MICHIGAN TECHNOLOGICAL UNIVERSITY
Act 70 of 1885

AN ACT to establish and regulate the Michigan technological university.

History: 1885, Act 70, Imd. Eff. May 1, 1885;—Am. 1927, Act 3, Eff. Sept. 5, 1927;—Am. 1963, 2nd Ex. Sess., Act 49, Eff. Jan. 1, 1964.

The People of the State of Michigan enact:

390.351 Michigan technological university; name, purpose.

Sec. 1. The institution established in the Upper Peninsula known as the Michigan college of mining and technology, referred to in the constitution of 1963 as the Michigan college of science and technology, is continued after January 1, 1964, under the name of Michigan technological university, and shall be maintained for the purpose and under the regulations contained in this act. The institution shall provide the inhabitants of this state with the means of acquiring a thorough knowledge of the mineral industry in its various phases, and of the application of science to industry, as exemplified by the various engineering courses offered at technological institutions, and shall seek to promote the welfare of the industries of the state, insofar as the funds provided shall permit and the board of control shall deem advisable.

History: 1885, Act 70, Imd. Eff. May 1, 1885;—How. 5025a;—CL 1897, 1884;—CL 1915, 1299;—Am. 1927, Act 3, Eff. Sept. 5, 1927;—CL 1929, 7921;—CL 1948, 390.351;—Am. 1963, 2nd Ex. Sess., Act 49, Eff. Jan. 1, 1964.

390.352 Board of control; appointment of members; president as ex officio member; expenses; powers and duties enumerated.

Sec. 2. (1) The government of the Michigan technological university, the conduct of the university's affairs, and the control of the university's property shall be vested in a board of 8 members, who shall be known as the board of control of the Michigan technological university, and who shall be appointed by the governor, by and with the advice and consent of the senate. The president of the institution shall be ex officio a member of the board without the right to vote. The members of the board shall serve without compensation, but shall receive actual and necessary expenses incurred in the performance of the duties of their office.

(2) A majority of the members of the board of control may enact, amend, and repeal rules and bylaws for the conduct of the board's business as provided in section 3 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 any gift, grant, bequest, or devise of funds or property, real or personal, absolutely or in trust, which will promote the purposes of the 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 the board. The enumeration of powers in this section shall not be considered to exclude powers not expressly excluded by law.

History: 1885, Act 70, Imd. Eff. May 1, 1885;—How. 5025b;—CL 1897, 1885;—CL 1915, 1300;—Am. 1927, Act 3, Eff. Sept. 5, 1927;—CL 1929, 7922;—CL 1948, 390.352;—Am. 1963, 2nd Ex. Sess., Act 49, Eff. Jan. 1, 1964;—Am. 1977, Act 230, Imd. Eff. Nov. 30, 1977.

390.353 Board of control; conducting business in compliance with MCL 15.261 et seq.; time, place, notice, and adjournment of meeting; quorum; officers; bond; vote of board required for payment of money or disposal of property.

Sec. 3. (1) The business which the board 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.

(2) A meeting of the board of control shall be called at a place and time and in a manner in compliance with Act No. 267 of the Public Acts of 1976. 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 meeting may be lawfully adjourned at the board's pleasure. Five members of the board shall form a quorum for business, and 2 members may hold a meeting open by adjournment, from time to time, not more than 2 weeks in all, provided a quorum shall not be present at the time appointed for the meeting. The board may elect 1 of the board's members or may designate the president of the institution to preside at board meetings. The board shall elect a secretary, a treasurer, and other officers as the board considers necessary. Each officer shall hold office at the

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pleasure of the board. A member of the board shall not be eligible to election as the 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 that office. Money shall not be paid out, or a contract shall not be made, or an act done, involving the payment of money or the disposal of property, except pursuant to a vote of the board.

