUED TO**  
29 **REQUIRE ANY ADDITIONAL STATE GENERAL FUND SUPPORT.**

30                                   **(III) ON OR BEFORE SEPTEMBER 1 EACH YEAR, THE BOARD**  
31 **SHALL SUBMIT AN ANNUAL POSITION ACCOUNTABILITY REPORT TO THE**  
32 **DEPARTMENT OF BUDGET AND MANAGEMENT, THE DEPARTMENT OF LEGISLATIVE**  
33 **SERVICES, AND THE COMMISSION REPORTING THE TOTAL POSITIONS CREATED AND**

1 THE COST AND THE FUNDING SOURCE FOR ANY POSITIONS CREATED BY THE  
2 UNIVERSITY IN THE IMMEDIATELY PRECEDING FISCAL YEAR.

3 (4) ON THE RECOMMENDATION OF THE PRESIDENT, THE BOARD  
4 SHALL DESIGNATE ONE OR MORE REPRESENTATIVES TO PARTICIPATE AS A PARTY  
5 IN COLLECTIVE BARGAINING ON BEHALF OF THE UNIVERSITY IN ACCORDANCE WITH  
6 TITLE 3 OF THE STATE PERSONNEL AND PENSIONS ARTICLE.

7 (I) IN ACCORDANCE WITH THE REQUIREMENTS OF TITLE 3 OF THE STATE  
8 PERSONNEL AND PENSIONS ARTICLE, THE BOARD SHALL ESTABLISH GENERAL  
9 POLICIES AND GUIDELINES GOVERNING THE APPOINTMENT, COMPENSATION,  
10 ADVANCEMENT, TENURE, AND TERMINATION OF ALL CLASSIFIED PERSONNEL.

11 (J) THE BOARD SHALL:

12 (1) FIX TUITION AND OTHER FEES PAID BY RESIDENT AND  
13 NONRESIDENT STUDENTS;

14 (2) EXCEPT FOR TUITION, USE THE RECEIPTS OF THE FEES FOR THE  
15 PURPOSE FOR WHICH THEY WERE COLLECTED WITHOUT FISCAL YEAR LIMITATION;

16 (3) BEFORE IMPLEMENTATION, REVIEW AND APPROVE EACH  
17 PROPOSAL FOR:

18 (I) ANY NEW PROGRAM; AND

19 (II) ANY SUBSTANTIAL EXPANSION, CURTAILMENT, OR  
20 DISCONTINUANCE OF ANY EXISTING PROGRAM; AND

21 (4) REVIEW, MODIFY AS IT DEEMS NECESSARY, AND APPROVE ANY  
22 OPERATING OR CAPITAL BUDGET REQUESTS.

23 (K) (1) THE BOARD SHALL APPOINT A PRESIDENT OF THE UNIVERSITY  
24 WHO SHALL BE THE CHIEF EXECUTIVE OFFICER OF THE UNIVERSITY AND THE  
25 CHIEF OF STAFF FOR THE BOARD.

26 (2) THE PRESIDENT SERVES AT THE PLEASURE OF THE BOARD.

27 (3) THE PRESIDENT SHALL:

28 (I) BE RESPONSIBLE AND ACCOUNTABLE TO THE BOARD FOR  
29 THE DISCIPLINE AND SUCCESSFUL CONDUCT OF THE UNIVERSITY AND  
30 SUPERVISION OF EACH OF ITS DEPARTMENTS; AND

- 1                   **(II) TAKE EVERY INITIATIVE IN:**
- 2                   1.     **IMPLEMENTING THE POLICIES OF THE BOARD; AND**
- 3                   2.     **PROMOTING THE UNIVERSITY'S DEVELOPMENT AND**  
4 **EFFICIENCY.**
- 5                   **(4) SUBJECT TO THE AUTHORITY AND APPLICABLE POLICIES OF THE**  
6 **BOARD, THE PRESIDENT SHALL:**
- 7                   **(I) DEVELOP A PLAN OF INSTITUTIONAL MISSION, GOALS, AND**  
8 **PRIORITIES;**
- 9                   **(II) HAVE THE AUTHORITY TO DEVELOP NEW ACADEMIC**  
10 **PROGRAMS AND CURTAIL OR ELIMINATE EXISTING PROGRAMS;**
- 11                  **(III) FORMULATE OPERATING AND CAPITAL BUDGET REQUESTS;**
- 12                  **(IV) APPOINT, PROMOTE, FIX SALARIES FOR, GRANT TENURE**  
13 **TO, ASSIGN DUTIES TO, AND TERMINATE PERSONNEL;**
- 14                  **(V) ESTABLISH ADMISSIONS STANDARDS;**
- 15                  **(VI) SET TUITION AND FEES;**
- 16                  **(VII) ADMINISTER FINANCIAL AID;**
- 17                  **(VIII) ENTER INTO CONTRACTS AND COOPERATIVE AGREEMENTS;**
- 18                  **(IX) HAVE THE AUTHORITY TO ACCEPT GIFTS AND GRANTS AND**  
19 **MAINTAIN AND MANAGE ENDOWMENT INCOME;**
- 20                  **(X) HAVE THE AUTHORITY TO RECOMMEND A CHANGE IN THE**  
21 **NAME OR STATUS OF THE INSTITUTION;**
- 22                  **(XI) REGULATE AND ADMINISTER ATHLETIC AND STUDENT**  
23 **ACTIVITIES;**
- 24                  **(XII) IN COMPLIANCE WITH STATE, FEDERAL, AND BOARD**  
25 **MANDATES AND POLICIES, OVERSEE AFFIRMATIVE ACTION AND EQUAL**  
26 **EMPLOYMENT OPPORTUNITIES;**

