Michigan Legislation (Initial Charter)

MICHIGAN LEGISLATION INITIAL CHARTER

BOT MI Legislation Charter

Date of Last Update:
August 17, 1963

Approved By:

- Board of Trustees

Responsible Office:
Office of General Counsel

POLICY

Michigan Legislation

Act 120 of 1960

AN ACT to establish an institution of higher education having authority to grant baccalaureate degrees to be known as Grand Valley state university; to implement the state constitution by providing for the appointment of the board of control, the organization of the board, and the vesting of assets in the board; and to grant and confirm the powers of the board.

History: 1960, Act 120, Eff. Aug. 17, 1960; Am. 1963, 2nd Ex. Sess., Act 24, Eff. Jan. 1, 1964; Am. 1970, Act 13, Imd. Eff. Apr. 10, 1970; Am. 1972, Act 355, Imd. Eff. Jan. 9, 1973; Am. 1987, Act 156, Imd. Eff. Nov. 5, 1987.

The People of the State of Michigan enact:

390.841 Grand Valley state university; establishment; location; maintenance; equal availability of facilities; powers of board of control. [M.S.A. 15.1852(1)]

(1) There is established a state institution of higher education having authority to grant baccalaureate degrees to be known as Grand Valley state university and located in Allendale township, Ottawa county. The institution shall be maintained by the state and its facilities shall be made equally available and upon the same basis to all qualified residents of this

state. The institution shall be governed by a board of control which shall be a body corporate.

(2) In addition to any other powers granted by law, the board has all of the following powers:

(a) General supervision of the university.

(b) Control and direction of all expenditures from the university's funds.

(c) The right to sue and be sued.

(d) Adoption of a seal and altering of a seal.

(3) As used in this act, "board" means the board of control of Grand Valley state university.

History: 1960, Act 120, Eff. Aug. 17, 1960; Am. 1963, 2nd Ex. Sess., Act 24, Eff. Jan. 1, 1964; Am. 1970, Act 13, Imd. Eff. Apr. 10, 1970; Am. 1972, Act 355, Imd. Eff. Jan. 9, 1973; Am. 1987, Act 156, Imd. Eff. Nov. 5, 1987.

390.842 Board of control; members, appointment, terms; president. [M.S.A. 15.1852(2)]

There is established a "board of control", to consist of 8 members to be appointed by the governor with the advice and consent of the senate for terms of 8 years. The president of the institution shall be ex officio a member of the board without the right to vote.

History: 1960, Act 120, Eff. Aug. 17, 1960; Am. 1963, 2nd Ex. Sess., Act 24, Eff. Jan. 1, 1964.

390.843 Board of control; election and terms of officers; treasurer's bond; vote required for incurring obligations or disposing of property or funds; quorum; conducting business in compliance with § 15.261 et seq.; notice of meeting; powers and duties enumerated. [M.S.A. 15.1852(3)]

(1) The board of control may elect 1 member of the board or may designate the president to preside at board meetings. The board shall elect a secretary, a treasurer, and other officers as it considers necessary, none of whom shall be a member of the board. An officer shall serve a term of 1 year and until a successor is elected and qualified. Before permitting the treasurer to enter upon the duties of the office, the board shall require a bond to the people of this state with the sureties and in a sum not less than the amount of money likely to be in the treasurer's possession as the board designates. An officer may not incur obligations or dispose of the board's property or funds, except in pursuance of a vote of the board.

(2) A majority of the members of the board shall form a quorum for the transaction of business. 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. 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.

(3) The board by majority vote of its membership may enact or amend rules and bylaws, for the conduct of the board's business as provided in subsection (1) 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 the compensation to be paid for services and materials; confer degrees and grant diplomas as are usually conferred or granted by similar institutions; receive, hold, and manage any gift, grant, bequest, or devise of funds or property, real or personal, absolutely or in trust, to 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 in behalf of the state, 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 board may exercise all powers customarily exercised by the governing board of a college or university and the enumeration of the powers in this section shall not be considered to exclude powers not expressly excluded by law.

History: 1960, Act 120, Eff. Aug. 17, 1960; Am. 1963, 2nd Ex. Sess., Act 24, Eff. Jan. 1, 1964; Am. 1977, Act 246, Imd. Eff. Dec. 6, 1977.

390.844 Board of control; borrowing money; acquisition of property; acquisition or construction of facilities; notes or bonds. [M.S.A. 15.1852(4)]

Sec. 4. The board shall not borrow money on its general faith and credit, nor create any liens upon its property except as provided. The board 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, parking structures, stadiums, athletic fields, gymnasiums, auditoriums, and other educational facilities. After the legislature by concurrent resolution has approved the acquisition or construction of such facilities, the board may borrow money issuing notes or bonds under such terms and provisions as it deems best to finance such facilities, the necessary site or sites, and including, but not limited to, capitalized interest and a debt service reserve in connection with the notes or bonds, with interest, solely out of income and revenues from any such facilities or any other such facilities later acquired, special fees and charges required to be paid by the students considered by the board to be benefited, funds to be received as gifts, grants, or otherwise from the state or federal government or any agency of the state or federal government or any public or private donor, if, prior to issuance of such notes or bonds, the state, federal government, or its agency, or

other donor has contracted to pay to the board or to the holder of such notes or bonds definite amounts of money as determined by formula or otherwise, the proceeds of or delivery of any notes or bonds issued, or any combination thereof.

History: 1960, Act 120, Eff. Aug. 17, 1960; Am. 1966, Act 149, Imd. Eff. June 24, 1966; Am. 1970, Act 13, Imd. Eff. Apr. 10, 1970; Am. 1987, Act 156, Imd. Eff. Nov. 5, 1987.

390.845 Legislative intent. [M.S.A. 15.1852(5)]

This act is intended to implement, clarify and confirm in the board the constitutional powers customarily exercised by the board of control of institutions of higher education established by law having authority to grant baccalaureate degrees.

History: Add. 1970, Act 13, Imd. Eff. Apr. 10, 1970.

390.846 Cost of transition or name change. [M.S.A. 15.1852(6)]

(1) The state shall not bear any cost incurred in the transition of Grand Valley state college to Grand Valley state university. Costs incurred by the name change shall be borne by the institution from nonstate sources.

(2) A student shall not bear any cost incurred in the transition of Grand Valley state college to Grand Valley state university by an increase in either tuition or other student fees. All costs associated with the transition of Grand Valley state college to Grand Valley state university and the source from which funds required to effectuate the transition were received shall be reported to the house and senate appropriations committees no later than December 31, 1989.

History: Add. 1987, Act 156, Imd. Eff. Nov. 5, 1987.