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SFA**BILL ANALYSIS**

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House Bill 4654 (as passed by the House)
Sponsor: Representative Clyde LeTarte
House Committee: Colleges and Universities
Senate Committee: Education

Date Completed: 10-20-97

CONTENT

The bill would amend the Community College Act to do the following:

- Permit a community college district and its board of trustees to exercise a power that was "implied by or incident to" any powers expressly stated in the Act.
- Permit a board of trustees to employ a person to serve as a chief executive officer, instead of an administrator or director as currently permitted, and specify the responsibilities a board of trustees could delegate to the chief executive officer.
- Require a chief executive officer to possess a bachelor's degree from an accredited college or university, and delete qualifications otherwise required of a community college administrator or director.

Powers

In addition to the powers expressly stated in the Act, a community college district and its board of trustees could exercise a power implied by or incident to any of its powers expressly stated in this Act and, except as otherwise provided by law, could exercise a power incidental or appropriate to the performance of any function related to operation of the community college district in the interests of educational and other programs and services offered by the community college.

Chief Executive Officer

A board of trustees currently may contract with, appoint, and employ a suitable person, who is not a member of the board, as administrator or director of the community college. The individual must possess at least an earned bachelor's degree from a college that is acceptable to the State Board of Education and must possess or be eligible for a teacher's certificate or have the educational qualifications equivalent to that in accordance with the standards determined by the State Board or have earned a doctor's degree from an accredited college or university. Under the bill, a board could contract with, appoint, and employ a person to serve as chief executive officer of the community college, instead of an administrator or director. The bill would delete the current educational requirements, except to require that a chief executive officer possess an earned bachelor's degree from an accredited college or university.

A board of trustees could delegate to a community college's chief executive officer the board's authority to do any of the following: select and employ community college personnel; pay claims and demands against the community college; purchase, lease, or otherwise acquire personal property for the community college; invest community college funds; and, accept contributions, capital grants,

gifts, donations, services, or other financial assistance from any public or private entity, subject to the terms and conditions established by the Board of Directors.

Board of Trustees

Under the Act, an organizational meeting of a community college district operating under Chapter 1 (Community College District Comprised of Counties) must be held on the first Monday in January following the date of the regular community college election. The organizational board meeting of a community college district operating under Chapter 2 (Community College District Comprised of School Districts) or Chapter 3 (Community College District Composed of Intermediate School District) must be held on the first Monday in July following the date of the regular community college district election. The bill would require, instead, that an organizational board meeting be held at the first meeting of the board of trustees in January or July, respectively, following the date of the regular community college election. The bill also would delete the requirement that if the date of an organizational meeting falls on a legal holiday, the meeting be held on the next succeeding Monday.

Currently, a board of trustees may lease, for a term of up to five years, buildings and structures for college or area vocational-technical education facilities, as specified in the Act. The bill would delete the five-year term limit and would permit a board of trustees to enter into installment purchase contracts for real or personal property.

MCL 389.103 et al.

Legislative Analyst: L. Arasim

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: M. Hansen

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.