1                   **(XIII) ESTABLISH ORGANIZATIONS FOR THE ADMINISTRATION OF**  
2 **CAMPUS ALUMNI AFFAIRS;**

3                   **(XIV) ESTABLISH TRAFFIC REGULATIONS FOR THE CAMPUS; AND**

4                   **(XV) PERFORM ANY OTHER DUTIES ASSIGNED BY THE BOARD.**

5                   **(5) THE PRESIDENT MAY DELEGATE AUTHORITY TO APPOINT AND**  
6 **REMOVE PERSONNEL TO THE VICE PRESIDENTS AND PROGRAM DIRECTORS OF THE**  
7 **UNIVERSITY.**

8                   **(L) (1) THE BOARD MAY APPLY FOR, ACCEPT, AND SPEND ANY GIFT OR**  
9 **GRANT FROM THE FEDERAL GOVERNMENT, ANY FOUNDATION, OR ANY OTHER**  
10 **PERSON.**

11                   **(2) ANY GIFT OR GRANT THE BOARD ACCEPTS SHALL BE DEPOSITED**  
12 **WITH THE STATE TREASURER IN A NONBUDGETED ACCOUNT AND MAY BE INVESTED**  
13 **AS THE BOARD DIRECTS IN ACCORDANCE WITH LAW.**

14                   **(M) THE BOARD MAY PERFORM ANY OTHER DUTY NECESSARY TO CARRY**  
15 **OUT ITS POWERS.**

16                   **(N) (1) THE PRESIDENT SHALL DEVELOP AN OVERALL PLAN THAT IS**  
17 **CONSISTENT WITH THE STATEWIDE PLAN FOR HIGHER EDUCATION AND THE**  
18 **CHARTER THAT:**

19                   **(I) SETS FORTH BOTH LONG-RANGE AND SHORT-RANGE**  
20 **GOALS, OBJECTIVES, AND PRIORITIES FOR POSTSECONDARY EDUCATION,**  
21 **RESEARCH, AND SERVICE PROVIDED BY THE UNIVERSITY;**

22                   **(II) SUBJECT TO § 11-105 OF THIS ARTICLE, IDENTIFIES THE**  
23 **ROLE, FUNCTION, AND MISSION OF THE UNIVERSITY;**

24                   **(III) PROVIDES FOR THE ENHANCEMENT OF THE UNIVERSITY;**

25                   **(IV) ENCOURAGES AND SUPPORTS HIGH-QUALITY**  
26 **UNDERGRADUATE AND GRADUATE PROGRAMS ON ITS CAMPUSES; AND**

27                   **(V) STIMULATES OUTREACH TO THE COMMUNITY AND STATE**  
28 **THROUGH CLOSE RELATIONSHIPS WITH PUBLIC ELEMENTARY AND SECONDARY**  
29 **SCHOOLS, BUSINESS AND INDUSTRY, AND GOVERNMENT AGENCIES.**

1           **(2) THE BOARD SHALL REVIEW, MODIFY AS IT DEEMS NECESSARY,**  
2 **AND APPROVE THE PLAN.**

3           **(3) ON OR BEFORE JULY 1 EACH YEAR, THE BOARD SHALL SUBMIT TO**  
4 **THE COMMISSION, TO THE GOVERNOR, AND, SUBJECT TO § 2-1257 OF THE STATE**  
5 **GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY AN ANNUAL REVIEW OF THE**  
6 **PLAN.**

7           **(O) (1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, AND EXCEPT**  
8 **AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE UNIVERSITY SHALL USE**  
9 **THE STATEWIDE FINANCIAL MANAGEMENT INFORMATION SYSTEM ADMINISTERED**  
10 **BY THE DEPARTMENT OF BUDGET AND MANAGEMENT AS ITS ACCOUNTING,**  
11 **BUDGETING, PERSONNEL, AND PAYROLL SYSTEMS.**

12           **(2) THE UNIVERSITY MAY USE AN INTERNAL FINANCIAL**  
13 **MANAGEMENT INFORMATION SYSTEM SOFTWARE PROGRAM AND STATE-APPROVED**  
14 **INTERFACES FOR ITS ACCOUNTING, BUDGETING, PERSONNEL, AND PAYROLL**  
15 **SYSTEMS.**

16           **(P) THE LEGISLATIVE AUDITOR SHALL AUDIT ALL EXPENDITURES AND**  
17 **ACCOUNTS OF THE UNIVERSITY IN ACCORDANCE WITH §§ 2-1220 THROUGH 2-1227**  
18 **OF THE STATE GOVERNMENT ARTICLE.**

19           **(Q) (1) THE BOARD:**

20                   **(I) HAS THE POWER TO SUE OR BE SUED; AND**

21                   **(II) MAY CARRY COMPREHENSIVE LIABILITY INSURANCE TO**  
22 **PROTECT THE BOARD, ITS AGENTS, AND EMPLOYEES.**

