

**CAREER DEVELOPMENT AND DISTANCE LEARNING ACT (EXCERPT)**  
**Act 36 of 2002**

**390.1574 Articles of incorporation.**

Sec. 4. (1) The articles of incorporation of a registered distance learning corporation shall contain all of the following:

(a) The purposes of the corporation, which shall include at least all of the following:

(i) To help promote the use of education technology to accelerate career and workforce development by improving the learning environment, stimulating innovative teaching methods, achieving accountability, and providing residents of this state with greater technology-based educational choices.

(ii) To promote technology-based education and training to public and private sector organizations, including, but not limited to, alternative models of education that emphasize partnerships between public education and the business sector.

(iii) To provide technology-based services that will enable distance learning education and training to flourish and prosper, including, but not limited to, providing selected industries with business and financial operations, human resource administration, resource development, research, marketing, technology coordination, digital library support, faculty training and development, and other student and academic support operations.

(iv) To support and encourage various collaborative efforts among educational institutions, businesses, nonprofit organizations, and government agencies to meet the training and educational needs of the state's workforce.

(v) To establish, acquire, or participate in or with other persons that further the purposes of the registered distance learning corporation.

(b) A provision that the board shall include 4 members who are appointed as follows:

(i) Two board members appointed by the governor with the advice and consent of the senate.

(ii) One board member appointed by the governor from a list of 5 names submitted by the majority leader of the senate.

(iii) One board member appointed by the governor from a list of 5 names submitted by the speaker of the house of representatives.

(c) A provision that the board of directors shall consist of the following individuals:

(i) The 4 appointed board members described in subdivision (b).

(ii) At least 1 board member representing state public universities.

(iii) At least 1 board member representing community colleges.

(iv) At least 1 board member representing public schools.

(v) At least 1 board member representing independent nonprofit degree-granting colleges and universities located in this state.

(vi) At least 5 board members representing the private sector.

(d) A provision that the corporation is not an educational corporation for purposes of sections 170 to 177 of 1931 PA 327, MCL 450.170 to 450.177.

(2) A corporation applying for registration as a registered distance learning corporation shall submit its articles of incorporation and any amendments to its articles of incorporation or restated articles of incorporation to the attorney general for examination. The attorney general shall review the articles or amendments within 60 days, and if the attorney general finds that the articles or amendments comply with this act, the attorney general shall certify this finding to the director.

(3) In addition to any fee required in the nonprofit act, a corporation applying for registration as a registered distance learning corporation shall pay the following fees, which shall be deposited in the state treasury:

(a) A fee of \$100.00 to the attorney general for the examination described in subsection (2).

(b) A fee of \$500.00 to the director for the examination and registration described in section 5.

**History:** 2002, Act 36, Imd. Eff. Mar. 7, 2002.

**Compiler's note:** For transfer of powers and duties of the director of the department of career development to the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.