

1 S.248

2 Introduced by Senators Hooker, Pollina, Ram Hinsdale and Terenzini

3 Referred to Committee on

4 Date:

5 Subject: Education; Vermont State Colleges; University of Vermont; Board
6 composition

7 Statement of purpose of bill as introduced: This bill proposes to increase the
8 number of student trustee members and add faculty and staff trustee members
9 to the Boards of Trustees of the Vermont State Colleges Corporation and the
10 University of Vermont and State Agricultural College. It also proposes to
11 introduce a two-term limit to both Boards.

12 An act relating to the governance of the Vermont State Colleges and the
13 University of Vermont

14 It is hereby enacted by the General Assembly of the State of Vermont:

15 * * * Vermont State Colleges Corporation; Board of Trustees * * *

16 Sec. 1. 16 V.S.A. § 2172 is amended to read:

17 § 2172. TRUSTEES; APPOINTMENT; VACANCIES

18 (a) The Corporation shall be governed by a board of ~~15~~ 23 trustees who
19 shall be appointed or elected as follows:

1 (1) Biennially, the Governor, with the advice and consent of the Senate,
2 shall appoint trustees to serve for four-year terms expiring March 1 of the year
3 of the biennial session. ~~Five~~ Three trustees may be in office at one time under
4 this subdivision. In the event of any vacancy occurring between biennial
5 sessions in an office under this subdivision, the Governor, pursuant to 3 V.S.A.
6 § 257, shall fill the vacancy, and the term of a person so appointed shall expire
7 on March 1 in the year of the next following biennial session.

8 (2)(A) ~~One trustee~~ Three trustees shall be a student ~~trustee~~ trustees, two
9 of whom shall be undergraduate students and one of whom shall be a graduate
10 student, each of whom:

11 (i) ~~who~~ is a matriculated student at an educational institution
12 operated by the Vermont State Colleges Corporation;

13 (ii) ~~who~~ is pursuing a degree program; and

14 (iii) ~~who~~ has reached the age of majority.

15 (B) The student ~~trustee~~ trustees shall serve a one-year ~~term~~ terms
16 expiring on June 1. The student ~~trustee~~ trustees shall be appointed, and a
17 vacancy may be filled, from among those eligible students applying for the
18 position by the decision of those members of the steering committee of the
19 Vermont State Colleges Student Association who have been elected at large to
20 that committee by the students at their respective colleges. No student trustee
21 may serve more than two consecutive terms.

1 (3) Four trustees shall be legislative trustees who are members of the
2 General Assembly at the time of their election. Legislative trustees shall serve
3 four-year terms expiring on March 1 of the second year of the biennial session,
4 and they shall be elected by joint assembly of the ~~Legislature~~ General
5 Assembly. Vacancies for any cause shall be filled by the General Assembly at
6 its earliest opportunity, and the term of a person so appointed shall expire on
7 March 1 of the next even numbered year.

8 (4) Four trustees shall be elected by the Board of Trustees to four-year
9 terms expiring on March 1. Vacancies for any cause shall be filled by the
10 remaining members of the Board of Trustees, and the term of the person so
11 appointed shall expire on the next following March 1.

12 (5) Four trustees shall be faculty employed by an educational institution
13 operated by the Vermont State Colleges Corporation. The four faculty trustees
14 shall be members of, and elected by, the unions representing faculty. The
15 unions shall convene a convention to elect members to four-year terms
16 expiring March 1. Vacancies for any cause shall be filled by the unions
17 convening a convention to fill the seat, and the term of the person so appointed
18 shall expire on the next following March 1. For any election, each union shall
19 have one delegate for every 20 members they represent, with a minimum of
20 one delegate for each union.

1 (6) Four trustees shall be staff employed by the Vermont State Colleges
2 Corporation. The four staff trustees shall be members of, and elected by, the
3 unions representing staff. The unions shall convene a convention to elect
4 members to four-year terms expiring March 1. Vacancies for any cause shall
5 be filled by the unions convening a convention to fill the seat, and the term of
6 the person so appointed shall expire on the next following March 1. For any
7 election, each union shall have one delegate for every 20 members they
8 represent, with a minimum of one delegate for each union.

9 (b) Appointments by the Governor ~~and~~; elections by the General Assembly;
10 and student, faculty, and staff elections shall be made with consideration of the
11 geographic distribution of members to prevent an unfair focus on any single
12 college or campus.