23           **(2) THE DETERMINATION WHETHER TO PURCHASE INSURANCE, AND**  
24 **ITS SCOPE AND LIMITATIONS, SHALL BE WITHIN THE BOARD'S DISCRETION, TAKING**  
25 **INTO ACCOUNT COMMERCIAL AVAILABILITY AND AFFORDABILITY AND THE**  
26 **EXISTENCE AND EXTENT OF INSURANCE SECURED BY THE STATE TREASURER.**

27           **(3) (I) TITLE 12, SUBTITLE 1 OF THE STATE GOVERNMENT**  
28 **ARTICLE ("MARYLAND TORT CLAIMS ACT") APPLIES TO CLAIMS OR ACTIONS**  
29 **AGAINST THE UNIVERSITY, THE BOARD, AND EMPLOYEES OF THE UNIVERSITY.**

30                   **(II) SUBJECT TO ALL EXCLUSIONS AND LIMITATIONS IN THAT**  
31 **SUBTITLE, THE IMMUNITY OF THE UNIVERSITY IS WAIVED TO THE EXTENT OF ANY**  
32 **INSURANCE COVERAGE PURCHASED UNDER THIS SUBSECTION.**

1           **(4) THIS SUBSECTION MAY NOT BE CONSTRUED TO WAIVE OR**  
2 **ABROGATE SOVEREIGN IMMUNITY WITH RESPECT TO ANY CLAIM THAT IS NOT**  
3 **COVERED BY OR EXCEEDS THE LIMITS OF AN INSURANCE POLICY.**

4           **(5) THIS SUBSECTION MAY NOT BE CONSTRUED TO WAIVE OR**  
5 **ABROGATE THE IMMUNITY OF THE UNIVERSITY UNDER THE ELEVENTH**  
6 **AMENDMENT TO THE UNITED STATES CONSTITUTION.**

7           **(6) (I) SUBJECT TO THE APPROVAL OF THE BOARD OF PUBLIC**  
8 **WORKS, THE BOARD MAY ACQUIRE, LEASE, ENCUMBER, SELL, OR OTHERWISE**  
9 **DISPOSE OF REAL PROPERTY HELD BY THE STATE FOR THE USE OF THE**  
10 **UNIVERSITY.**

11           **(II) THE BOARD MAY ACQUIRE, LEASE, ENCUMBER, SELL, OR**  
12 **OTHERWISE DISPOSE OF PERSONAL PROPERTY.**

13           **(III) ALL PROPERTY OF THE UNIVERSITY IS THE PROPERTY OF**  
14 **THE STATE.**

15           **(R) (1) EXCEPT AS PROVIDED IN SUBSECTION (K)(1) OF THIS SECTION,**  
16 **THE BOARD MAY DELEGATE ANY PART OF ITS AUTHORITY OVER THE AFFAIRS OF**  
17 **THE UNIVERSITY TO THE PRESIDENT.**

18           **(2) THE BOARD MAY MODIFY OR RESCIND AT ANY TIME IN WHOLE OR**  
19 **IN PART ANY DELEGATION OF AUTHORITY GRANTED BY IT TO THE PRESIDENT.**

20 **14-706.**

21           **(A) IN THIS SECTION, “HIGH IMPACT ECONOMIC DEVELOPMENT ACTIVITY”**  
22 **MEANS AN INITIATIVE, TRANSACTION, OR OTHER UNDERTAKING BY THE**  
23 **UNIVERSITY TO CREATE OR FACILITATE:**

24           **(1) 20 OR MORE NEW JOBS IN THE STATE;**

25           **(2) THE AWARD OR COMPLETION OF AT LEAST \$1,000,000 IN**  
26 **EXTERNALLY FUNDED RESEARCH OR OTHER PROJECTS;**

27           **(3) THE ESTABLISHMENT OR RELOCATION OF ONE OR MORE NEW**  
28 **COMPANIES TO BE REGISTERED OR INCORPORATED IN THE STATE AND DOING**  
29 **BUSINESS IN THE STATE;**

30           **(4) THE PRODUCTION OF AT LEAST \$1,000,000 OF ANNUAL GROSS**  
31 **REVENUE;**

1           **(5) THE LICENSING AND POTENTIAL COMMERCIALIZATION OF A**  
2 **PROMISING NEW TECHNOLOGY OR OTHER PRODUCT; OR**

3           **(6) AN ACADEMIC PROGRAM TO MEET WORKFORCE DEMAND IN A**  
4 **DOCUMENTED LABOR SHORTAGE FIELD.**

5           **(B) TO PROMOTE THE ECONOMIC INTERESTS OF THE STATE AS MANDATED**  
6 **IN §§ 10–205(C) AND 15–107 OF THIS ARTICLE, THE UNIVERSITY SHALL UTILIZE ITS**  
7 **POWERS AS A PUBLIC CORPORATION TO UNDERTAKE HIGH IMPACT ECONOMIC**  
8 **DEVELOPMENT ACTIVITIES THAT SUPPORT:**

