

# PROPOSED AMENDMENT

## SB 202 # 8

### DIGEST

Boards of trustees of state educational institutions. Adds member appointments by the legislative council to the board of trustees of state educational institutions (board of trustees). Requires each state educational institution to report certain information at the time the institution submits its legislative budget request. Provides that a board of trustees member who is a state employee is not entitled to per diem but is entitled to reimbursement for traveling expenses and other certain expenses. Removes certain criteria requirements for boards of trustees of state educational institutions.

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- 1           Page 1, between the enacting clause and line 1, begin a new  
2 paragraph and insert:  
3           "SECTION 1. IC 21-19-3-2, AS ADDED BY P.L.2-2007, SECTION  
4 260, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY  
5 1, 2024]: Sec. 2. The board of trustees is composed of ~~nine (9)~~ **the**  
6 **following eleven (11)** members:  
7           **(1) Nine (9) members** appointed by the governor as follows:  
8           ~~(A)~~ **(A)** Six (6) members who must be at large.  
9           ~~(B)~~ **(B)** Two (2) members who must be alumni of Ball State  
10 University.  
11           ~~(C)~~ **(C)** One (1) member who must be a Ball State University  
12 student.  
13           **(2) Two (2) at-large members appointed by the legislative**  
14 **council who are not members of the general assembly.**  
15           SECTION 2. IC 21-19-3-3 IS REPEALED [EFFECTIVE JULY 1,  
16 2024]. ~~Sec. 3. Not more than six (6) of the nonstudent members of the~~  
17 ~~board of trustees may be of the same sex.~~  
18           SECTION 3. IC 21-19-3-9, AS ADDED BY P.L.2-2007, SECTION  
19 260, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY  
20 1, 2024]: Sec. 9. A vacancy occurring on the board of trustees from  
21 death, incapacitation, or resignation shall be filled by appointment of  
22 the ~~governor~~ **appropriate appointing authority** for the unexpired  
23 term. Vacancies in offices held by alumni members shall be filled from  
24 nominees submitted by the Ball State University alumni council.

1 SECTION 4. IC 21-20-3-2, AS ADDED BY P.L.2-2007, SECTION  
 2 261, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY  
 3 1, 2024]: Sec. 2. The board of trustees has ~~nine (9)~~ **eleven (11)**  
 4 members.

5 SECTION 5. IC 21-20-3-3 IS REPEALED [EFFECTIVE JULY 1,  
 6 2024]. ~~Sec. 3: This section does not apply to the student trustee  
 7 appointed to the board of trustees. Not more than:~~

8 ~~(1) one (1) of the trustees elected to the board of trustees; and~~

9 ~~(2) two (2) of the trustees appointed to the board of trustees;~~

10 ~~may reside in the same county.~~

11 SECTION 6. IC 21-20-3-12, AS AMENDED BY P.L.29-2012,  
 12 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 13 JULY 1, 2024]: Sec. 12. (a) The governor shall appoint five (5)  
 14 members of the board of trustees. ~~for~~

15 **(b) The legislative council shall appoint two (2) at-large**  
 16 **members of the board of trustees who are not members of the**  
 17 **general assembly.**

18 **(c) The members appointed under this section shall serve** terms  
 19 of three (3) years.

20 ~~(b)~~ (d) Whenever a vacancy occurs in the membership of the board  
 21 of trustees who are appointed by the governor **or legislative council**  
 22 because of death or resignation or for any other reason, the vacancy  
 23 shall be filled by an appointment of the **governor original appointing**  
 24 **authority** for the unexpired term.

25 SECTION 7. IC 21-21-3-2, AS ADDED BY P.L.2-2007, SECTION  
 26 262, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY  
 27 1, 2024]: Sec. 2. The board of trustees is composed of ~~nine (9)~~ **the**  
 28 **following eleven (11)** trustees:

29 **(1) Nine (9) members** appointed by the governor as follows:

30 ~~(1)~~ **(A)** Seven (7) competent individuals, one (1) of whom  
 31 must be a student.

32 ~~(2)~~ **(B)** Two (2) competent individuals who are alumni of  
 33 Indiana State University nominated by the alumni council of  
 34 Indiana State University.

35 **(2) Two (2) at-large members appointed by the legislative**  
 36 **council who are not members of the general assembly.**

37 SECTION 8. IC 21-21-3-8 IS REPEALED [EFFECTIVE JULY 1,  
 38 2024]. ~~Sec. 8: At least one (1) woman must be on the board of trustees.~~

39 SECTION 9. IC 21-21-3-9, AS ADDED BY P.L.2-2007, SECTION  
 40 262, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY

1, 2024]: Sec. 9. (a) The ~~governor~~ **appropriate appointing authority** shall fill a vacancy occurring in the board of trustees from death, resignation, or removal from the state for the unexpired term of the retiring trustee.

