



SENATE BILL No. 1296

November 10, 1994, Introduced by Senator KELLY and
referred to the Committee on Education

A bill to amend Act No 331 of the Public Acts of 1966,
entitled
"Community college act of 1966,"
as amended, being sections 389 1 to 389 195 of the Michigan
Compiled Laws, by adding sections 83a, 83b, 83c, 83d, and 83e

THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Act No 331 of the Public Acts of 1966, as
2 amended, being sections 389 1 to 389 195 of the Michigan Compiled
3 Laws, is amended by adding sections 83a, 83b, 83c, 83d, and 83e
4 to read as follows

5 SEC 83A (1) THE BOARD OF TRUSTEES SHALL MEET AT LEAST
6 ONCE EVERY SEMESTER FOR 2 CONSECUTIVE DAYS

7 (2) AT EACH BOARD OF TRUSTEES MEETING, EACH TRUSTEE SHALL
8 SUBMIT A WRITTEN ACKNOWLEDGMENT OF ACTUAL OR POTENTIAL CONFLICTS
9 OF INTEREST A TRUSTEE SHALL ABSTAIN FROM VOTING ON OR

1 DISCUSSING AN ISSUE THAT INVOLVES AN ACTUAL OR POTENTIAL CONFLICT
2 OF INTEREST FOR THAT TRUSTEE THE FAILURE TO ABSTAIN FROM THESE
3 VOTES OR DISCUSSIONS IS A FELONY

4 SEC 83B (1) THE BOARD OF TRUSTEES MAY ACT ONLY UPON A
5 RECOMMENDATION, RESOLUTION, OR ACTION PROPOSAL SUBMITTED TO IT BY
6 THE COLLEGE PRESIDENT

7 (2) THE BOARD OF TRUSTEES SHALL COMMUNICATE WITH COLLEGE
8 PERSONNEL, STUDENTS, AND OTHER MEMBERS OF THE COLLEGE COMMUNITY
9 ONLY THROUGH THE COLLEGE PRESIDENT

10 SEC 83C (1) THE BOARD OF TRUSTEES SHALL ESTABLISH IN EACH
11 ANNUAL BUDGET THE STAFF POSITIONS NEEDED TO OPERATE THE COLLEGE
12 AND THE QUALIFICATIONS NEEDED TO FILL EACH POSITION

13 (2) THE COLLEGE PRESIDENT SHALL MAKE, WITH THE CONCURRENCE
14 OF THE BOARD OF TRUSTEES, ALL DECISIONS TO HIRE, EVALUATE, AND
15 TERMINATE PERSONNEL THE COLLEGE PRESIDENT SHALL REPORT TO AND
16 BE EVALUATED BY THE BOARD OF TRUSTEES

17 (3) EACH TRUSTEE IS PERSONALLY LIABLE FOR PERSONNEL ACTIONS
18 TAKEN BY THE BOARD OF TRUSTEES WITHOUT THE RECOMMENDATION OF THE
19 COLLEGE PRESIDENT, EXCEPT FOR PERSONNEL ACTIONS REGARDING THE
20 COLLEGE PRESIDENT'S EMPLOYMENT

21 (4) EACH TRUSTEE IS PERSONALLY LIABLE FOR A JUDGMENT FOR
22 DAMAGES RESULTING FROM WRONGFUL DISCHARGE OF AN EMPLOYEE IN VIO-
23 LATION OF THE LAW OR OF COLLEGE OR BOARD POLICIES

24 SEC 83D ALL BOARD OF TRUSTEES' POLICY MANUALS AND BYLAWS
25 SHALL BE SUBMITTED TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION
26 FOR HIS OR HER APPROVAL BEFORE BEING IMPLEMENTED AND, IF

1 APPROPRIATE, MAY BE AMENDED BY THE SUPERINTENDENT OF PUBLIC
2 INSTRUCTION

3 SEC 83E THE COMMUNITY COLLEGE SHALL EMPLOY A GENERAL
4 COUNSEL AS AN EMPLOYEE OF THE COMMUNITY COLLEGE DISTRICT THE
5 GENERAL COUNSEL MAY OFFER LEGAL ADVICE TO THE COLLEGE PRESIDENT,
6 THE BOARD OF TRUSTEES, AND THE COLLEGE COMMUNITY AT LARGE THE
7 GENERAL COUNSEL SHALL REPORT TO THE COLLEGE PRESIDENT