9                   **(1) JOB CREATION AND WORKFORCE DEVELOPMENT;**

10                   **(2) TECHNOLOGY TRANSFER, COMMERCIALIZATION, AND**  
11 **ENTREPRENEURSHIP; AND**

12                   **(3) INCREASED SPONSORED RESEARCH FUNDING AND OTHER**  
13 **REVENUES.**

14           **(C) IN ORDER FOR AN ACTIVITY TO QUALIFY AS A HIGH IMPACT ECONOMIC**  
15 **DEVELOPMENT ACTIVITY, THE PRESIDENT, OR THE PRESIDENT’S DESIGNEE, SHALL**  
16 **NOTIFY THE BOARD AND THE BOARD OF PUBLIC WORKS OF ANY ACTIVITY FOR**  
17 **REVIEW.**

18           **(D) (1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, FOR ANY**  
19 **HIGH IMPACT ECONOMIC DEVELOPMENT ACTIVITY WITHIN THE SCOPE OF § 5–310**  
20 **OR § 10–305 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, THE BOARD**  
21 **SHALL BE FULLY RESPONSIBLE FOR ADMINISTERING THE REVIEW AND COMMENT**  
22 **PROCESS PRESCRIBED IN THOSE SECTIONS.**

23                   **(2) IN ADMINISTERING THE REVIEW AND COMMENT PROCESS**  
24 **PRESCRIBED IN §§ 5–310 AND 10–305 OF THE STATE FINANCE AND PROCUREMENT**  
25 **ARTICLE, THE BOARD SHALL INCLUDE IN THAT PROCESS THE APPROPRIATE**  
26 **LEGISLATIVE COMMITTEES AND UNITS OF STATE GOVERNMENT, WHICH MAY**  
27 **INCLUDE:**

28                           **(I) COMMITTEES OF THE GENERAL ASSEMBLY;**

29                           **(II) THE BOARD OF PUBLIC WORKS;**

30                           **(III) THE MARYLAND HISTORICAL TRUST;**

1 (IV) THE DEPARTMENT OF PLANNING;

2 (V) THE DEPARTMENT OF THE ENVIRONMENT; AND

3 (VI) THE DEPARTMENT OF NATURAL RESOURCES.

4 (3) THE BOARD SHALL ADOPT POLICIES AND PROCEDURES TO  
5 ENSURE THAT THE NOTICE AND OPPORTUNITY FOR REVIEW ARE CONDUCTED IN A  
6 MANNER THAT PROVIDES A REASONABLE PERIOD TO COMPLETE WHILE NOT  
7 IMPAIRING THE INSTITUTION'S CAPACITY FOR THE EXPEDITIOUS AND SUCCESSFUL  
8 PURSUIT OF A HIGH IMPACT ECONOMIC DEVELOPMENT ACTIVITY.

9 (E) ON OR BEFORE OCTOBER 1 EACH YEAR, THE BOARD SHALL REPORT TO  
10 THE BOARD OF PUBLIC WORKS AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE  
11 GOVERNMENT ARTICLE, THE SENATE FINANCE COMMITTEE, THE HOUSE  
12 ECONOMIC MATTERS COMMITTEE, THE SENATE BUDGET AND TAXATION  
13 COMMITTEE, AND THE HOUSE APPROPRIATIONS COMMITTEE ON THE HIGH IMPACT  
14 ECONOMIC DEVELOPMENT ACTIVITIES UNDERTAKEN UNDER THIS SECTION DURING  
15 THE IMMEDIATELY PRECEDING FISCAL YEAR.

16 14-707.

17 (A) IN CONSULTATION WITH THE COMMISSION AND THE PRESIDENT, THE  
18 BOARD SHALL UNDERTAKE GOOD FAITH EFFORTS TO:

19 (1) ACHIEVE THE GOALS, MEASURES, AND COMMITMENTS  
20 CONTAINED IN ANY APPLICABLE EQUAL EDUCATIONAL OPPORTUNITY PLAN  
21 ADOPTED BY THE STATE;

22 (2) DEVOTE AMPLE RESOURCES TO ACHIEVING THE EQUAL  
23 EMPLOYMENT OPPORTUNITY GOALS AND OBJECTIVES; AND

24 (3) ENSURE THAT WOMEN AND MINORITIES ARE EQUITABLY  
25 REPRESENTED AMONG THE STUDENT BODY, FACULTY, STAFF, AND  
26 ADMINISTRATION OF THE UNIVERSITY, SO THAT THE UNIVERSITY REFLECTS THE  
27 DIVERSITY OF THE STATE'S POPULATION.

28 (B) IN CARRYING OUT ITS RESPONSIBILITIES UNDER THIS SECTION, THE  
29 BOARD MAY:

30 (1) DESIGNATE AN OFFICE TO COORDINATE AND MONITOR THE  
31 EQUITY ACTIVITIES AND PROGRAMS OF THE UNIVERSITY;

1           **(2) REQUIRE THE UNIVERSITY TO SUBMIT PLANS, REPORTS, AND**  
2 **DATA IN THE FORMAT THE BOARD PRESCRIBES; AND**

3           **(3) CONDUCT STUDIES OF THE EFFECTIVENESS OF INSTITUTIONAL**  
4 **EFFORTS AND METHODS.**

5 **14-708.**

6           **(A) IN THIS SECTION, “CANDIDATE”, “CONTRIBUTION”, AND “POLITICAL**  
7 **COMMITTEE” HAVE THE MEANINGS STATED IN § 1-101 OF THE ELECTION LAW**  
8 **ARTICLE.**

