



Lynn Fitch
ATTORNEY GENERAL
OPINIONS AND POLICY

November 28, 2023

Jonathan W. Davis, Esq.
Mississippi Delta Community College, Board of Trustees
Post Office Box 29
Indianola, Mississippi 38751-0029

Re: Community College Hosting College and Career Fair at No Fee

Dear Mr. Davis:

The Office of the Attorney General has received your request for an official opinion.

Background

An elected official traditionally hosts an annual college and career fair at the Washington County Convention Center in Greenville. However, the convention center is currently under renovation and thus unable to host this year. As a result, the elected official has asked Mississippi Delta Community College (“MDCC”) to use its facilities to host the college and career fair. MDCC typically charges a fee to use its facilities but would like to know if it may allow an elected official to use its facilities at no charge or a discounted fee to host a college and career fair for high school students in the region.

Question Presented

May MDCC allow an elected official to use the college’s facilities at no charge to host a college and career fair for high school students in the region?

Brief Response

Given the board of trustees’ broad power regarding the operation of a community college, it is the opinion of this office that the MDCC board of trustees, in its discretion, may allow an elected official to use the college’s facilities at no charge to host a college and career fair for high school students in the region.

Applicable Law and Discussion

As an initial matter, this office can neither validate nor invalidate past action. To the extent that your question involves any previous action taken by MDCC, we are unable to respond with an official opinion.

Community colleges are considered agencies of local government and are governed by a board of trustees. Miss. Code Ann. §§ 37-4-1(k), 37-29-67; MS AG Op., *Holleman* at *2 (Apr. 2, 2010). Community colleges own their own property, and title to all community college property is vested with the colleges' respective board of trustees. Miss. Code Ann. §§ 37-29-33, 37-29-5.

The board of trustees' authority regarding the operation of the community college is broad. Indeed, pursuant to Mississippi Code Annotated Section 37-29-67:

(1) The duties of the board of trustees shall be the general government of the community/junior college and directive of the administration thereof. Subject to the provisions of Sections 37-29-1 through 37-29-273, the board shall have full power to do all things necessary to the successful operation of the district and the college or colleges or attendance centers located therein to insure educational advantages and opportunities to all the enrollees within the district.

(3) The delineation and enumeration of the powers and purposes set out in Sections 37-29-1 through 37-29-273 shall be deemed to be supplemental and additional, and shall not be construed to restrict the powers of the board of trustees of the district or of any college located therein so as to deny to the said district and the college or colleges therein the rights, privileges and powers previously authorized by statute.

A college and career fair would be mutually beneficial to MDCC and the local community. With this in mind and given the board of trustees' broad power regarding the operation of a community college, it is the opinion of this office that the MDCC board of trustees, in its discretion, may allow an elected official to use the college's facilities at no charge to host a college and career fair for high school students in the region.

If this office may be of any further assistance to you, please do not hesitate to contact us.

Sincerely,

LYNN FITCH, ATTORNEY GENERAL

By: /s/ Maggie Kate Bobo

Maggie Kate Bobo
Special Assistant Attorney General