(b) The alumni council of Indiana State University shall nominate the appointee to fill a vacancy caused by the loss of an alumni member.

SECTION 10. IC 21-22-3-1, AS ADDED BY P.L.2-2007, SECTION 263, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. Ivy Tech Community College shall be governed by a state board of trustees appointed by the governor **and the legislative council as provided under section 3 of this chapter.**

SECTION 11. IC 21-22-3-3, AS AMENDED BY P.L.174-2018, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) The number of members of the state board of trustees must equal the number of regions established by the state board of trustees plus ~~one (1)~~ **three (3)** additional ~~member, members,~~ but shall not exceed ~~fifteen (15)~~ **seventeen (17)** total members.

(b) **The legislative council shall appoint two (2) at-large members to the state board of trustees who are not members of the general assembly. The governor shall appoint the remaining members described in subsection (a).**

(c) The state board of trustees shall divide the state of Indiana into regions. Each region shall be represented by one (1) trustee **appointed by the governor.**

(d) Each member of the state board of trustees **appointed by the governor** must have knowledge or experience in one (1) or more of the following areas:

- (1) Manufacturing.
- (2) Commerce.
- (3) Labor.
- (4) Agriculture.
- (5) State and regional economic development needs.
- (6) Indiana's educational delivery system.

(e) One (1) member **appointed by the governor** must serve as an at-large member. Appointments shall be for three (3) year terms, on a staggered basis.

~~(b)~~ (f) An individual who holds an elective or appointed office of the state is not eligible to serve as a member of the state board of trustees. A member of a campus board may be appointed to the state

1 board of trustees but must then resign from the campus board.

2 SECTION 12. IC 21-22-3-4, AS AMENDED BY P.L.174-2018,  
3 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2024]: Sec. 4. The ~~governor~~ **appropriate appointing**  
5 **authority** shall fill all vacancies on the state board of trustees. All  
6 members of the state board of trustees who are serving on July 1, 2018,  
7 are entitled to serve until the ~~ends~~ **end** of their terms. At the end of a  
8 trustee's term or otherwise upon the occurrence of a vacancy, the  
9 ~~governor~~ **appropriate appointing authority** may appoint a trustee in  
10 accordance with section 3 of this chapter.

11 SECTION 13. IC 21-23-3-1, AS ADDED BY P.L.2-2007,  
12 SECTION 264, IS AMENDED TO READ AS FOLLOWS  
13 [EFFECTIVE JULY 1, 2024]: Sec. 1. The board of trustees consists of  
14 ~~ten (10)~~ **twelve (12)** members, to be appointed for the term of service  
15 and in the manner provided by this chapter. The terms of all trustees  
16 terminate on July 1 of the year in which their terms of office expire.

17 SECTION 14. IC 21-23-3-2, AS AMENDED BY P.L.213-2015,  
18 SECTION 237, IS AMENDED TO READ AS FOLLOWS  
19 [EFFECTIVE JULY 1, 2024]: Sec. 2. (a) The governor shall appoint  
20 ten (10) trustees, **which includes the Purdue University alumni**  
21 **selected under section 3 of this chapter**, for Purdue University for the  
22 term beginning on July 1 in conformity with this chapter.

23 (b) The general assembly urges the governor to appoint at least one  
24 (1) resident of Allen County to the board of trustees of Purdue  
25 University.

26 (c) **Two (2) at-large members shall be appointed to the board of**  
27 **trustees by the legislative council. The members appointed under**  
28 **this subsection may not be members of the general assembly.**

29 SECTION 15. IC 21-23-3-4 IS REPEALED [EFFECTIVE JULY 1,  
30 2024]. Sec. 4. ~~Seven (7) of the trustees shall be appointed by the~~  
31 ~~governor.~~

32 SECTION 16. IC 21-23-3-8, AS ADDED BY P.L.2-2007,  
33 SECTION 264, IS AMENDED TO READ AS FOLLOWS  
34 [EFFECTIVE JULY 1, 2024]: Sec. 8. In case any vacancy occurs on  
35 the board of trustees by reason of the resignation, removal from the  
36 state, expiration of the term of office, or otherwise of any of the trustees  
37 appointed by the ~~governor~~, **applicable appointing authority**, the  
38 vacancy shall be filled by the ~~governor~~ **applicable appointing**  
39 **authority** from the respective classes as provided in this section to  
40 serve only for the unexpired term.

