# WAYNE STATE UNIVERSITY

## Act 183 of 1956

AN ACT to establish and regulate a state institution of higher learning to be known as Wayne state university; to fix the membership and the powers of its governing board; to authorize the transfer to it by school districts and municipal corporations of certain property and funds; and to provide retirement privileges for its employees.

**History:** 1956, Act 183, Imd. Eff. Apr. 22, 1956

*The People of the State of Michigan enact:*

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### 390.641 Wayne state university; establishment, board of governors.

Sec. 1.

There is hereby established a state institution of higher education to be located in the industrial area of southeastern Michigan. The institution shall be maintained by the state of Michigan, and its facilities shall be made equally available and upon the same basis to all qualified residents of this state. The conduct of its affairs and control of its property shall be vested in a board of governors, the members of which shall constitute a body corporate known as the "board of governors of Wayne state university," hereinafter referred to as "the board," with the right as such of suing and being sued, of adopting a seal, and altering the same.

**History:** 1956, Act 183, Imd. Eff. Apr. 22, 1956

### 390.642 Repealed. 1963, 2nd Ex. Sess., Act 51, Eff. Jan. 1, 1964.

**Compiler's Notes:** The repealed section provided for temporary board of governors of Wayne State University.

### 390.643 Board of governors; election, term.

Sec. 3.

There is established a "board of governors of Wayne state university" to consist of 8 members who shall be nominated and elected in accordance with the election laws of this state. The president of the university shall be ex officio a member of the board without the right to vote and shall preside at meetings of the board.

**History:** 1956, Act 183, Imd. Eff. Apr. 22, 1956 ;-- Am. 1963, 2nd Ex. Sess., Act 51, Eff. Jan. 1, 1964

### 390.644 Board of governors; general supervision; compensation, expenses.

Sec. 4.

The board of governors of Wayne state university shall have general supervision of Wayne state university, and the direction and control of all university funds, and shall perform such other duties as may be prescribed by law.

Members of the board shall serve without compensation but shall be entitled to actual and necessary expenses incurred in connection with the duties of their office.

**History:** 1956, Act 183, Imd. Eff. Apr. 22, 1956 ;-- Am. 1963, 2nd Ex. Sess., Act 51, Eff. Jan. 1, 1964

**390.645 Board of governors; election and terms of officers; treasurer's bond; vote required for incurring obligations or disposing of property or funds; quorum; conducting business in compliance with MCL 15.261 et seq.; notice of meeting; powers and duties enumerated.**

Sec. 5.

(1) The board shall elect a secretary, a treasurer, and other officers as it considers necessary. A member of the board shall not be eligible to election as secretary or treasurer. Each officer shall serve a term of 1 year and until a successor has been elected and qualified. Before permitting the treasurer to enter upon the duties of the office, the board shall require that a bond be filed for the people of this state with a surety and in a sum not less than the amount of money likely to be in the treasurer's possession as the board may designate. An officer may not incur obligations or dispose of the board's property or funds, except pursuant to a vote of the board.

(2) A majority of the members of the board shall form a quorum for the transaction of business. The business which the board may perform shall be conducted in compliance with Act No. 267 of the Public Acts of 1976, being sections 15.261 to 15.275 of the Michigan Compiled Laws. Public notice of the time, date and place of a meeting shall be given in the manner required by Act No. 267 of the Public Acts of 1976. The board by majority vote of its membership may enact and amend rules and bylaws, for the conduct of the board's business and for the government of the institution; may fix tuition and other fees and charges; appoint or remove personnel as the interests of the institution and the generally accepted principles of academic tenure permit or require; determine the compensation to be paid for services and materials; confer degrees and grant diplomas as are usually conferred or granted by other similar institutions; receive, hold, and manage a gift, grant, bequest, or devise of funds or property, real or personal, absolutely or in trust, to promote the purposes of the university; enter into agreements, not inconsistent with this act, as may be desirable in the conduct of its affairs; and, in behalf of the state, lease or dispose of property which comes into the board's possession, if the board does not violate a condition or trust to which the property may be subject. The board may exercise all powers customarily exercised by the governing board of a college or university and the enumeration of the powers in this act shall not be considered to exclude powers not expressly excluded by law.

