CENTRAL, EASTERN, NORTHERN, AND WESTERN MICHIGAN UNIVERSITIES
Act 48 of 1963 (2nd Ex. Sess.)

AN ACT to provide for the continuation of Central Michigan university, Eastern Michigan university, Northern Michigan university and Western Michigan university; and to provide for the organization, powers and duties of their boards of control; and to repeal certain acts and parts of acts.

History: 1963, 2nd Ex. Sess., Act 48, Eff. Jan. 1, 1964.

The People of the State of Michigan enact:

390.551 Central, Eastern, Northern and Western Michigan universities; continuation; boards of control, appointment, terms, vacancy.

Sec. 1. The established state institutions known as Central Michigan university, Eastern Michigan university, Northern Michigan university and Western Michigan university are continued under these names. Each institution shall be governed by a separate 8-member board of control. The governor shall appoint the board members by and with the advice and consent of the senate for terms of 8 years commencing on January 1, except that the first boards shall be appointed so that the terms of 2 members of each board shall expire on December 31, 1964, 1966, 1968 and 1970. When a vacancy occurs other than by the expiration of a term, the governor shall fill the vacancy by appointment by and with the advice and consent of the senate for the remainder of the unexpired term.

History: 1963, 2nd Ex. Sess., Act 48, Eff. Jan. 1, 1964.

390.552 Boards of control; officers, expenses.

Sec. 2. The president of each institution is ex officio a member of its board of control without the right to vote. A board may elect one of its members or may designate the president of the institution to preside at board meetings. A board shall elect a secretary, a treasurer, and such other officers as it deems necessary. Officers shall hold office at the pleasure of the board. No member of the board shall be eligible to election as secretary or treasurer. The secretary and the treasurer each shall give a bond satisfactory to the board to secure the faithful performance of the duties of his office. No officer may incur obligations or dispose of his board's property or funds, except pursuant to a vote of the board. Board members shall receive their necessary traveling and other expenses, to be paid out of the general fund.

History: 1963, 2nd Ex. Sess., Act 48, Eff. Jan. 1, 1964.

390.553 Boards of control; general supervision, powers and duties.

Sec. 3. A board of control shall have general supervision of its institution, the control and direction of all funds of the institution, and such other powers and duties as may be prescribed by law.

History: 1963, 2nd Ex. Sess., Act 48, Eff. Jan. 1, 1964.

390.554 Board of control; quorum; conducting business in compliance with MCL 15.261 et seq.; notice of meeting; powers and duties enumerated.

Sec. 4. A majority of the members of a board of control shall constitute a quorum. The business which the board of control may perform shall be conducted in compliance with Act No. 267 of the Public Acts of 1976, being sections 15.261 to 15.275 of the Michigan Compiled Laws. Public notice of the time, date, and place of the meeting shall be given in the manner required by Act No. 267 of the Public Acts of 1976. A majority of its members may enact, amend, and repeal rules and bylaws for the conduct of the board's business and for the government of the institution; fix tuition and other fees and charges; appoint or remove personnel as the interests of the institution and the generally accepted principles of academic tenure permit or require; determine compensation to be paid for services and property; confer degrees and grant diplomas usually conferred or granted by other similar institutions; receive, hold, and manage a gift, grant, bequest, or devise of funds or property, real or personal, absolutely or in trust, which will promote the purposes of its institution; enter into agreements not inconsistent with this act as may be desirable in the conduct of the board's affairs; and lease or dispose of property which comes into the board's possession, if the board does not violate a condition or trust to which the property may be subject. The powers customarily exercised by the governing board of a college or university are vested in each board. The enumeration of powers in this section is not considered to exclude powers not expressly excluded by law.

History: 1963, 2nd Ex. Sess., Act 48, Eff. Jan. 1, 1964;—Am. 1977, Act 228, Imd. Eff. Nov. 30, 1977.

390.555 Boards of control; body corporate, actions, seal.

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Sec. 5. A board of control is a body politic and corporate. It may purchase, have, hold, possess and enjoy to itself and its successors all the real and personal property of every kind now belonging to its respective institution or hereafter acquired by it and may grant, alien, invest, sell and dispose of the same; may sue and be sued, plead and be impleaded in all the courts in this state; and may have, alter and use a seal.

History: 1963, 2nd Ex. Sess., Act 48, Eff. Jan. 1, 1964.

