

HOUSE BILL No. 6016

April 27, 2006, Introduced by Reps. Palmer, Taub, Elsenheimer, Hoogendyk, Hummel, Walker, Sheltroun, Emmons, Casperson and Marleau and referred to the Committee on Higher Education and Career Preparation.

A bill to amend 1964 PA 142, entitled

"An act to authorize the state department of education to provide minimum requirements for nonincorporated privately operated institutions which purport to offer degrees, diplomas or certificates based on education beyond high school, or education for transfer to institutions of higher learning,"

by amending the title and sections 1 and 2 (MCL 390.771 and 390.772).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 TITLE

2 An act to authorize the state department of education to
3 provide minimum requirements for ~~nonincorporated privately~~
4 ~~operated institutions which purport to~~ **UNINCORPORATED PRIVATE**
5 **EDUCATIONAL INSTITUTIONS THAT** offer degrees, diplomas, or
6 certificates based on education beyond high school ~~—~~ or **OFFER**
7 education for transfer to **OTHER** institutions of higher ~~learning~~

1 **EDUCATION.**

2 Sec. 1. (1) The state department of education may approve or
3 disapprove **ANY POSTSECONDARY** educational ~~programs, which are post~~
4 ~~high school in nature~~ **PROGRAM OPERATED BY AN UNINCORPORATED**
5 **PRIVATE INSTITUTION AND** designed for transfer of credit ~~—, which~~
6 ~~purport~~ **OR** to lead to ~~diplomas, certificates or degrees, in terms~~
7 ~~of~~ **A DIPLOMA, CERTIFICATE, OR DEGREE, BASED ON** minimum standards
8 which the department may establish with regard to **ALL OF THE**
9 **FOLLOWING:**

10 (a) ~~housing~~ **HOUSING** space and administrative facilities. ~~—~~

11 (b) ~~educational~~ **EDUCATIONAL** programs leading to ~~such~~
12 diplomas, certificates, or degrees. ~~—~~

13 (c) ~~laboratory~~ **LABORATORY**, library, and teaching facilities.
14 ~~—and~~

15 (d) ~~instructional~~ **INSTRUCTIONAL** staff. ~~—, for any privately~~
16 ~~operated institution not incorporated under the provisions of Act~~
17 ~~No. 327 of the Public Acts of 1931, as amended, being sections~~
18 ~~450.1 to 450.192 of the Compiled Laws of 1948, when such an~~
19 ~~institution is operated by a person, group of persons, partnership,~~
20 ~~partnership association, limited partnership association, or any~~
21 ~~other form of association.~~

22 (2) The department may establish minimum general requirements
23 for any degree, diploma, or certificate to be offered by ~~such~~ an
24 **UNINCORPORATED PRIVATE** institution. ~~Nonincorporated, privately~~
25 ~~operated institutions~~

26 (3) **AN UNINCORPORATED PRIVATE INSTITUTION** organized to offer
27 post high school programs for students who will transfer to **OTHER**

institutions of higher ~~learning shall be within~~ **EDUCATION ARE**
SUBJECT TO the jurisdiction of the department of education for
 purposes of this act. ~~Schools~~

(4) A **SCHOOL** licensed by ~~other agencies, boards or~~
~~commissions, which review~~ **ANOTHER AGENCY, BOARD, OR COMMISSION**
THAT REVIEWS the curriculum prior to the issuance or renewal of a
 license ~~—, shall be~~ **IS** exempt from the provisions of this act.

(5) **AS USED IN THIS ACT, "UNINCORPORATED PRIVATE INSTITUTION"**
MEANS A PRIVATELY OPERATED EDUCATIONAL INSTITUTION OPERATED BY AN
INDIVIDUAL OR GROUP OF INDIVIDUALS, LIMITED LIABILITY COMPANY,
PARTNERSHIP, OR OTHER FORM OF ASSOCIATION. THE TERM DOES NOT
INCLUDE AN EDUCATIONAL INSTITUTION FORMED UNDER OR SUBJECT TO 1931
PA 327, MCL 450.98 TO 450.192, INCLUDING, BUT NOT LIMITED TO, AN
EDUCATIONAL INSTITUTION OR PROGRAM CLASSIFIED AS A CLASS Z
EDUCATIONAL CORPORATION UNDER SECTION 171(1) OF 1931 PA 327, MCL
450.171.

Sec. 2. (1) If ~~such an educational~~ **AN UNINCORPORATED PRIVATE**
 institution fails to meet minimum standards ~~specified~~ **ESTABLISHED**
 by the state department of education **UNDER SECTION 1**, the
 department may enjoin the institution to meet the requirements
 within a specified period of time. If the institution fails to do
 so, the department may take ~~such~~ **ANY** legal action as it ~~deems~~
CONSIDERS necessary to cause the owners or administrators of the
 institution to refrain from offering any part or all of ~~such~~ **THE**
 educational programs ~~which~~ **THAT** the department ~~shall have~~ **HAS**
 found to be inadequate.

(2) It is the intent of this act that ~~such educational~~

1 **UNINCORPORATED PRIVATE** institutions shall meet minimum standards
2 equivalent to those for institutions incorporated under the
3 ~~provisions of Act No. 327 of the Public Acts of 1931, as amended~~
4 **1931 PA 327, MCL 390.98 TO 390.192.**

5 Enacting section 1. This amendatory act does not take effect
6 unless all of the following bills of the 93rd Legislature are
7 enacted into law:

8 (a) Senate Bill No.____ or House Bill No. 6014(request no.
9 05558'05).

10 (b) Senate Bill No.____ or House Bill No. 6015(request no.
11 05578'05).