

HOUSE No. 1980

By Mr. Matrango of North Adams, petition of the Board of Regional Community Colleges relative to the powers and duties of said board. Education.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Eight.

AN ACT RELATIVE TO THE POWERS AND DUTIES OF THE BOARD OF REGIONAL COMMUNITY COLLEGES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 15 of the Massachusetts General Laws is hereby
2 amended by deleting sections 27, 27A, 27B, 28, and 28A and
3 inserting the following sections:—

4 *Section 27.* Board of Trustees for the Massachusetts Regional
5 Community Colleges; establishments; composition; appointment;
6 tenure; compensation and expenses; chairman; vacancies

7 There is hereby established in the department, but not subject to
8 its control, a Board of Trustees for the Massachusetts regional
9 community colleges, hereinafter called the board, which shall
10 consist of seventeen members, including the chancellor of the
11 board of higher education, the commissioner of education, the
12 president of the University of Massachusetts, a president of a state
13 college elected annually by the presidents of the state colleges,
14 including the Massachusetts college of art and the Massachusetts
15 Maritime Academy, the president of either the University of
16 Lowell or the Southeastern Massachusetts University elected by
17 the presidents of said Universities, the chairman of the student
18 advisory commission to the board of trustees of regional
19 community colleges, and eleven members appointed by the
20 governor at least one of whom shall be the president of a private
21 college, university or junior college in the commonwealth. The
22 Trustees shall serve without compensation, but shall be reim-
23 bursed for their actual and necessary expenses incurred in the

24 performance of their duties. The governor, in his initial
25 appointments, shall designate three Trustees to serve for six years,
26 three Trustees for five years, two Trustees for four years, and one
27 Trustee for one year. Upon the expiration of the term of office of a
28 Trustee his successor shall be appointed for a term of six years. The
29 governor shall from time to time designate one of the Trustees as
30 chairman. If any Trustee is absent from four regular meetings,
31 excluding those which may be held in the months of July and
32 August, in any calendar year, his office as a Trustee shall be
33 deemed to be vacant. The chairman shall forthwith notify the
34 governor that such vacancy exists.

35 *Section 27A. Student Advisory Commission.*

36 There shall be a student advisory commission to the Board of
37 Trustees for the Massachusetts regional community colleges
38 consisting of one elected representative from the student body at
39 each of the institutions under the jurisdiction of said board. The
40 term of office of each member of said commission shall be one
41 year. No persons shall be eligible to be elected to the commission
42 unless at the time of his election he is enrolled as a student in an
43 institution under the jurisdiction of said Board. If at any time
44 during his term of office a member of said commission ceases to be
45 so enrolled, his membership shall be terminated and his position
46 shall be deemed vacant. A vacancy prior to the expiration of a term
47 shall be filled for the remainder of the term by a person appointed
48 by the chairman of the commission provided that the person so
49 appointed shall be one who is enrolled as a student in the same
50 institution represented by his predecessor. The members of the
51 commission shall elect their own chairman by majority vote of the
52 entire membership. The chairman of the commission shall, from
53 time to time, call meetings of the commission. The members of the
54 commission shall serve without compensation except that they
55 shall be reimbursed for necessary expenses incurred in travelling to
56 and from commission meetings.

57 *Section 27B. Faculty Advisory Body.*

58 There shall be a faculty advisory body to the Board of Trustees
59 for the Massachusetts regional community colleges, consisting of
60 one elected representative from the full time faculty of each
61 regional community college. Each such representative shall serve

62 for a term of two years. The members of the faculty advisory body
63 shall elect for one academic year a faculty officer to represent them
64 in matters before the Board of Trustees for the Massachusetts
65 regional community colleges. The faculty officer shall attend each
66 meeting of such board and may propose items for the agenda of
67 subsequent meetings during the academic year. If the faculty
68 officer intends to be absent at a forthcoming board meeting he may
69 appoint an alternate from the faculty advisory body to attend such
70 meeting with full authority as faculty officer.

71 *Section 28. Powers and Duties of board.*

72 The regional community colleges shall provide educational
73 programs, the curricula of which shall be substantially equivalent
74 to the first two years of college, including post-high school
75 vocational education subject of the supervision of the division of
76 occupational education in the department of education; provide
77 two-year transfer educational programs qualifying students for
78 admission to the junior year at other colleges and such liberal arts
79 and science instruction as may be appropriate within the terminal
80 programs. Regional community colleges may also establish
81 programs of adult education and community services.

82 The duties of the Board of Trustees for the Massachusetts
83 regional community colleges shall include the determination of the
84 need for education at the community and junior college level
85 throughout the commonwealth, the development and execution of
86 an over-all plan to meet this need and the establishment and
87 maintenance of regional community colleges at suitable locations
88 in accordance with this plan, subject only to such general authority
89 in the board of higher education. The Trustees shall fix the tuition
90 to be charged. Said Trustees shall have the power to construct,
91 lease or otherwise provide any facilities required for such colleges,
92 including the right to take land for such purposes by eminent
93 domain under the provisions of chapter seventy-nine. The Trustees
94 may also enter into agreements for the use of local facilities with a
95 school committee or other local authority or jointly with school
96 committees or other authorities of two or more cities or towns;
97 provided, that the Trustees and the school committee or
98 committees or other local facilities at any time. A city or town may
99 convey real property, whether acquired by eminent domain or

101 otherwise, to the commonwealth for the use of a regional
102 community college, upon such terms as a city by its city council or a
103 town by its town meetings may determine, with or without
104 consideration.

105 Each regional community college established under this or any
106 other section shall be governed solely by the Board of Trustees for
107 the Massachusetts regional community colleges. In exercising the
108 authority, responsibility, powers and duties specifically conferred
109 upon it, the Trustees shall, subject only to such general authority in
110 the board of higher education, have all the authority, responsibili-
111 ty, rights, privileges, powers and duties customarily and
112 traditionally exercised by governing boards of institutions of
113 higher learning. In exercising such authority, responsibility,
114 powers and duties said Trustees shall not in the management of the
115 affairs of said colleges be subject to, or superseded in any such
116 authority by, any other state board, bureau, department or
117 commission, except the board of higher education to the extent
118 any such exercise might be inconsistent with determinations of said
119 Trustees delineating functions and programs for institutions and
120 segments of institutions of public higher education.

121 Notwithstanding any other provision of law to the contrary,
122 except as herein provided, the board may adopt, amend or repeal
123 such rules and regulations for the government of any such college,
124 for the management, control and administration of its affairs, for
125 its faculty, students and employees, and for the regulation of their
126 own body, as they may deem necessary, and may impose
127 reasonable penalties for the violation of such rules and regulations.

128 The board may grant the degree of associate in arts or associate
129 in science, or both degrees to persons who complete the required
130 courses of instruction in such colleges. Notwithstanding the
131 provisions of this paragraph, in exercising the authority to grant
132 degrees, the Trustees shall be subject to the determinations of the
133 board of higher education delineating functions and programs for
134 institutions and segments of public higher education.

135 The Board also award academic degrees at all appropriate levels
136 as approved by the board of higher education.

137 *Section 28A.* Branch banks on ground of colleges authorized.

138 Notwithstanding any contrary provisions of law, the board of

139 bank incorporation or the commissioner of banks is hereby
140 authorized to allow a bank, as defined in section one of chapter one
141 hundred and sixty-seven, to establish and maintain a branch on the
142 grounds of any state community college in the commonwealth,
143 provided that the Board of Trustees for the Massachusetts regional
144 community colleges shall determine the method and terms of the
145 lease if applicable or rental thereof.

146 Added by st. 1973, c. 1089, 1.

