



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

BILL



ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986

Senate Bill 211 (as reported by the Committee of the Whole)
Sponsor: Senator John J.H. Schwarz, M.D.
Committee: Government Operations

CONTENT

The bill would amend the Open Meetings Act to provide that an institution of higher education could meet in closed session in the process of searching for and selecting a president for the institution, to review the contents of an application, to conduct an interview with a candidate, or to discuss the specific qualifications of a candidate, if a particular process of searching for and selecting a president met the following conditions:

- The search committee in the process was composed of at least one student, one faculty member, one administrator, one member of the governing board, and one alumnus of the institution; and one representative of the general public.
- The number of members of the institution's governing board on the search committee was less than a quorum of its governing board.
- After the search committee recommended a final candidate, the governing board did not take a vote on final selection of the president until at least 30 days after the final candidate had been publicly identified.
- The deliberations and vote of the governing board on the final candidate took place in an open session of the governing board.

The bill would apply only to State-supported institutions of higher education; it would not apply to community colleges. Currently, under the Act, all meetings of a public body must be open to the public and held in a place available to the general public, although the Act contains a list of circumstances under which a public body may meet in closed session.

Currently, the Act specifies that all interviews by a public body for employment or appointment to a public office must be held in an open meeting. The bill provides that this requirement would not apply to an applicant for president of an institution of higher education.

MCL 15.267 & 15.268

Legislative Analyst: G. Towne

FISCAL IMPACT

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

Date Completed: 3-29-95

Fiscal Analyst: E. Jeffries

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