9           **(B) THE RESTRICTIONS IN THIS SECTION APPLY FROM THE DATE OF A**  
10 **MEMBER’S APPOINTMENT TO THE BOARD UNTIL THE END OF THE MEMBER’S**  
11 **TENURE ON THE BOARD.**

12           **(C) (1) A MEMBER OF THE BOARD MAY NOT, FOR THE BENEFIT OF THE**  
13 **GOVERNOR, THE LIEUTENANT GOVERNOR, THE ATTORNEY GENERAL, OR THE**  
14 **COMPTROLLER, A MEMBER OF THE GENERAL ASSEMBLY, OR A CANDIDATE FOR**  
15 **ELECTION TO THE OFFICE OF GOVERNOR, LIEUTENANT GOVERNOR, ATTORNEY**  
16 **GENERAL, COMPTROLLER, OR MEMBER OF THE GENERAL ASSEMBLY, ENGAGE IN**  
17 **THE FOLLOWING ACTIVITIES:**

18                   **(I) SOLICITING OR TRANSMITTING A POLITICAL**  
19 **CONTRIBUTION FROM ANY PERSON, INCLUDING A POLITICAL COMMITTEE;**

20                   **(II) SERVING ON A FUND-RAISING COMMITTEE OR A POLITICAL**  
21 **COMMITTEE;**

22                   **(III) ACTING AS A TREASURER FOR A CANDIDATE OR OFFICIAL**  
23 **OR AS TREASURER OR CHAIR OF A POLITICAL COMMITTEE;**

24                   **(IV) ORGANIZING OR ESTABLISHING A POLITICAL COMMITTEE**  
25 **FOR THE PURPOSE OF SOLICITING OR TRANSMITTING CONTRIBUTIONS FROM ANY**  
26 **PERSON; OR**

27                   **(V) FORWARDING TICKETS FOR FUND-RAISING ACTIVITIES, OR**  
28 **OTHER SOLICITATIONS FOR POLITICAL CONTRIBUTIONS, TO A POTENTIAL**  
29 **CONTRIBUTOR.**

30           **(2) THIS SECTION DOES NOT PROHIBIT A MEMBER OF THE BOARD**  
31 **FROM:**

1           **(I) MAKING A PERSONAL POLITICAL CONTRIBUTION;**

2           **(II) INFORMING ANY ENTITY OF A POSITION TAKEN BY A**  
3 **CANDIDATE OR OFFICIAL; OR**

4           **(III) ENGAGING IN OTHER ACTIVITIES NOT SPECIFICALLY**  
5 **PROHIBITED UNDER PARAGRAPH (1) OF THIS SUBSECTION.**

6           **(3) A MEMBER OF THE BOARD MAY NOT BE A CANDIDATE FOR A**  
7 **PUBLIC OFFICE WHILE SERVING ON THE BOARD.**

8 **14-709.**

9           **(A) IN THIS SECTION, “COLLEGIATE RECOVERY PROGRAM” MEANS A**  
10 **PROGRAM THAT PROVIDES SUPPORT AND SERVICES FOR STUDENTS RECOVERING**  
11 **FROM ALCOHOL OR DRUG ADDICTION WHO ARE ENROLLED AT THE UNIVERSITY.**

12           **(B) ON THE RECOMMENDATION OF THE PRESIDENT, THE BOARD SHALL**  
13 **ESTABLISH GENERAL STANDARDS AND GUIDELINES FOR A COLLEGIATE RECOVERY**  
14 **PROGRAM TO BE IMPLEMENTED AT THE UNIVERSITY.**

15           **(C) THE PRESIDENT, IN COLLABORATION WITH FACULTY, STAFF, AND**  
16 **STUDENTS ENROLLED AT THE INSTITUTION, SHALL DEVELOP AND IMPLEMENT A**  
17 **COLLEGIATE RECOVERY PROGRAM TAILORED FOR THE UNIVERSITY THAT:**

18           **(1) SATISFIES THE STANDARDS AND GUIDELINES ESTABLISHED BY**  
19 **THE BOARD UNDER SUBSECTION (B) OF THIS SECTION; AND**

20           **(2) ADDRESSES THE NEEDS OF STUDENTS AT THE UNIVERSITY WHO**  
21 **ARE RECOVERING FROM ALCOHOL OR DRUG ADDICTION.**

22 **14-710.**

23           **(A) THERE IS A UNIVERSITY OF MARYLAND EASTERN SHORE POLICE**  
24 **FORCE.**

25           **(B) (1) A UNIVERSITY POLICE OFFICER HAS THE POWERS GRANTED TO A**  
26 **PEACE AND POLICE OFFICER.**

27           **(2) A UNIVERSITY POLICE OFFICER MAY EXERCISE THESE POWERS**  
28 **ONLY ON PROPERTY THAT IS OWNED, LEASED, OPERATED BY, OR UNDER THE**  
29 **CONTROL OF THE UNIVERSITY.**