1 SECTION 17. IC 21-23-3-9, AS ADDED BY P.L.2-2007,  
 2 SECTION 264, IS AMENDED TO READ AS FOLLOWS  
 3 [EFFECTIVE JULY 1, 2024]: Sec. 9. **(a)** The acceptance of an  
 4 appointment by the governor **or legislative council** signifies that the  
 5 appointee will give the appointee's best efforts to the interests of  
 6 Purdue University and that the appointee will regularly attend the  
 7 meetings of the board of trustees.

8 **(b)** The secretary of the board of trustees shall report the attendance  
 9 of each meeting of the board of trustees to the governor **and legislative**  
 10 **council regarding the respective members appointed by the**  
 11 **governor or legislative council.** If a member is absent for two (2)  
 12 consecutive meetings without sufficient excuse, it shall be considered  
 13 sufficient cause for the governor **or legislative council** to ask for the  
 14 resignation of the member **whom the governor or legislative council**  
 15 **appointed.**

16 SECTION 18. IC 21-24-3-2, AS ADDED BY P.L.2-2007,  
 17 SECTION 265, IS AMENDED TO READ AS FOLLOWS  
 18 [EFFECTIVE JULY 1, 2024]: Sec. 2. The board of trustees consists of  
 19 ~~nine (9)~~ **eleven (11)** members who shall serve terms of four (4) years.  
 20 However, the term of a student member of the board of trustees is two  
 21 (2) years.

22 SECTION 19. IC 21-24-3-4, AS ADDED BY P.L.2-2007,  
 23 SECTION 265, IS AMENDED TO READ AS FOLLOWS  
 24 [EFFECTIVE JULY 1, 2024]: Sec. 4. The **members of the** board of  
 25 trustees **appointed by the governor** must include at least the  
 26 following:

27 (1) One (1) member who is an alumnus of the University of  
 28 Southern Indiana or an alumnus of the regional campus.

29 (2) One (1) member who is a full-time student in good standing  
 30 enrolled in the University of Southern Indiana.

31 ~~(3) One (1) member who is a resident of Vanderburgh County.~~

32 SECTION 20. IC 21-24-3-5, AS ADDED BY P.L.2-2007,  
 33 SECTION 265, IS AMENDED TO READ AS FOLLOWS  
 34 [EFFECTIVE JULY 1, 2024]: Sec. 5. (a) The governor shall appoint  
 35 **nine (9)** of the members of the board of trustees.

36 **(b) The legislative council shall appoint two (2) at-large**  
 37 **members to the board of trustees. The members appointed under**  
 38 **this subsection may not be members of the general assembly.**

39 ~~(b)~~ (c) If a vacancy occurs during the term of any member, the  
 40 **governor appointing authority** shall appoint an individual to serve the

1 unexpired term of the vacating member.

2 SECTION 21. IC 21-25-3-1, AS ADDED BY P.L.2-2007,  
3 SECTION 266, IS AMENDED TO READ AS FOLLOWS  
4 [EFFECTIVE JULY 1, 2024]: Sec. 1. The board of trustees consists of  
5 ~~ten (10)~~ **twelve (12)** trustees.

6 SECTION 22. IC 21-25-3-2, AS ADDED BY P.L.2-2007,  
7 SECTION 266, IS AMENDED TO READ AS FOLLOWS  
8 [EFFECTIVE JULY 1, 2024]: Sec. 2. **(a)** Nine (9) members of the  
9 board of trustees shall be appointed by the governor, ~~one (1) of whom~~  
10 **must be a resident of Knox County and one (1) of whom** must be an  
11 alumnus of Vincennes University. In addition, the governor shall  
12 appoint one (1) trustee who is a full-time student of Vincennes  
13 University during the student's term.

14 **(b) The legislative council shall appoint two (2) at-large**  
15 **members to the board of trustees. The members appointed under**  
16 **this subsection may not be members of the general assembly."**

17 Page 4, between lines 9 and 10, begin a new paragraph and insert:  
18 "SECTION 30. IC 21-38-2-1, AS ADDED BY P.L.2-2007,  
19 SECTION 279, IS AMENDED TO READ AS FOLLOWS  
20 [EFFECTIVE JULY 1, 2024]: Sec. 1. (a) This section applies to the  
21 boards of trustees of the following state educational institutions:

- 22 (1) Indiana University.
- 23 (2) Purdue University.
- 24 (3) Indiana State University.
- 25 (4) Ball State University.