**History:** 1956, Act 183, Imd. Eff. Apr. 22, 1956 ;-- Am. 1963, 2nd Ex. Sess., Act 51, Eff. Jan. 1, 1964 ;-- Am. 1977, Act 245, Imd. Eff. Dec. 6, 1977

**390.646 Board of governors; borrowing power.**

Sec. 6.

The board shall not borrow money on its general faith and credit, nor create any liens upon its property. The board, however, may borrow money to be used to acquire land or to acquire or erect buildings, or to alter, equip, or maintain them, to be used as dormitories, student centers, stadiums, athletic fields, gymnasiums, auditoriums, and other related activities, and it shall obligate itself for the repayment thereof, together with interest thereon, solely out of the fund derived from rentals or other income from the use and operation of the property so acquired, or from special fees and charges required to be paid by the students deemed by it to be benefited thereby; and may pledge all or any part of the fund as security therefor.

**History:** 1956, Act 183, Imd. Eff. Apr. 22, 1956

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**390.647 Transfer of property and funds to board of governors; retirement provisions for employees.**

Sec. 7.

Any school district or county or municipal corporation in said area possessed of any funds or property, real or personal, which it may desire to devote to promoting higher education may transfer and convey such funds and property to the board, and in connection therewith attach any conditions or restrictions consistent with the purposes of the institution and acceptable to the board. If the properties of any operating college or university are transferred by a school district and accepted by the board, then the school district also shall be authorized to transfer to the board all records, papers, and documents of the college or university and all properties held in trust by said school district for the benefit of such college or university, but subject to the terms of such trusts; and all employees and faculty of the college or university shall become the employees of the board. If at the time of such transfer the faculty or employees are under the provisions of chapter 2 of Act No. 136 of the Public Acts of 1945, as amended, being sections 38.301 to 38.355, inclusive, of the Compiled Laws of 1948, then such faculty and employees shall remain under the provisions thereof and as they may hereafter be amended, in the same manner and with the same rights and obligations that they would have had, had there been no such transfer; and the board shall make such provisions for paying contributions to the retirement board as would have been required under the terms of said chapter 2 from the school district: Provided, however, That the board shall as soon as may be feasible formulate recommendations for submission to the legislature concerning a permanent plan or program for retirement benefits for said faculty and other employees. If such faculty and employees are also under the provisions of a contract between such school district and the state retirement board for coverage under title II of the federal social security act, such faculty and employees shall remain under the provisions thereof until such time as the board shall be able to enter into a contract for the continuance thereof; and in the meantime the said board shall pay to the school district such amounts as are required by the terms of the coverage contract.

**History:** 1956, Act 183, Imd. Eff. Apr. 22, 1956

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**390.648 Board of governors; power of condemnation.**

Sec. 8.

The board shall be deemed a state agency, and as such shall have the right to acquire property as provided under the provisions of Act No. 149 of the Public Acts of 1911, as amended, being sections 213.21 to 213.41, inclusive, of the Compiled Laws of 1948.

**History:** 1956, Act 183, Imd. Eff. Apr. 22, 1956

**390.649 Board of governors; appropriations.**

Sec. 9.

There is hereby appropriated to the board of governors of Wayne state university from the general fund of the state the sum of $3,239,633.00: Provided, however, That the funds herein appropriated shall not be expended by said board until and unless there shall have been transferred to said board the properties now owned by the board of education of the city of Detroit and used in the present operations of Wayne state university: And further provided, That the said board of education of the city of Detroit shall have appropriated to the said board of governors or have contracted with it for the payment of the sum of $10,000,000.00 for each of the fiscal years commencing with July 1, 1956, 1957 and 1958. Such contract for payment may be conditioned upon the receiving by the said board of education from the state aid fund for the support of Wayne state university of sums substantially equivalent to those received for this purpose in the fiscal year commencing July 1, 1955.

**History:** 1956, Act 183, Imd. Eff. Apr. 22, 1956

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