

HOUSE BILL No. 6376

August 30, 2006, Introduced by Reps. Emmons, Farhat, Nitz, Mortimer and Moore and referred to the Committee on Higher Education and Career Preparation.

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 105 as amended by 2003 PA 306, 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. As used in this act:

2 (a) "Area", in the term "area vocational-technical education
3 program", means the geographical territory of the district, and any
4 territory outside of the district that is designated as the service
5 area of the district by the superintendent of public instruction. A

1 community college is eligible to receive state aid and assistance
2 appropriated by the legislature for the aid and support of junior
3 colleges or community colleges.

4 (b) "Area vocational-education program" means a program of
5 organized systematic instruction designed to prepare the following
6 individuals for useful employment in recognized occupations:

7 (i) An individual who has completed or left high school and who
8 is available for full-time study in preparation for entering the
9 labor market.

10 (ii) An individual who has already entered the labor market and
11 who needs training to achieve stability or advancement in
12 employment.

13 (iii) An individual enrolled in high school. If a program or
14 course is provided for an individual enrolled in high school, the
15 superintendent of the school district in which the individual is
16 enrolled or his or her designated representative shall request that
17 the program or course be provided to the individual.

18 (c) "Community college" means an educational institution
19 providing collegiate and noncollegiate level education primarily to
20 individuals above the twelfth grade age level within commuting
21 distance. The term includes an area vocational-technical education
22 program that may result in the granting of an associate degree or
23 other diploma or certificate, but not an educational institution or
24 program granting baccalaureate or higher degrees.

25 (d) "General election" or "general state election" means the
26 term general election as defined in section 2 of the Michigan
27 election law, MCL 168.2.

1 (e) "Michigan election law" means the Michigan election law,
2 1954 PA 116, MCL 168.1 to 168.992.

3 (f) "Regular election" means that term as defined in section 3
4 of the Michigan election law, MCL 168.3.

5 (g) "School district" means a school district, a local act
6 school district, or an intermediate school district, as those terms
7 are defined in the revised school code, 1976 PA 451, MCL 380.1 to
8 380.1852, or a community college district under this act.

9 (h) "School district filing official" means the school
10 district election coordinator as defined in section 4 of the
11 Michigan election law, MCL 168.4, or an authorized agent of the
12 school district election coordinator.

13 (i) "Special election" means that term as defined in section 4
14 of the Michigan election law, MCL 168.4.

15 Sec. 123. The board of trustees **OF A COMMUNITY COLLEGE**
16 **DISTRICT** may **DO ANY OF THE FOLLOWING**:

17 (a) ~~Have the care and custody~~ **MANAGE THE PROPERTY** of the
18 community college ~~property~~ and provide suitable facilities,
19 sanitary conditions, and medical inspection for the community
20 college of the district.

21 (b) Establish and collect tuition and fees for resident and
22 nonresident students. A waiver of tuition shall not be granted by
23 the board ~~, except~~ **UNLESS 1 OF THE FOLLOWING APPLIES**:

24 (i) The board of trustees may waive tuition for a student
25 participating in a reciprocal agreement for exchange of educational
26 services, if the agreement is approved by the ~~state board~~
27 **DEPARTMENT** of education.

1 (ii) The board of trustees may waive tuition for a student who
2 meets the admission requirements of the board and is 60 years of
3 age or older.

4 (c) Establish and maintain or continue a library or museum,
5 which may be separately operated if desired, for the community
6 college, if the board of trustees considers it advisable to
7 establish and maintain or continue a library or museum and to
8 provide for its care and management.

9 Sec. 124. The board of trustees **OF A COMMUNITY COLLEGE**
10 **DISTRICT** may do ~~all~~ **ANY** of the following:

11 (a) Contract with, appoint, and employ a suitable person as
12 chief executive officer of the community college. The person
13 employed as chief executive officer shall not be a member of the
14 board of trustees and shall possess at least an earned bachelor's
15 degree from an accredited college or university. The chief
16 executive officer shall hold office for a term fixed by the board
17 of trustees, not to exceed 5 years, shall perform duties as the
18 board of trustees may determine, and shall make reports in writing
19 to the board of trustees and to the department of education
20 annually, or more often if required, in regard to all matters
21 pertaining to the educational interests of the community college
22 district.

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

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

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

27 (iii) Purchase, lease, or otherwise acquire personal property

1 for the community college.

2 (iv) Invest community college funds.

3 (v) Subject to terms and conditions established by the board
4 of directors, accept contributions, capital grants, gifts,
5 donations, services, or other financial assistance from any public
6 or private entity.

7 (c) Appoint and employ a business manager responsible to the
8 chief executive officer of the community college for the community
9 college district and fix his or her term of office.

10 (d) Select and employ other administrative officers, teachers,
11 and other employees and engage services as necessary to effectuate
12 its purposes.

13 Sec. 143. The board of trustees **OF A COMMUNITY COLLEGE**
14 **DISTRICT** shall provide for a system of accounting ~~meeting~~ **THAT**
15 **MEETS** the approval of the ~~state board of education~~ **SUPERINTENDENT**
16 **OF PUBLIC INSTRUCTION**. All accounts **OF THE COMMUNITY COLLEGE**
17 **DISTRICT** shall be audited once each year by a certified public
18 accountant and a summary of the audit shall be published in a
19 newspaper of general circulation in the community college district.
20 The fiscal and accounting year **OF A COMMUNITY COLLEGE DISTRICT**
21 shall commence with July 1 in each year. Copies of the reports of
22 audits shall be filed as required by the ~~state board of education~~
23 **SUPERINTENDENT OF PUBLIC INSTRUCTION** and shall be available at all
24 reasonable times for public inspection, as a condition of receiving
25 any state aid for the subsequent fiscal year.

26 Enacting section 1. This amendatory act is intended to
27 transfer back to the department of education and the superintendent

1 of public instruction certain powers, duties, and functions that
2 were transferred to the former department of career development by
3 Executive Reorganization Order No. 1999-7, MCL 388.995.