History: 1885, Act 70, Imd. Eff. May 1, 1885;—How. 5025c;—CL 1897, 1886;—CL 1915, 1301;—CL 1929, 7923;—CL 1948, 390.353;—Am. 1956, Act 31, Eff. Aug. 11, 1956;—Am. 1963, 2nd Ex. Sess., Act 49, Imd. Eff. Jan. 1, 1964;—Am. 1977, Act 230, Imd. Eff. Nov. 30, 1977.

390.354 Board of control; securing of buildings and equipment; faculty, appointment, discharge.

Sec. 4. As soon as the means in its hands will permit, without incurring indebtedness, said board shall proceed to obtain a suitable location, and lease or erect such buildings, and procure such furniture, apparatus, library, and implements, as may be necessary for the successful operation of said school, and to appoint a principal, and such other teachers and assistants as the board may deem expedient, with salaries, to be paid from time to time, as it may agree, and to regulate their duties; but no agreement shall be valid whereby such board shall be prevented from discharging any one in their employ upon 2 months previous notice.

History: 1885, Act 70, Imd. Eff. May 1, 1885;—How. 5025d;—CL 1897, 1887;—CL 1915, 1302;—CL 1929, 7924;—CL 1948, 390.354.

390.355 Michigan college of mining and technology; courses of instruction, tuition; fees; supplies; free school, declaration; scholarships; short courses.

Sec. 5. The courses of instruction shall embrace such branches of practical and theoretical knowledge as will, in the opinion of the board, promote the objects of the college. The college shall be open to all students resident of this state and to all other students under such regulations and restrictions as the board of control may prescribe in accordance with the laws. The board may require tuition and fees of all students and fix the amount thereof. Reasonable charges shall be made against any student for incidental expenses and use of laboratories and apparatus and for all material consumed; but the board shall not be obliged to furnish books, apparatus or other materials for the use of students. As to all charges mentioned in this section, the board shall have the power to remit the same in whole or in part in the case of deserving and needy students who are bona fide residents of Michigan by establishing scholarships or otherwise. If the United States congress shall pass any act for assistance toward the support of the institution to be dependent on the institution being free to all citizens of the United States, the board of control shall have the power to declare the institution to be free, in accordance with such act of congress, and such declaration shall have the same force and effect as if the same were made by an act of the legislature of this state. The board shall have power to provide, under such rules and regulations as they shall prescribe, for such short courses of instruction as may be helpful to students who are not candidates for a degree, and may prescribe reasonable fees for the same.

History: 1885, Act 70, Imd. Eff. May 1, 1885;—How. 5025e;—Am. 1897, Act 81, Eff. Aug. 30, 1897;—CL 1897, 1888;—Am. 1903, Act 224, Eff. Sept. 17, 1903;—CL 1915, 1303;—Am. 1925, Act 11, Eff. Aug. 27, 1925;—Am. 1927, Act 3, Eff. Sept. 5, 1927;—CL 1929, 7925;—CL 1948, 390.355;—Am. 1959, Act 123, Imd. Eff. July 8, 1959;—Am. 1961, Act 189, Eff. Sept. 8, 1961.

390.356 Michigan college of mining and technology; curriculum; admission and discipline of students; degrees and diplomas.

Sec. 6. The course of study, the terms and the hours of instruction shall be regulated by the board, who shall also have power to make all such rules and regulations concerning the admission, control and discipline of students, and other matters, as may be deemed necessary for the good government of the institution and the convenience and transaction of its business, and also to confer such degrees and grant such diplomas as are usually conferred and granted by other similar institutions.

History: 1885, Act 70, Imd. Eff. May 1, 1885;—Am. 1889, Act 9, Imd. Eff. Feb. 23, 1889;—How. 5025f;—CL 1897, 1889;—CL 1915, 1304;—CL 1929, 7926;—CL 1948, 390.356.

