

## 2012 Kansas Statutes

**76-3a16. Board of trustees of university of Wichita; members, appointment, terms, vacancies; rights, powers, duties, authority and jurisdiction.** The board of regents of any municipal university heretofore created which has conveyed all its campus property as defined in K.S.A. 76-3a01 to 76-3a15, inclusive, and amendments thereto to the state of Kansas, on and after July 1, 1964, shall be known as the board of trustees of the university, having nine members who shall be residents of the state of Kansas and all of whom shall be appointed by the governor. Members shall be appointed for terms of three years and until their successors have been appointed. Members shall be appointed to fill vacancies caused by death or resignation and shall hold office for the remainder of the unexpired terms.

The board of trustees shall continue to have all the rights, powers and authority of a municipal university as set forth in K.S.A. 13-13a03*et seq.*, and amendments thereto with respect to endowment property as defined in K.S.A. 76-3a01 to 76-3a15, inclusive, and amendments thereto and shall be deemed to be the same legal entity as the predecessor board of regents of such municipal university, and to have succeeded, by operation of law, to the ownership of all endowment property of such university as defined in K.S.A. 76-3a01 to 76-3a15, inclusive, and amendments thereto. The board of trustees shall have the continuing right, power and authority to have a seal, to sue and be sued, to continue to use all properties of such university not defined as campus property in K.S.A. 76-3a01 to 76-3a15, inclusive, and amendments thereto; and to hold, manage, lease, sell and receive properties, real and personal, for the endowment of the university, including receipt of such sums from any municipal governing body pursuant to K.S.A. 76-3a01 to 76-3a15, inclusive, and amendments thereto.

The essential purpose of the board of trustees shall be that of supporting the educational undertakings of the university and to that end to receive and hold in trust any property, real and personal, given, devised, bequeathed, given in trust or in any other way made over to the board of trustees for the use or benefit of the university, or of any student or professor therein as such, or of any department thereof, or for the carrying on at the institution of any line of work, teaching or investigation, which the donor, grantor or testator may designate; to invest or disburse all moneys so received, and generally to care for, manage, administer and control all such property so received, and to carry out the wishes and to see that the funds and property so received are applied to the uses specified by the donors, or, in case the gift, devise or bequest is a general one, then to such uses as may be agreed on by the board of trustees. The board of trustees shall not have the power or authority to disburse funds under its control for any expense of the university or for any item of campus property of the university, as campus property is defined in subsection (c) of K.S.A. 76-3a01 and amendments thereto unless such disbursements shall have first been approved by the state board of regents.

The board of trustees shall have the authority, on behalf of and with the consent of the state board of regents, to enter into leases of campus property, as defined in subsection (c) of K.S.A. 76-3a01 and amendments thereto, as lessor or lessee, in conjunction with the issuance of revenue bonds by a public building commission pursuant to K.S.A. 12-1757 *et seq.*, and amendments thereto.

The board of trustees shall carry out any existing arrangement or commitment whereby revenues of any property owned by the board of trustees are pledged to the payment of revenue bonds of the university. Whenever the state board of regents shall in its sole discretion deem it necessary, the state board of regents may take over full operational control and management of any endowment property, the revenues of which have been so pledged. Thereafter the operational control and management of such endowment property may be retained by the state board of regents until such revenue bonds have been retired.

**History:** L. 1963, ch. 438, § 1; L. 1983, ch. 304, § 3; July 1.