13 (c) No trustee shall be a member of the Board of Trustees of the University
14 of Vermont.

15 (d)(1) The Board of Trustees, after notice and a hearing, may remove a
16 trustee for incompetency, failure to discharge duties, malfeasance, illegal acts,
17 or other cases inimical to the welfare of the Corporation.

18 (2) Gubernatorial-appointed trustees shall serve at the pleasure of the
19 Governor pursuant to 3 V.S.A. § 2004.

1 (3) In the event of a vacancy occurring under this subsection, the
2 ~~Governor or the Board~~ appointing or electing authority of the removed trustee,
3 as applicable, shall fill the vacancy pursuant to subsection (a) of this section.

4 (e) No member shall serve more than two terms.

5 Sec. 2. 16 V.S.A. § 2173 is amended to read:

6 § 2173. BOARD OF TRUSTEES; ORGANIZATION

7 In addition to the ~~14~~ 22 elected and appointed trustees, the Board of
8 Trustees shall include as a member the Governor of Vermont. A majority of
9 the trustees shall constitute a quorum for the transaction of business.

10 Biennially, the Board shall elect one of its voting members to serve as its chair.

11 Sec. 3. TRANSITION

12 (a) On or before July 31, 2022, new members of the Board of Trustees of
13 the Vermont State Colleges Corporation, with the exception of the two new
14 student members, shall be appointed or elected under Sec. 1 of this act.

15 (1) Two faculty trustees and two staff trustees shall serve an initial term
16 of two years. The first year of service of these new members shall be a partial
17 year commencing on August 1, 2022 and ending on March 1, 2023. The
18 remaining year of their term shall be a full year.

19 (2) Two faculty trustees and two staff trustees shall serve an initial term
20 of four years. The first year of service of these new members shall be a partial

1 year commencing on August 1, 2022 and ending on March 1, 2023. The
2 following three years of their terms shall each be a full year.

3 (b) On or before September 15, 2022, the two longest-serving
4 Gubernatorial appointees shall be replaced with two student trustees in
5 accordance with Sec. 1 of this act. These student trustee members shall serve a
6 partial term, commencing on September 15, 2022 and ending on March 1,
7 2023.

8 (c) Current members who have already served more than two terms at the
9 time of enactment of this act may finish their term but shall not be eligible for
10 reappointment or reelection.

11 * * * University of Vermont and State Agricultural College * * *

12 Sec. 4. 16 V.S.A. App. chapter 1, § 1-2 is amended to read:

13 § 1-2. BOARD OF TRUSTEES; MEMBERSHIP; TERMS OF SERVICE;
14 PRESIDING CHAIR

15 The Board of Trustees of the University of Vermont and State Agricultural
16 College shall be composed of ~~25~~ 34 members, whose term of office shall be six
17 years, except as to those who are members ex officio and to those who are
18 student members. Three members shall be appointed by the Governor with the
19 consent of the Senate. During the legislative session of 1955, the Governor
20 shall appoint one member for a term of two years, one member for a term of
21 four years, and one member for a term of six years, and it shall be the duty of

1 the Governor during the session of the Legislature prior to expiration of the
2 term of office of any of the members to appoint for the term of six years a
3 successor to the member whose term is expiring. The terms of office of the
4 ~~Trustees~~ trustees shall expire on the last day of February in the respective years
5 of expiration, and the terms of office of their successors shall thereafter begin
6 on March 1 and expire on the last day of February.

7 Nine members shall be those who have been heretofore elected by the
8 Legislature as members of the Board of Trustees of the University of Vermont
9 and State Agricultural College, and whose terms have not expired, and their
10 successors, and it shall be the duty of the Legislature at its session during
11 which the terms of office of any class of the members expire to elect three
12 successor members for terms of six years. The terms shall commence on
13 March 1 in the year of election. The nine ~~Trustees~~ trustees and their successors
14 shall also constitute the Board of Trustees of the Vermont Agricultural
15 College.

16 Nine members shall be those who have been heretofore elected on behalf of
17 the University of Vermont as members of the Board of Trustees of the
18 University of Vermont and State Agricultural College and whose terms have
19 not expired, and their successors, and it shall be the duty of said nine ~~Trustees~~
20 trustees to elect successors to fill vacancies occurring among their number
21 upon expiration of the terms of office of any of them or otherwise. The nine

1 ~~Trustees~~ trustees and their successors shall also constitute the Board of
2 Trustees of the University of Vermont.