390.357 Michigan college of mining and technology; contraction of debt; control of property; mining business.

Sec. 7. No debt shall be contracted beyond or apart from the actual means at the disposal of the institution. The board may dispose of or lease any property donated to the state for the purposes of said school, or which may be acquired in payment of debts, except of such as is necessary for the accommodation of the school. The board shall not enter upon the business of mining, or pursue the same, except so far as it may be deemed necessary in the course of instruction, nor shall they purchase any lands beyond what are required for the reasonable accommodation of the school.

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History: 1885, Act 70, Imd. Eff. May 1, 1885;—How. 5025g;—CL 1897, 1890;—CL 1915, 1305;—CL 1929, 7927;—CL 1948, 390.357.

390.358 Michigan college of mining and technology; collection of minerals; report.

Sec. 8. It shall be the duty of said board to provide for obtaining and establishing a complete collection of minerals of the upper peninsula, and properly classifying the same; the board shall on or before the first day of December in each year next preceding the regular session of the legislature, make a report of its doings to the superintendent of public instruction, and shall transmit therewith a general report showing their receipts and expenditures during the period for which the report is made, as well as the general affairs of said school.

History: 1885, Act 70, Imd. Eff. May 1, 1885;—How. 5025h;—Am. 1897, Act 81, Eff. Aug. 30, 1897;—CL 1897, 1891;—CL 1915, 1306;—CL 1929, 7928;—CL 1948, 390.358.

390.359 Repealed. 1963, 2nd Ex. Sess., Act 49, Eff. Jan. 1, 1964.

Compiler's note: The repealed section provided that vacancies in Michigan technological university board could be filled by governor.

390.360 Michigan technological university; vesting of property.

Sec. 10. The board of control of the Michigan technological university is the successor of the board of control of the Michigan college of mining and technology, and all property held in trust or otherwise by, or in the custody, control or management of the Michigan college of mining and technology, or the board of control of the Michigan college of mining and technology, shall, when this act takes effect, vest in the Michigan technological university or the board of control of the Michigan technological university.

History: Add. 1927, Act 3, Eff. Sept. 5, 1927;—CL 1929, 7930;—CL 1948, 390.360;—Am. 1963, 2nd Ex. Sess., Act 49, Eff. Jan. 1, 1964.

390.361 Michigan technological university; acceptance of gifts; cooperation; agreements.

Sec. 11. The board of control may receive, hold and manage any gift, funds, or property granted or devised to it, or to the institution, to promote any of the purposes of the institution. The board may cooperate with other educational institutions, governmental bodies, industries, or persons, in such manner and degree as, in its judgment, will promote the welfare of the institution and of the industries of Michigan. The board may enter into agreements, not inconsistent with this act, as may be desirable, in its judgment, in the conduct of such matters and the management, control and administration of the affairs of the institution.

History: Add. 1927, Act 3, Eff. Sept. 5, 1927;—CL 1929, 7931;—CL 1948, 390.361;—Am. 1963, 2nd Ex. Sess., Act 49, Eff. Jan. 1, 1964.

390.362 Repealed. 1969, Act 26, Eff. Jan. 1, 1970.

Compiler's note: The repealed section provided that Sault Ste. Marie branch of Michigan technological university, was to be permanent establishment of institution and required that branch be operated as part of institution.

390.363 Board of control; rules and regulations adopted, posted, and published as ordinances; violation as misdemeanor; penalty; establishment of police force not permitted.

Sec. 13. The board of control may adopt reasonable rules and regulations for the safety, health, welfare, and protection of the people and for the protection and preservation of its property and property in or under the custody, control, and management of the board. When the rules and regulations are adopted, posted on the premises to which they pertain, and also published in newspapers circulated in Baraga and Houghton counties, they shall constitute ordinances. Any violation of such ordinances is a misdemeanor, punishable by a fine of not more than $100.00 or imprisonment for not more than 60 days, or both. Nothing in this act permits the board to establish a police force.

History: Add. 1962, Act 105, Eff. Mar. 28, 1963;—Am. 1982, Act 384, Imd. Eff. Dec. 28, 1982.

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