

# HOUSE BILL No. 5914

April 16, 2002, Introduced by Reps. Mortimer and Ehardt and referred to the Committee on Employment Relations, Training and Safety.

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending sections 105, 123, 124, and 143 (MCL 389.105, 389.123, 389.124, and 389.143), section 123 as amended by 1980 PA 5 and section 124 as amended by 1997 PA 135.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 105. (1) A community college means an educational  
2 institution providing, primarily for all persons above the  
3 twelfth grade age level and primarily for those within commuting  
4 distance, collegiate and noncollegiate level education including  
5 area vocational-technical education programs ~~which~~ THAT may  
6 result in the granting of diplomas and certificates including  
7 those known as associate degrees but not including baccalaureate  
8 or higher degrees.

1           (2) ~~An area~~ "AREA vocational-education program" means a  
2 program of organized systematic instruction designed to prepare  
3 the following individuals for useful employment in recognized  
4 occupations:

5           (a) Persons who have completed or left high school and who  
6 are available for full-time study in preparation for entering the  
7 labor market.

8           (b) Persons who have already entered the labor market and  
9 who need training to achieve stability or advancement in  
10 employment.

11           (c) Persons enrolled in high school.

12           (3) When programs or courses are provided for persons  
13 enrolled in high school, the provision of the programs or courses  
14 shall be requested for each of the individuals by the superinten-  
15 dent or his designated representative of the school district in  
16 which the person is enrolled.

17           (4) The word "area", in the phrase "area  
18 vocational-technical education program", refers to the geograph-  
19 ical territory of the district, and whatever territory ~~without~~  
20 OUTSIDE OF the district ~~as~~ THAT is designated as the service  
21 area of the district by the ~~state board of education~~ DEPARTMENT  
22 OF CAREER DEVELOPMENT. A community college is eligible to  
23 receive ~~such~~ THE state aid and assistance ~~as may be~~ appropri-  
24 ated by the legislature for the aid and support of junior col-  
25 leges or community colleges.

26           Sec. 123. The board of trustees may DO ALL OF THE  
27 FOLLOWING:

1 (a) Have the care and custody of the community college  
2 property and provide suitable facilities, sanitary conditions,  
3 and medical inspection for the community college of the  
4 district.

5 (b) Establish and collect tuition and fees for resident and  
6 nonresident students. A waiver of tuition shall not be granted  
7 by the board, except IN THE FOLLOWING CIRCUMSTANCES:

8 (i) ~~The board of trustees may waive tuition for~~ FOR a stu-  
9 dent participating in a reciprocal agreement for exchange of edu-  
10 cational services, if the agreement is approved by the ~~state~~  
11 ~~board of education~~ DEPARTMENT OF CAREER DEVELOPMENT.

12 (ii) ~~The board of trustees may waive tuition for~~ FOR a  
13 student who meets the admission requirements of the board and is  
14 60 years of age or older.

15 (c) Establish and maintain or continue a library or museum,  
16 which may be separately operated if desired, for the community  
17 college, if the board of trustees considers it advisable to  
18 establish and maintain or continue a library or museum and to  
19 provide for its care and management.

20 Sec. 124. The board of trustees may do all of the  
21 following:

22 (a) Contract with, appoint, and employ a suitable person as  
23 chief executive officer of the community college. The person  
24 employed as chief executive officer shall not be a member of the  
25 board of trustees and shall possess at least an earned bachelor's  
26 degree from an accredited college or university. The chief  
27 executive officer shall hold office for a term fixed by the board

1 of trustees, not to exceed 5 years, shall perform duties as the  
2 board of trustees may determine, and shall make reports in writ-  
3 ing to the board of trustees and to the department of ~~education~~  
4 CAREER DEVELOPMENT annually, or more often if required, in regard  
5 to all matters pertaining to the educational interests of the  
6 community college district.

7 (b) Delegate to the chief executive officer of the community  
8 college the board's authority to do any of the following:

9 (i) Select and employ personnel of the community college.

10 (ii) Pay claims and demands against the community college.

11 (iii) Purchase, lease, or otherwise acquire personal prop-  
12 erty for the community college.

13 (iv) Invest community college funds.

14 (v) Subject to terms and conditions established by the board  
15 of directors, accept contributions, capital grants, gifts, dona-  
16 tions, services, or other financial assistance from any public or  
17 private entity.

18 (c) Appoint and employ a business manager responsible to the  
19 chief executive officer of the community college for the commu-  
20 nity college district and fix his or her term of office.

21 (d) Select and employ other administrative officers, teach-  
22 ers, and other employees and engage services as necessary to  
23 effectuate its purposes.

24 Sec. 143. The board of trustees shall provide for a system  
25 of accounting meeting the approval of the ~~state board of~~  
26 ~~education~~ DEPARTMENT OF CAREER DEVELOPMENT. All accounts shall  
27 be audited once each year by a certified public accountant and a

1 summary of the audit shall be published in a newspaper of general  
2 circulation in the community college district. The fiscal and  
3 accounting year shall commence with July 1 in each year. Copies  
4 of the reports of audits shall be filed as required by the ~~state~~  
5 ~~board of education~~ DEPARTMENT OF CAREER DEVELOPMENT and shall be  
6 available at all reasonable times for public inspection, as a  
7 condition of receiving any state aid for the subsequent fiscal  
8 year.