

By: Representative Fillingane

To: Universities and
Colleges

HOUSE BILL NO. 239

1 AN ACT TO AMEND SECTIONS 37-4-3 AND 37-102-3, MISSISSIPPI
2 CODE OF 1972, TO DELETE THE REQUIREMENT THAT LOWER UNDERGRADUATE
3 LEVEL COURSE OFFERINGS AT OFF-CAMPUS UNIVERSITY SITES BE APPROVED
4 BY THE STATE BOARD FOR COMMUNITY AND JUNIOR COLLEGES; AND FOR
5 RELATED PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 SECTION 1. Section 37-4-3, Mississippi Code of 1972, is
8 amended as follows:

9 37-4-3. (1) From and after July 1, 1986, there shall be a
10 State Board for Community and Junior Colleges, which shall receive
11 and distribute funds appropriated by the Legislature for the use
12 of the public community and junior colleges and funds from federal
13 and other sources that are transmitted through the state
14 governmental organization for use by the community and junior
15 colleges. This board shall provide general coordination of the
16 public community and junior colleges, assemble reports and perform
17 such other duties as may be prescribed by law.

18 (2) The board shall consist of ten (10) members of which
19 none shall be an elected official and none shall be engaged in the
20 educational profession. The Governor shall appoint: two (2)
21 members from the First Mississippi Congressional District, one (1)
22 who shall serve an initial term of two (2) years and one (1) who
23 shall serve an initial term of five (5) years; two (2) members
24 from the Second Mississippi Congressional District, one (1) who
25 shall serve an initial term of five (5) years and one (1) who
26 shall serve an initial term of three (3) years; * * * two (2)
27 members from the Third Mississippi Congressional District, one (1)
28 who shall serve an initial term of four (4) years and one (1) who



29 shall serve an initial term of two (2) years; two (2) members from
30 the Fourth Mississippi Congressional District, one (1) who shall
31 serve an initial term of three (3) years and one (1) who shall
32 serve an initial term of four (4) years; and two (2) members from
33 the Fifth Mississippi Congressional District, one (1) who shall
34 serve an initial term of five (5) years and one (1) who shall
35 serve an initial term of two (2) years. All subsequent
36 appointments shall be for a term of six (6) years and continue
37 until their successors are appointed and qualify. An appointment
38 to fill a vacancy which arises for reasons other than by
39 expiration of a term of office shall be for the unexpired term
40 only. No two (2) appointees shall reside in the same junior
41 college district. All members shall be appointed with the advice
42 and consent of the Senate.

43 (3) There shall be a chairman and vice chairman of the
44 board, elected by and from the membership of the board; and the
45 chairman shall be the presiding officer of the board. The board
46 shall adopt rules and regulations governing times and places for
47 meetings and governing the manner of conducting its business.

48 (4) The members of the board shall receive no annual salary,
49 but shall receive per diem compensation as authorized by Section
50 25-3-69 for each day devoted to the discharge of official board
51 duties and shall be entitled to reimbursement for all actual and
52 necessary expenses incurred in the discharge of their duties,
53 including mileage as authorized by Section 25-3-41.

54 (5) The board shall name a director for the state system of
55 public junior and community colleges, who shall serve at the
56 pleasure of the board. Such director shall be the chief executive
57 officer of the board, give direction to the board staff, carry out
58 the policies set forth by the board, and work with the presidents
59 of the several community and junior colleges to assist them in
60 carrying out the mandates of the several boards of trustees and in
61 functioning within the state system and policies established by



62 the State Board for Community and Junior Colleges. The State
63 Board for Community and Junior Colleges shall set the salary of
64 the Director of the State Board for Community and Junior Colleges.
65 The Legislature shall provide adequate funds for the State Board
66 for Community and Junior Colleges, its activities and its staff.

67 (6) The powers and duties of the State Board for Community
68 and Junior Colleges shall be:

69 (a) To authorize disbursements of state appropriated
70 funds to community and junior colleges through orders in the
71 minutes of the board.

72 (b) To make studies of the needs of the state as they
73 relate to the mission of the community and junior colleges.

74 (c) To approve new, changes to and deletions of
75 vocational and technical programs to the various colleges.

76 (d) To require community and junior colleges to supply
77 such information as the board may request and compile, publish and
78 make available in such reports based thereon as the board may deem
79 advisable.

80 (e) To approve proposed new attendance centers (campus
81 locations) as the local boards of trustees should determine to be
82 in the best interest of the district. * * * However, * * * no new
83 community or junior college branch campus shall be approved
84 without an authorizing act of the Legislature.

85 (f) To serve as the state approving agency for federal
86 funds for proposed contracts to borrow money for the purpose of
87 acquiring land or erecting, repairing or renovating dormitories,
88 dwellings or apartments for students * * * or faculty, such loans
89 to be paid from revenue produced by such facilities as requested
90 by local boards of trustees.

91 (g) To approve applications from community and junior
92 colleges for state funds for vocational-technical education
93 facilities.

94 * * *



95 (h) To appoint members to the Post-Secondary
96 Educational Assistance Board.

97 (i) To appoint members to the Authority for Educational
98 Television.

99 (j) To contract with other boards, commissions,
100 governmental entities, foundations, corporations or individuals
101 for programs, services, grants and awards when such are needed for
102 the operation and development of the state public community and
103 junior college system.

104 (k) To fix standards for community and junior colleges
105 to qualify for appropriations, and qualifications for community
106 and junior college teachers.

107 (l) To have sign-off approval on the State Plan for
108 Vocational Education which is developed in cooperation with
109 appropriate units of the State Department of Education.

110 (m) To approve or disapprove of any proposed inclusion
111 within municipal corporate limits of state-owned buildings and
112 grounds of any community college or junior college and to approve
113 or disapprove of land use development, zoning requirements,
114 building codes and delivery of governmental services applicable to
115 state-owned buildings and grounds of any community college or
116 junior college. Any agreement by a local board of trustees of a
117 community college or junior college to annexation of state-owned
118 property or other conditions described in this paragraph shall be
119 void unless approved by the board and by the board of supervisors
120 of the county in which the state-owned property is located.

121 SECTION 2. Section 37-102-3, Mississippi Code of 1972, is
122 amended as follows:

123 37-102-3. * * * The Board of Trustees of State Institutions
124 of Higher Learning, in cooperation with the State Board for
125 Community and Junior Colleges, shall study the need and
126 advisability of offering * * * advanced centers for technology
127 partnerships for industrial training and professional development



128 for credit and noncredit courses, at the following off-campus
129 sites by four-year public state institutions of higher learning:
130 the Mississippi Gulf Coast counties; Greenville, Mississippi;
131 Columbus, Mississippi; McComb, Mississippi; Hattiesburg,
132 Mississippi; Meridian, Mississippi; Laurel, Mississippi; and any
133 other proposed area of the state. * * * It is the intent of the
134 Legislature to meet the educational needs of students who do not
135 have ready access to the educational opportunities that they
136 desire. * * * The board shall establish such rules and regulations
137 as it deems necessary and proper to carry out the purposes and
138 intent of this chapter.

139 SECTION 3. This act shall take effect and be in force from
140 and after July 1, 2001.