1           **(3) A UNIVERSITY POLICE OFFICER MAY NOT EXERCISE THESE**  
2 **POWERS ON ANY OTHER PROPERTY UNLESS:**

3           **(I) ENGAGED IN FRESH PURSUIT OF A SUSPECTED OFFENDER;**

4           **(II) NECESSARY TO FACILITATE THE ORDERLY FLOW OF**  
5 **TRAFFIC TO AND FROM PROPERTY OWNED, LEASED, OPERATED BY, OR UNDER THE**  
6 **CONTROL OF THE UNIVERSITY; OR**

7           **(III) ORDERED TO DO SO BY THE GOVERNOR.**

8           **(C) (1) IN CONSULTATION WITH THE SECRETARY OF STATE POLICE AND**  
9 **THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION, THE BOARD**  
10 **SHALL ADOPT STANDARDS, QUALIFICATIONS, AND PREREQUISITES OF CHARACTER,**  
11 **TRAINING, EDUCATION, HUMAN AND PUBLIC RELATIONS, AND EXPERIENCE FOR THE**  
12 **UNIVERSITY POLICE OFFICERS, INCLUDING STANDARDS FOR THE PERFORMANCE**  
13 **OF THEIR DUTIES.**

14           **(2) TO THE EXTENT PRACTICABLE, THE BOARD SHALL ADOPT**  
15 **STANDARDS THAT ARE SIMILAR TO THE STANDARDS ADOPTED FOR THE**  
16 **DEPARTMENT OF STATE POLICE.**

17           **(3) STANDARDS ADOPTED ON OR AFTER JULY 1, 2021, ON MINIMUM**  
18 **HIRING QUALIFICATIONS OF THE UNIVERSITY POLICE OFFICERS MAY NOT AFFECT**  
19 **THE STATUS OF ANY INDIVIDUAL WHO WAS A QUALIFIED UNIVERSITY POLICE**  
20 **OFFICER ON THAT DATE.**

21           **(D) THE BOARD SHALL ADOPT RULES AND REGULATIONS GOVERNING THE**  
22 **OPERATION AND CONDUCT OF THE UNIVERSITY OF MARYLAND EASTERN SHORE**  
23 **POLICE FORCE AND OF UNIVERSITY POLICE OFFICERS.**

24 **14-711.**

25           **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**  
26 **INDICATED.**

27           **(2) “COMPUTER-BASED INSTRUCTIONAL TECHNOLOGY” HAS THE**  
28 **MEANING STATED IN § 12-101 OF THIS ARTICLE.**

29           **(3) “TECHNOLOGY” HAS THE MEANING STATED IN § 12-101 OF THIS**  
30 **ARTICLE.**

1           **(B) (1) EXCEPT AS PROVIDED IN § 11-203(E) OF THE STATE FINANCE**  
2 **AND PROCUREMENT ARTICLE, THE UNIVERSITY IS EXEMPT FROM DIVISION II OF**  
3 **THE STATE FINANCE AND PROCUREMENT ARTICLE.**

4           **(2) (I) SUBJECT TO REVIEW AND APPROVAL BY THE BOARD OF**  
5 **PUBLIC WORKS AND THE ADMINISTRATIVE, EXECUTIVE, AND LEGISLATIVE**  
6 **REVIEW COMMITTEE OF THE GENERAL ASSEMBLY, THE BOARD SHALL DEVELOP**  
7 **POLICIES AND PROCEDURES GOVERNING PROCUREMENTS BY THE UNIVERSITY.**

8           **(II) THE POLICIES AND PROCEDURES DEVELOPED UNDER**  
9 **SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL PROMOTE THE PURPOSES OF THE**  
10 **STATE PROCUREMENT LAW AS SET FORTH IN § 11-201 OF THE STATE FINANCE AND**  
11 **PROCUREMENT ARTICLE.**

12           **(C) THE BOARD SHALL DEVELOP AN INFORMATION TECHNOLOGY PLAN FOR**  
13 **THE UNIVERSITY THAT INCLUDES INFORMATION TECHNOLOGY POLICIES AND**  
14 **STANDARDS, INCLUDING POLICIES AND STANDARDS FOR INFORMATION**  
15 **MANAGEMENT AND TELECOMMUNICATION SYSTEMS, THAT ARE FUNCTIONALLY**  
16 **COMPATIBLE WITH THE STATE INFORMATION TECHNOLOGY PLAN ESTABLISHED**  
17 **UNDER TITLE 3, SUBTITLE 4 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

18           **(D) ON OR BEFORE JANUARY 1, 2021, THE BOARD SHALL DEVELOP A**  
19 **NONVISUAL ACCESS CLAUSE FOR USE IN THE PROCUREMENT OF COMPUTER-BASED**  
20 **INSTRUCTIONAL TECHNOLOGY.**

21           **(E) THE NONVISUAL ACCESS CLAUSE DEVELOPED UNDER SUBSECTION (D)**  
22 **OF THIS SECTION SHALL BE CONSISTENT WITH THE STANDARDS DEVELOPED BY THE**  
23 **DEPARTMENT OF BUDGET AND MANAGEMENT IN ACCORDANCE WITH THE**  
24 **PROVISIONS OF § 3-412 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

