

KALAMAZOO COLLEGE
Territorial Laws of 1833, Vol. III

AN ACT to establish Kalamazoo college and to prescribe its powers and duties.

History: 1833, Territorial Laws, Vol. III, approved Apr. 22, 1833;—Am. 1985, Act 203, Eff. Mar. 31, 1986.

The People of the State of Michigan enact:

390.751 Kalamazoo college; board of trustees, officers.

Sec. 1. That from and after the passage of this act, Caleb Eldred, William Meek, Wm. Duncan, H. H. Comstock, Nathaniel Millard, John Clark, F. P. Browning, Anson Brown, John Booth, B. B. Kercheval, Thos. W. Merrill, John S. Twiss, C. H. Swain, Robert Powell, Stephen Goodman, and C. A. Lamb, of said Territory, be, and they and their successors are hereby made, constituted, and established a body politic and corporate, with perpetual succession, by the name and style of Kalamazoo college (being the same body politic and corporate organized as "The Michigan and Huron Institute,") and that by the name and style of Kalamazoo college they and their successors shall forever be able and capable in law of suing and being sued, impleading and being impleaded, answering and being answered unto, in all suits whatsoever in law and equity, and to have and use a common seal, and to alter the same at pleasure, and that the above named persons and their successors in office shall be the trustees and together shall constitute a board of trustees and shall have and exercise the power and franchise herein granted, until others be, in the same manner herein provided, elected and appointed in their places; that they and their successors shall, by election by ballot, supply all vacancies, whether caused by death, resignation or other means, and said board of trustees, and their successors in office, shall annually appoint from their number a chairman, who shall preside at the meetings of said board of trustees and give the casting vote in case of equal division, who shall have and exercise all the powers conferred by law and by the board of trustees; a secretary who shall register the proceedings of said meetings; and a treasurer who shall keep the books and funds, subject at all times to the control, inspection and government of said board of trustees.

History: 1833, Territorial Laws, Vol. III, approved Apr. 22, 1833;—CL 1948, 390.751;—Am. 1955, Act 50, Imd. Eff. Apr. 29, 1955.

390.752 Business and object of corporation; college independent and autonomous.

Sec. 2. The particular business and object of this corporation shall be to establish, endow, conduct, and maintain an institution of higher learning, to be known as "Kalamazoo college", and affording instruction in the branches of education usually taught in colleges and universities, with special emphasis on the liberal arts and sciences. As an institution the college shall be independent in terms of governance while historically related to the American Baptist churches, U.S.A. The college shall neither compromise its autonomy, nor deny its heritage, but shall act as an autonomous community of memory which honors its church-related heritage and the values which derive from that heritage.

History: 1833 Territorial Laws, Vol. III, approved Apr. 22, 1833;—CL 1948, 390.752;—Am. 1955, Act 50, Imd. Eff. Apr. 29, 1955;—Am. 1985, Act 203, Eff. Mar. 31, 1986.

390.753 Board of trustees; membership; quorum; classes of trustees; terms; annual ballot; honorary trustees.

Sec. 3. (1) The board of trustees may, by a resolution adopted by 2/3 of its members, fix the number of members to constitute the board. However, the number of trustees constituting the board of trustees shall be at least 15 and not more than 54. Nine trustees constitute a quorum for the transaction of business at any meeting of the board. At the first meeting of the board, the trustees shall divide themselves into 3 classes of 1/3 of the whole number of each as nearly as possible. The term of office of the first class shall terminate at the expiration of the first year; of the second class shall terminate at the end of the second year; and of the third class shall terminate at the end of the third year, so that 1/3 of the number of trustees are chosen by the board annually by ballot.

(2) The board may elect any number of nonvoting honorary trustees. Honorary trustees are not included in the number of trustees constituting the board of trustees.

History: 1833, Territorial Laws, Vol. III, approved Apr. 22, 1833;—Am. 1887, Local Act 390, Imd. Eff. Mar. 15, 1887;—Am. 1941, Act 16, Imd. Eff. Mar. 11, 1941;—CL 1948, 390.753;—Am. 1955, Act 50, Imd. Eff. Apr. 29, 1955;—Am. 1985, Act 203, Eff. Mar. 31, 1986;—Am. 2010, Act 62, Imd. Eff. May 6, 2010.

390.754 President; appointment, election, or removal.

Sec. 4. The board of trustees shall have the power to appoint or elect and to remove from office a president

of Kalamazoo college.