26 **(b) Except as provided in section 7 of this chapter,** each member  
27 of the board of trustees of a state educational institution is entitled to  
28 the minimum salary per diem provided by IC 4-10-11-2.1(b). The  
29 member is also entitled to reimbursement for traveling expenses as  
30 provided under IC 4-13-1-4 and other expenses actually incurred in  
31 connection with the member's duties as provided in the state policies  
32 and procedures established by the Indiana department of administration  
33 and approved by the budget agency.

34 SECTION 31. IC 21-38-2-3, AS AMENDED BY P.L.3-2008,  
35 SECTION 145, IS AMENDED TO READ AS FOLLOWS  
36 [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) **Except as provided in**  
37 **section 7 of this chapter,** a member of the board of trustees of Ivy  
38 Tech Community College is entitled to the minimum salary per diem  
39 provided by IC 4-10-11-2.1(b), unless the member holds another  
40 position that is considered a lucrative office within the meaning of

1 Article 2, Section 9 of the Constitution of the State of Indiana.

2 (b) A member of the board of trustees of Ivy Tech Community  
3 College is entitled to reimbursement for travel expenses and other  
4 expenses actually incurred in connection with the member's duties as  
5 provided in the state policies and procedures established by the Indiana  
6 department of administration and approved by the budget agency.

7 SECTION 32. IC 21-38-2-5, AS ADDED BY P.L.2-2007,  
8 SECTION 279, IS AMENDED TO READ AS FOLLOWS  
9 [EFFECTIVE JULY 1, 2024]: Sec. 5. **Except as provided in section**  
10 **7 of this chapter**, each member of the board of trustees of the  
11 University of Southern Indiana is entitled to the minimum salary per  
12 diem provided by IC 4-10-11-2.1(b). Each member is also entitled to  
13 reimbursement for traveling expenses and other expenses actually  
14 incurred in connection with the member's duties, as provided in the  
15 state travel policies and procedures established by the department of  
16 administration and approved by the budget agency.

17 SECTION 33. IC 21-38-2-6, AS ADDED BY P.L.2-2007,  
18 SECTION 279, IS AMENDED TO READ AS FOLLOWS  
19 [EFFECTIVE JULY 1, 2024]: Sec. 6. **Except as provided in section**  
20 **7 of this chapter**, the members of the board of trustees of Vincennes  
21 University shall serve without compensation, except that each member  
22 is entitled to the salary per diem as provided by IC 4-10-11-2.1 and to  
23 reimbursement for travel, lodging, meals, and other expenses as  
24 provided in the state travel policies and procedures established by the  
25 Indiana department of administration and approved by the budget  
26 agency.

27 SECTION 34. IC 21-38-2-7 IS ADDED TO THE INDIANA CODE  
28 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY  
29 1, 2024]: Sec. 7. **Any member of a board of trustees of a state**  
30 **educational institution who is a state employee:**

31 **(1) is not entitled to a minimum salary per diem provided by**  
32 **IC 4-10-11-2.1; and**  
33 **(2) is entitled to reimbursement for traveling expenses as**  
34 **provided under IC 4-13-1-4 and other expenses actually**  
35 **incurred in connection with the member's duties as provided**  
36 **in the state policies and procedures established by the Indiana**  
37 **department of administration and approved by the budget**  
38 **agency."**

39 Page 12, after line 24, begin a new paragraph and insert:

40 "SECTION 39. IC 21-49-4 IS ADDED TO THE INDIANA CODE

1 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2024]:

3 **Chapter 4. State Educational Institution Information Reporting**

4 **Sec. 1. Each state educational institution shall, at the time the**  
5 **state educational institution submits its legislative budget request,**  
6 **submit to the budget committee a report that includes the following**  
7 **information:**

8 (1) For each academic year, beginning with the 2000-2001  
9 academic year, the total number of state educational  
10 institution:

11 (A) full-time and tenured professors;

12 (B) adjunct instructors;

13 (C) other contingent faculty; and

14 (D) nonacademic support or administrative employees.

15 (2) For each academic year, the total number of employees at  
16 the state educational institution whose primary or secondary  
17 job duties or job titles include diversity, equity, and inclusion.

18 (3) For each academic year, the total number of state  
19 educational institution adjudications or proceedings  
20 regarding violations of policies regarding diversity, equity,  
21 and inclusion or harassment.

22 (4) A list and description of what the state educational  
23 institution does to ensure free speech rights of students.

24 (5) A list and description of what the state educational  
25 institution does to ensure intellectual freedom for professors.

26 (6) A list and description of what the state educational  
27 institution does to ensure intellectual and ideological diversity  
28 of professors."

29 Renumber all SECTIONS consecutively.

(Reference is to SB 202 as introduced.)