

Act No. 109  
Public Acts of 2007  
Approved by the Governor  
October 1, 2007  
Filed with the Secretary of State  
October 1, 2007  
EFFECTIVE DATE: October 1, 2007

**STATE OF MICHIGAN  
94TH LEGISLATURE  
REGULAR SESSION OF 2007**

**Introduced by Senators Brown, Jansen, Birkholz, Kuipers, Gilbert, Hardiman, George, Cropsey,  
Van Woerkom, Garcia, Pappageorge and Bishop**

# **ENROLLED SENATE BILL No. 421**

AN ACT to amend 1966 PA 331, entitled "An act to revise and consolidate the laws relating to community colleges; to provide for the creation of community college districts; to provide a charter for such districts; to provide for the government, control and administration of such districts; to provide for the election of a board of trustees; to define the powers and duties of the board of trustees; to provide for the assessment, levy, collection and return of taxes therefor; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending sections 123 and 124 (MCL 389.123 and 389.124), 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:*

Sec. 123. The board of trustees may:

(a) Have the care and custody of the community college property and provide suitable facilities, sanitary conditions, and medical inspection for the community college of the district.

(b) Establish and collect tuition and fees for resident and nonresident students. A waiver of tuition shall not be granted by the board, except:

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

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

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

(d) Select and employ administrative officers, teachers, and other employees it finds necessary to operate the community college district and establish the terms and conditions of their service or employment. If the board of trustees provides medical, optical, or dental benefits to employees and their dependents, the board shall provide those benefits in accordance with the public employees health benefit act and shall comply with that act.

Sec. 124. The board of trustees may do all of the following:

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

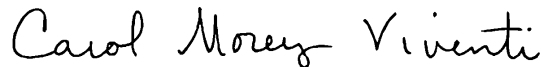
- (b) Delegate to the chief executive officer of the community college the board's authority to do any of the following:
- (i) Select and employ personnel of the community college. If the chief executive officer provides medical, optical, or dental benefits to employees and their dependents under this subparagraph, the chief executive officer shall provide those benefits in accordance with the public employees health benefit act and shall comply with that act.
  - (ii) Pay claims and demands against the community college.
  - (iii) Purchase, lease, or otherwise acquire personal property for the community college.
  - (iv) Invest community college funds.
  - (v) Subject to terms and conditions established by the board of directors, accept contributions, capital grants, gifts, donations, services, or other financial assistance from any public or private entity.
- (c) Appoint and employ a business manager responsible to the chief executive officer of the community college for the community college district and fix his or her term of office.
- (d) Select and employ other administrative officers, teachers, and other employees and engage services as necessary to effectuate its purposes.

Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 94th Legislature are enacted into law:

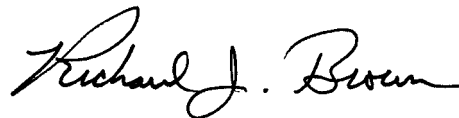
- (a) Senate Bill No. 419.
- (b) Senate Bill No. 418.
- (c) Senate Bill No. 420.

Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 549 of the 94th Legislature is enacted into law and takes effect.

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved \_\_\_\_\_

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Governor