History: 1833, Territorial Laws, Vol. III, approved Apr. 22, 1833;—Am. 1887, Local Act 390, Imd. Eff. Mar. 15, 1887;—Am. 1941, Act 16, Imd. Eff. Mar. 11, 1941;—CL 390.754;—Am. 1955, Act 50, Imd. Eff. Apr. 29, 1955;—Am. 1982, Act 521, Eff. Mar. 30, 1983.

390.755 Treasurer, agents, bonds.

Sec. 5. The treasurer and all other agents, when required by the trustees, shall, before entering upon the duties of their office, give bonds in such penal sum as the board of trustees may require for the security of any funds coming into their hands and to secure the carrying out of any authority given them.

History: Add. 1955, Act 50, Imd. Eff. Apr. 29, 1955.

Compiler's note: Former section 5 of the Territorial Laws, Vol. III, was repealed by Act 50 of 1955.

390.756 Kalamazoo college open to all religious persuasions and identities.

Sec. 6. Kalamazoo college shall be open to persons of all religious persuasions. The professing of any religious faith shall not be required. In the belief that religious diversity reflects the college's Baptist heritage and enriches the life of an academic community, persons of differing religious identities shall be encouraged to enroll.

History: Add. 1955, Act 50, Imd. Eff. Apr. 29, 1955;—Am. 1985, Act 203, Eff. Mar. 31, 1986.

390.757 Fiscal affairs; restricted donations; conveyances.

Sec. 7. The college and the trustees thereof shall have and are hereby vested with the power to acquire by purchase, gift, loan, grant, donation or otherwise for the use and benefit of the corporation, real estate, personal property and money, and may sell, use, hold, manage, invest and reinvest, lease, improve, mortgage, assign, convey and dispose of such real estate, personal property and money so acquired in such manner as the board of trustees shall deem necessary and desirable in carrying out the objects of this corporation. Any funds or property received from a donor and designated by the donor for a particular purpose shall be used for such purpose so long as such purpose exists: Provided, The purpose be not inconsistent with the general objects of this corporation. Any conveyance of real estate shall be executed by such officers and agents of the college as shall be designated by resolution of the board of trustees.

History: Add. 1955, Act 50, Imd. Eff. Apr. 29, 1955.

390.758 Inspection by legislature of college.

Sec. 8. Said college shall, at all times, be open to the inspection of any committee or other agent appointed by the legislature and it shall be the duty of the officers of said college, at all times, to exhibit to any committee, or agents appointed by the legislature, a full and complete statement of the general or particular concerns of the college.

History: Add. 1955, Act 50, Imd. Eff. Apr. 29, 1955.

390.759 Honors and degrees; earned degrees.

Sec. 9. The board of trustees shall have the power to confer the honors and degrees usually granted by collegiate institutions. Earned degrees shall be conferred only on persons who shall have passed through a course of studies deemed by the board to be equivalent to that prescribed by the regents of the university of Michigan for candidates for degrees and who have been recommended by the faculty of Kalamazoo college as being worthy thereof.

History: Add. 1955, Act 50, Imd. Eff. Apr. 29, 1955.

390.760 Board of trustees; power and authority.

Sec. 10. The trustees shall have the power and authority to:

(a) Make and amend rules, regulations, and bylaws which they consider necessary and proper for conducting the affairs of the board, for conducting the affairs and business of the corporation, and for securing the objects of the corporation.

(b) Transact all business necessary for carrying out the purposes of the corporation, or which is incidental to these purposes, as fully and effectually as any natural person or body politic or corporate has the power to manage the concerns belonging to that person or body.

(c) Delegate authority and act through officers, an executive committee, and other committees or agents which the trustees may designate. However, any of the provisions of this charter which directly relate to the relationship between Kalamazoo college and the American Baptist Churches, U.S.A. shall not be amended except with the consent of 2/3 of the members of the board of trustees.

History: Add. 1955, Act 50, Imd. Eff. Apr. 29, 1955;—Am. 1985, Act 203, Eff. Mar. 31, 1986.

390.761 Expulsion; suspension.

Sec. 11. A person may be expelled or suspended from the privileges of Kalamazoo college if in the judgment of the president of the college, the board of trustees, or any other person or committee designated by the board of trustees, it is considered in the best interest of the college.

History: Add. 1985, Act 203, Eff. Mar. 31, 1986.