25 **14-712.**

26           **(A) CONSISTENT WITH § 15-107 OF THIS ARTICLE AND ANY OTHER**  
27 **APPLICABLE LAW, THE BOARD MAY ESTABLISH, INVEST IN, FINANCE, AND OPERATE**  
28 **BUSINESSES OR BUSINESS ENTITIES WHEN THE BOARD FINDS THAT DOING SO**  
29 **WOULD FURTHER ONE OR MORE GOALS OF THE UNIVERSITY AND IS RELATED TO**  
30 **THE MISSION OF THE UNIVERSITY.**

31           **(B) (1) A BUSINESS ENTITY ESTABLISHED, INVESTED IN, FINANCED, OR**  
32 **OPERATED IN ACCORDANCE WITH THIS SECTION MAY NOT BE CONSIDERED AN**  
33 **AGENCY OR INSTRUMENTALITY OF THE STATE OR A UNIT OF THE EXECUTIVE**  
34 **BRANCH FOR ANY PURPOSE.**

1           **(2) A FINANCIAL OBLIGATION OR LIABILITY OF A BUSINESS ENTITY**  
2 **ESTABLISHED, INVESTED IN, FINANCED, OR OPERATED IN ACCORDANCE WITH THIS**  
3 **SECTION MAY NOT BE A DEBT OR OBLIGATION OF THE STATE OR THE UNIVERSITY.**

4           **(C) (1) SUBJECT TO THE REQUIREMENTS OF THIS SECTION, THE**  
5 **UNIVERSITY MAY ESTABLISH, INVEST IN, FINANCE, OR OPERATE A CORPORATION,**  
6 **FOUNDATION, CONSORTIUM, OR OTHER ENTITY THAT IS INTENDED TO SUPPORT A**  
7 **HIGH IMPACT ECONOMIC DEVELOPMENT ACTIVITY, AS DEFINED IN § 14-706 OF THIS**  
8 **SUBTITLE.**

9           **(2) NOTWITHSTANDING THE PROVISIONS OF §§ 5-501 THROUGH**  
10 **5-504 OF THE GENERAL PROVISIONS ARTICLE AND SUBJECT TO § 5-525 OF THE**  
11 **GENERAL PROVISIONS ARTICLE, AN OFFICIAL OR EMPLOYEE OF A PUBLIC**  
12 **INSTITUTION OF HIGHER EDUCATION MAY BE A DIRECTOR, OFFICIAL, OR EMPLOYEE**  
13 **OF AN ENTITY INTENDED TO SUPPORT A HIGH IMPACT ECONOMIC DEVELOPMENT**  
14 **ACTIVITY, IF THE INDIVIDUAL'S PARTICIPATION ADVANCES THE INTERESTS OF THE**  
15 **UNIVERSITY.**

16           **(3) DIVISION II OF THE STATE FINANCE AND PROCUREMENT**  
17 **ARTICLE DOES NOT APPLY TO TRANSACTIONS BETWEEN AN ENTITY ESTABLISHED,**  
18 **FINANCED, OR OPERATED UNDER THIS SUBSECTION AND THE UNIVERSITY THAT**  
19 **ESTABLISHED, FINANCED, OR OPERATED THE ENTITY.**

20           **(4) (I) THE BOARD SHALL ADOPT POLICIES AND PROCEDURES**  
21 **GOVERNING THE ESTABLISHMENT OF HIGH IMPACT ECONOMIC DEVELOPMENT**  
22 **ENTITIES TO ENSURE THAT THE UNIVERSITY'S PARTICIPATION IN THE ENTITY**  
23 **FURTHERS THE INTERESTS OF THE UNIVERSITY AND THE STATE.**

24           **(II) THE POLICIES AND PROCEDURES UNDER SUBPARAGRAPH**  
25 **(I) OF THIS PARAGRAPH SHALL INCLUDE REQUIREMENTS FOR:**

26                   **1. RECOGNITION OF THE ENTITY BY THE BOARD;**

27                   **2. AN ANNUAL AUDIT OF THE ENTITY BY AN**  
28 **INDEPENDENT CERTIFIED PUBLIC ACCOUNTANT; AND**

29                   **3. ADEQUATE SAFEGUARDS WITH REGARD TO**  
30 **CONFLICTS OF INTEREST, PROPER CONTRACTING PRACTICES, AND OTHER**  
31 **FUNDAMENTAL ETHICAL AND BUSINESS PRACTICE STANDARDS.**

32           **(D) THE BOARD SHALL SUBMIT TO THE GOVERNOR AND, IN ACCORDANCE**  
33 **WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY**  
34 **AN ANNUAL REPORT ON:**

1           **(1) THE BUSINESS ENTITIES ESTABLISHED IN ACCORDANCE WITH**  
2 **THIS SECTION;**

3           **(2) FUNDS INVESTED IN, AND FINANCING PROVIDED TO, BUSINESS**  
4 **ENTITIES ESTABLISHED IN ACCORDANCE WITH THIS SECTION;**

5           **(3) OWNERSHIP INTERESTS IN ANY BUSINESS ENTITIES**  
6 **ESTABLISHED IN ACCORDANCE WITH THIS SECTION; AND**

7           **(4) THE CURRENT STATUS OF THE BUSINESS ENTITIES.**

8 **14-713.**

9           **THE INTEREST OR OTHER INCOME FROM THE INVESTMENT OF ANY FUNDS OF**  
10 **THE UNIVERSITY SHALL BE CREDITED TO THE UNIVERSITY, PROVIDED THAT ANY**  
11 **INTEREST ESTIMATED TO BE EARNED ON THE STATE APPROPRIATION MUST BE**  
12 **OFFSET BY AN EQUIVALENT REDUCTION IN STATE GENERAL FUND SUPPORT.**

13           SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the initial  
14 nonstudent members of the Board of Regents of Bowie State University shall expire as  
15 follows:

16           (1) Four members in 2022;

17           (2) Four members in 2023;

18           (3) Three members in 2024; and

19           (4) Two members in 2025.