3 ~~Two~~ Three members shall be students enrolled at the University of Vermont
4 and State Agricultural College. Their terms of office shall be two years. Prior
5 to February 1, 1978, the Associated Directors for the Appointment of the
6 University of Vermont and State Agricultural College Student Trustees,
7 Incorporated shall select and appoint one student for a term of one year and
8 one student for a term of two years, both of whom shall be enrolled as full-time
9 undergraduate or full-time graduate students. Annually thereafter, the
10 Directors shall meet to select and appoint one or two student ~~trustee~~ trustees
11 for a term of two years in accordance with the provisions of this section. The
12 Directors shall fill any vacancy occurring among the student trustee members
13 upon the expiration of the term of office of any of them or otherwise. A
14 student shall be eligible to serve as a ~~Trustee~~ trustee, provided the student is a
15 full-time undergraduate or full-time graduate student matriculating in
16 accordance with the degree qualifications and requirements established by the
17 University of Vermont and State Agricultural College and if the student
18 remains in that status throughout the length of the term of office. The term of
19 office of a ~~Student Trustee~~ student trustee shall begin on March 1 following the
20 date of appointment, and the term of office shall end the last day of February in

1 the year of expiration. Any student elected hereunder shall have reached the
2 age of 18.

3 Four members shall be faculty employed by the University of Vermont
4 and State Agricultural College. The four faculty members shall be members
5 of, and elected by, the unions representing faculty. The unions shall convene a
6 convention to elect members to six-year terms expiring on the last day of
7 February in the respective year of expiration. Vacancies for any cause shall be
8 filled by the unions convening a convention to fill the seat, and the term of the
9 person so appointed shall expire on the next following last day of February.
10 For any election, each union shall have one delegate for every 20 members
11 they represent, with a minimum of one delegate for each union.

12 Four members shall be staff employed by the University of Vermont and
13 State Agricultural College. The four staff members shall be members of, and
14 elected by, the unions representing staff. The unions shall convene a
15 convention to elect members to six-year terms expiring on the last day of
16 February in the respective year of expiration. Vacancies for any cause shall be
17 filled by the unions convening a convention to fill the seat, and the term of the
18 person so appointed shall expire on the next following last day of February.
19 For any election, each union shall have one delegate for every 20 members
20 they represent, with a minimum of one delegate for each union.

1 All ~~Trustees~~ trustees so appointed and elected as hereinbefore provided,
2 shall, together with his or her Excellency, the Governor of the State, and the
3 President, who shall be, ex officio, a member, constitute an entire Board of
4 Trustees of the corporation known as the University of Vermont and State
5 Agricultural College, who shall have the entire management and control of its
6 property and affairs, and in all things relating thereto, except in the elections to
7 fill vacancies, as aforesaid, shall act together jointly, as one entire Board of
8 Trustees; ~~provided;~~ that all future elections or appointments to the Board of
9 Trustees shall be made with special reference to preventing any religious
10 denominational preponderance in the Board. The Board shall annually, at its
11 first regular meeting after the election of new trustees, elect one of its members
12 to serve as Chair. No member shall serve more than two terms.

13 Sec. 5. TRANSITION

14 (a) On or before July 31, 2022, new members of the Board of Trustees of
15 the University of Vermont and State Agricultural College, with the exception
16 of the one new student member, shall be appointed or elected under Sec. 4 of
17 this act.

18 (1) Two faculty members and two staff members shall serve an initial
19 term of three years. The first year of service of these new members shall be a
20 partial year commencing on August 1, 2022 and ending on the last day of

1 February 2023. The remaining three years of their terms shall each be a full
2 year.

3 (2) Two faculty members and two staff members shall serve an initial
4 term of six years. The first year of service of these new members shall be a
5 partial year commencing on August 1, 2022 and ending on the last day of
6 February 2023. The remaining five years of their terms shall each be a full
7 year.

8 (b) The one new student member shall be appointed or elected on or before
9 September 15, 2022. The first year of service of the new student member shall
10 be a partial year commencing on September 15, 2022 and ending on the last
11 day of February 2023. The following year of the new student member's term
12 shall be a full year.

13 (c) Current members who have already served more than two terms at the
14 time of enactment of this act may finish their term but shall not be eligible for
15 reappointment or reelection.

16 * * * Effective Date * * *

17 Sec. 6. EFFECTIVE DATE

18 This act shall take effect on passage.