

23-54-102. Board of trustees - creation - members - powers - duties.

(1) (a) Effective July 1, 2002, there is established the board of trustees for Metropolitan state college of Denver, referred to in this article as the "board of trustees", which shall consist of eleven members and shall be the governing authority for Metropolitan state college of Denver. The board of trustees created by this subsection (1) shall be, and is hereby declared to be, a body corporate and, as such and by the names designated in this section, may:

(I) Acquire and hold property for the use of Metropolitan state college of Denver;

(II) Be a party to all suits and contracts; and

(III) Do all things necessary to carry out the provisions of this article in like manner as municipal corporations of this state, including but not limited to the power to demand, receive, hold, and use for the best interests of Metropolitan state college of Denver such money, lands, or other property as may be donated or devised to or for the college.

(b) The trustees and their successors shall have perpetual succession, shall have a seal, may make bylaws and regulations for the well-ordering and government of Metropolitan state college of Denver, and may conduct the business of said college in a manner not repugnant to the constitution and laws of this state. The board of trustees shall elect from the appointed members a chairperson, whose duties and responsibilities shall be prescribed in the duly adopted bylaws of the board of trustees. The board shall also elect a secretary and a treasurer, who are not members of the board and whose duties and responsibilities shall be prescribed in the duly adopted bylaws of the board of trustees. The staff of Metropolitan state college of Denver shall provide staff support for the board of trustees.

(2) The governor shall appoint, with the consent of the senate, nine members of the board of trustees. The members first appointed to said board shall take office on July 1, 2002. The terms of appointed members of the board of trustees shall be four years; except that, of the members first appointed, the governor shall select two members who shall serve one-year terms, two members who shall serve two-year terms, and five members who shall serve four-year terms. All appointed members shall serve until their successors are appointed and qualified.

(3) A full-time junior or senior student at Metropolitan state college of Denver, elected by the student body at large, shall fill the tenth office as a member of the board of trustees. The term of said office shall be one year, beginning July 1, 2002, and beginning July 1 each year thereafter. The elected student office shall be advisory, without the right to vote and without the right to attend executive sessions of the board of trustees, as provided by section 24-6-402, C.R.S. The elected student member of the board of trustees shall have resided in the state of Colorado not fewer than three years immediately prior to election. As used in this subsection (3), "full-time student" shall have the same definition as "full-time equivalent student" used by the joint budget committee of the general assembly.

(4) A full-time member of the teaching faculty at large of Metropolitan state college of Denver, elected by the faculty at large, shall fill the eleventh office as a member of the board of

trustees. The term of said office shall be one year, beginning July 1, 2002, and beginning July 1 each year thereafter. The elected faculty member of the board of trustees shall be advisory, without the right to vote and without the right to attend executive sessions of the board of trustees, as provided by section 24-6-402, C.R.S.

(5) Any vacancy in the office of an appointed member of the board of trustees shall be filled by appointment by the governor for the unexpired term. Any vacancy in either of the elected offices on the board of trustees shall be filled by reelection for the unexpired term. Each trustee shall take and subscribe to the oath of office prescribed by the constitution of this state before entering upon the duties of the office, which oath shall be placed and kept on file in the office of the secretary of state.

(6) Except as otherwise provided in this subsection (6), the powers, duties, and functions formerly performed by the trustees of the state colleges in Colorado, as said governing board existed prior to July 1, 2003, with respect to Metropolitan state college of Denver are hereby transferred to the board of trustees. Policies, procedures, and agreements previously approved by the trustees of the state colleges, as said governing board existed prior to July 1, 2003, and applicable to Metropolitan state college of Denver shall remain in force and effect unless and until changed by the board of trustees.

Source: L. 2002: Entire article R&RE, p. 1276, § 2, effective July 1. L. 2003: (1)(a), (2), (3), and (4) amended, p. 2595, § 4, effective July 1; (1)(b) and (6) amended, p. 790, § 11, effective July 1.

Editor's note: This section was contained in an article that was repealed and reenacted in 2002. Provisions of this section, as it existed in 2002, are similar to those contained in 23-54-102 as said section existed in 2001, the year prior to the repeal and reenactment of this article.