20           SECTION 3. AND BE IT FURTHER ENACTED, That the terms of the initial  
21 nonstudent members of the Board of Regents of Coppin State University shall expire as  
22 follows:

23           (1) Four members in 2022;

24           (2) Four members in 2023;

25           (3) Three members in 2024; and

26           (4) Two members in 2025.

27           SECTION 4. AND BE IT FURTHER ENACTED, That the terms of the initial  
28 nonstudent members of the Board of Regents of the University of Maryland Eastern Shore  
29 shall expire as follows:

- 1           (1)    Four members in 2022;
- 2           (2)    Four members in 2023;
- 3           (3)    Three members in 2024; and
- 4           (4)    Two members in 2025.

5           SECTION 5. AND BE IT FURTHER ENACTED, That, on or before September 1,  
6 2021, the University System of Maryland shall transfer the use of or other legal interest in  
7 real or personal property occupied or used by Bowie State University, Coppin State  
8 University, or University of Maryland Eastern Shore to Bowie State University, Coppin  
9 State University, or University of Maryland Eastern Shore, as appropriate.

10          SECTION 6. AND BE IT FURTHER ENACTED, That:

11          (a)    (1)    All appropriations, including State and federal funds, held by the  
12 agencies and units of the State to carry out the functions, programs, and services  
13 transferred under this Act shall be transferred to Bowie State University, Coppin State  
14 University, and University of Maryland Eastern Shore, as appropriate, on July 1, 2021.

15          (2)    Funding for the services and programs of Bowie State University,  
16 Coppin State University, and University of Maryland Eastern Shore, as appropriate, shall  
17 be provided for in the fiscal 2023 State budget.

18          (b)    On July 1, 2021, all of the functions, powers, duties, books, records (including  
19 electronic records), real and personal property, equipment, fixtures, assets, liabilities,  
20 obligations, credits, rights, and privileges of the agencies, units, and entities that are  
21 transferred under this Act shall be transferred to Bowie State University, Coppin State  
22 University, and University of Maryland Eastern Shore, as appropriate.

23          SECTION 7. AND BE IT FURTHER ENACTED, That all employees who are  
24 transferred to Bowie State University, Coppin State University, and University of  
25 Maryland Eastern Shore, as appropriate, as a result of this Act shall be transferred without  
26 diminution of their rights, benefits, employment, or retirement status.

27          SECTION 8. AND BE IT FURTHER ENACTED, That, except as expressly provided  
28 to the contrary in this Act, any transaction affected by or flowing from any statute added,  
29 amended, repealed, or transferred under this Act and validly entered into before the  
30 effective date of this Act, and every right, duty, or interest flowing from it remains valid  
31 after the effective date of this Act and may be terminated, completed, consummated, or  
32 enforced under the law.

33          SECTION 9. AND BE IT FURTHER ENACTED, That, except as otherwise provided  
34 by law, all existing laws, regulations, proposed regulations, standards and guidelines,  
35 policies, orders and other directives, forms, plans, memberships, contracts, property,

1 investigations, administrative and judicial responsibilities, rights to sue and be sued, and  
2 all other duties and responsibilities associated with the functions of the agencies and units  
3 that are the subject of this Act prior to the effective date of this Act shall continue under  
4 and, as appropriate, are legal and binding on the agencies and units that are subject to the  
5 this Act until completed, withdrawn, canceled, modified, or otherwise changed under the  
6 law.

7 SECTION 10. AND BE IT FURTHER ENACTED, That any person licensed,  
8 registered, permitted, or certified under any department, agency, office, or unit transferred  
9 by the Act is considered for all purposes to be licensed, registered, permitted, or certified  
10 for the duration of the term for which the license, registration, permit, or certification was  
11 issued, and may renew that authorization in accordance with the appropriate renewal  
12 provisions provided under this Act. Any person that was originally licensed, registered,  
13 permitted, or certified under a provision of law that has been repealed by this Act as  
14 obsolete or inconsistent continues to meet the requirements of the license, registration,  
15 permit, or certification to the same extent as though that provision had not been repealed.

16 SECTION 11. AND BE IT FURTHER ENACTED, That the publisher of the  
17 Annotated Code of Maryland, in consultation with and subject to the approval of the  
18 Department of Legislative Services, shall correct, with no further action required by the  
19 General Assembly, cross-references and terminology rendered incorrect by this Act or by  
20 any other Act of the General Assembly of 2021 that affects provisions enacted by this Act.  
21 The publisher shall adequately describe any correction that is made in an editor's note  
22 following the section affected.

23 SECTION 12. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 July 1, 2021.