390.556 State board of education; division and transfer of funds to respective boards of control.

Sec. 6. All property and funds of the state board of education, established under the 1908 state constitution, now held for the use and benefit of a specific institution shall become property and funds of the board of control of that institution. Such state board of education shall make all necessary divisions of property and funds held for the use and benefit of more than one institution, and shall make all necessary conveyances of property and funds to each board of control.

History: 1963, 2nd Ex. Sess., Act 48, Eff. Jan. 1, 1964.

390.557 State board of education; contracts, assignment.

Sec. 7. All contracts and obligations of the state board of education, established under the 1908 state constitution, for the use and benefit of a specific institution are continued and are binding upon the board of control of that institution. If more than one institution will receive a benefit from a single contract and the state has an obligation, the boards of control of the institutions receiving the benefit shall divide and share the obligation in proportion to the benefit received. Such state board of education shall make appropriate arrangements with the board of control of each institution for the assignment of rights and duties under continuing contracts or obligations but such arrangement shall not impair the obligation of any contract or create a breach thereof. If an impairment or breach would otherwise occur, then the contract or obligation shall continue as that of such state board of education and its successor state board of education under the 1963 state constitution but for the use and benefit of the specific institution concerned.

History: 1963, 2nd Ex. Sess., Act 48, Eff. Jan. 1, 1964.

390.558 Boards of control; borrowing powers; pledge of revenues; approval.

Sec. 8. A board of control shall not borrow money on its general faith and credit, nor create any liens upon its property. A board, after approval by the legislature, may acquire land or acquire or erect buildings, or alter, equip or maintain them, to be used as residence halls, apartments, dining facilities, student centers, health centers, stadiums, athletic fields, gymnasiums, auditoriums, parking structures and other educational facilities. A board may borrow money under such terms and provisions as it deems best to finance such facilities, and shall obligate itself for the repayment thereof, together with interest thereon, solely out of the income and revenues from such facilities, or other such facilities heretofore or hereafter acquired, or from special fees and charges required to be paid by the students deemed by it to be benefited thereby, or any combination thereof.

History: 1963, 2nd Ex. Sess., Act 48, Eff. Jan. 1, 1964;—Am. 1964, Act 14, Imd. Eff. Apr. 6, 1964;—Am. 1969, Act 16, Imd. Eff. May 23, 1969.

390.559 Boards of control; teacher training schools, maintenance; contracts.

Sec. 9. A board of control shall maintain in connection with the training of teachers fully equipped training schools as schools of observation and practice. A board may contract with the board of education of any school district near its institution to use the schools and school property of the school district as schools of observation and practice, and may furnish equipment, teachers, administrators, employees and facilities deemed necessary to provide the observation and practice. The boards of education of these school districts may enter into such contracts and confer upon the boards of control their duties as are prescribed by law and deemed necessary by the school boards and board of control to carry out the provisions herein. Any contract heretofore entered into between the state board of education and the board of education of a school district for the purpose of providing observation and practice is continued as a binding contract between the board of control of the institution covered by such contract and the board of education of the school district.

History: 1963, 2nd Ex. Sess., Act 48, Eff. Jan. 1, 1964.

390.560 Boards of control; public school teaching, courses of study.

Sec. 10. Each institution shall instruct persons in the science and art of teaching in the public schools of the various school districts of the state. Each board of control shall prescribe appropriate courses of study for the preparation and training of persons for such teaching.

History: 1963, 2nd Ex. Sess., Act 48, Eff. Jan. 1, 1964.

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390.561 Repeals.

Sec. 11. Act No. 261 of the Public Acts of 1895, being sections 390.471 to 390.473 of the Compiled Laws of 1948, Act No. 175 of the Public Acts of 1897, being sections 390.481 and 390.482 of the Compiled Laws of 1948, Act No. 51 of the Public Acts of 1899, being sections 390.491 to 390.496 of the Compiled Laws of 1948, Act No. 156 of the Public Acts of 1903, being sections 390.511 to 390.515 of the Compiled Laws of 1948, Act No. 15 of the Public Acts of 1937, as amended, being sections 390.451 to 390.456 of the Compiled Laws of 1948, and Act No. 108 of the Public Acts of 1941, as amended, being section 390.581 of the Compiled Laws of 1948, are repealed.

History: 1963, 2nd Ex. Sess., Act 48, Eff. Jan. 1, 1964.

390.562 Effective date of act.

Sec. 12. This act shall take effect on January 1, 1964.

History: 1963, 2nd Ex. Sess., Act 48, Eff. Jan. 1, 1964.

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