

**74-3263. Same; administration by board of regents; powers and duties.** (a) The state board of regents shall administer the provisions of this act and is hereby authorized and directed to assume custody and control of student records, files and data of (1) all students of a defunct institution of postsecondary education upon its written request or upon the written request of a successor institution; or (2) any student of a defunct institution of postsecondary education upon the student's written request. If a student of a defunct institution of postsecondary education requests the state board of regents to assume custody and control of the student's records and such records are in the custody and control of a successor institution, the state board of regents shall request the successor institution to surrender such records to the custody and control of the state board of regents. Upon failure, within a reasonable period of time, of the successor institution to surrender the student records, the state board of regents shall request the attorney general to bring an action against the successor institution in the district court in Shawnee county or in the judicial district in which the successor institution is located. Such action shall be brought for the production of the student's records, files and data and the delivery thereof to the custody and control of the state board of regents.

(b) Upon assuming custody and control of any student records, files and data, the state board of regents shall designate one or more persons to be the custodian thereof. Said custodian is hereby authorized to act as the registrar with regard to such records, files and data and shall assume and be the successor in every way to the powers, duties, functions and obligations of the registrar of the defunct institution. Every act performed in the exercise of such powers, duties and functions by or under the authority of said custodian shall be deemed to have the same force and effect as if performed by the registrar of the defunct institution in whom such powers, duties and functions were vested prior to the time such institution became a defunct institution.

**History:** L. 1980, ch. 230, § 2; July 1.