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S.203

Introduced by Senators Gulick, Baruth, Hashim and Perchlik

Referred to Committee on

Date:

Subject: Education; State Board of Education; appointment of members

Statement of purpose of bill as introduced: This bill proposes to create a new appointment process for State Board of Education members by allowing the Governor four appointments, the Senate Committee on Committees three appointments, and the Speaker of the House three appointments.

An act relating to the appointment of State Board of Education members

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

Sec. 1. 16 V.S.A. § 161 is amended to read:

§ 161. STATE BOARD OF EDUCATION; APPOINTMENT OF
MEMBERS; TERM; VACANCY

The State Board shall consist of ~~ten~~ 10 members, of which expertise or experience as a principal, superintendent, teacher, school board member, educator preparation program provider, special education provider, and parent shall be represented by at least one member each. Two of the members shall be secondary students enrolled in a public school, approved independent school, or secondary career technical education center, one of whom shall be a

1 full member and the other of whom shall be a junior member who may not
2 vote. ~~All members shall be appointed by the Governor with the advice and~~
3 ~~consent of the Senate.~~ In the appointment of the nonstudent members, priority
4 shall be given to the selection of persons with a demonstrated commitment to
5 ensuring quality education for Vermont students. To the extent possible, the
6 members shall represent the State's geographic, gender, racial, and ethnic
7 diversity. The Secretary shall serve on the State Board as a nonvoting
8 member. The members shall be appointed as follows:

9 (1) Four members shall be appointed by the Governor, including the
10 secondary student members.

11 (2) Three members shall be appointed by the Senate Committee on
12 Committees, none of whom may be legislators. Members shall be chosen from
13 among not fewer than six candidates proposed by the Senate Committee on
14 Education.

15 (3) Three members shall be appointed by the Speaker of the House,
16 none of whom may be legislators. Members shall be chosen from among not
17 fewer than six candidates proposed by the House Committee on Education.

18 (4) Upon the expiration of the respective terms of those members of the
19 Board previously appointed, excluding the student members, the ~~Governor~~
20 appointing authority that made the initial appointment to the expired term
21 shall, biennially in the month of February ~~with the advice and consent of the~~

1 ~~Senate~~, appoint members for terms of six years. The terms shall begin March
2 1 of the year in which the appointments are made. A member serving a term of
3 six years shall not be eligible for reappointment for successive terms.

4 ~~(2)~~(5) In the event of any vacancy occurring in the membership of the
5 Board, the ~~Governor~~ appointing authority that made the initial appointment to
6 the vacated term shall fill the vacancy within 60 days with a qualified person
7 whose appointment shall be for the unexpired portion of the term. Vacancies
8 in terms initially filled by the Senate Committee on Committees or the Speaker
9 of the House shall be filled by choosing from among the original list of
10 candidates for the vacant term proposed by the applicable committee of
11 jurisdiction.

12 ~~(3)~~(6) Biennially, the Board shall choose a member of the Board to be
13 its chair.

14 ~~(4)~~(7) Annually, using an application process that is open and accessible
15 to all eligible students, the Governor shall appoint a Vermont secondary school
16 student who will continue to be a secondary student for at least two years
17 following taking office, to serve on the State Board for two years, beginning on
18 July 1 of the year of appointment. The student member shall not vote during
19 the first year and shall be a full and voting member during the second year of
20 ~~his or her~~ the student's term.

1 Sec. 2. TRANSITION PERIOD APPOINTMENTS

2 Members currently serving on the State Board of Education may continue to
3 serve for the duration of the term to which they were appointed. Beginning on
4 July 1, 2024, as terms of currently serving members expire, appointments of
5 successors shall be made in accordance with the qualifications and
6 considerations required under 16 V.S.A. § 161 and shall be made in the
7 following order:

8 (1) For the terms expiring on February 28, 2025, one shall be made by
9 the Senate Committee on Committees and one shall be made by the Speaker of
10 the House.

11 (2) For the terms expiring on February 28, 2027, one shall be made by
12 the Governor, one shall be made by the Senate Committee on Committees, and
13 one shall be made by the Speaker of the House.

14 (3) For the term expiring on February 29, 2028, the appointment shall be
15 made by the Senate Committee on Committees.

16 (4) For the term expiring on February 28, 2029, the appointment shall be
17 made by the Speaker of the House.

18 (5) For the term expiring on February 28, 2030, the appointment shall be
19 made by the Governor.

20 (6) The Governor shall continue to make annual secondary student
21 appointments in accordance with 16 V.S.A. § 161.

1 (7) After each appointing authority has made its initial transition period
2 appointments under this section, all appointments shall be made by the
3 appointing authority that made the initial appointment to the vacated or expired
4 term in accordance with 16 V.S.A. § 161.

5 Sec. 3. EFFECTIVE DATE

6 This act shall take effect on July 1, 2024.