

1 S.37

2 Introduced by Senators Pollina, Pearson and Perchlik

3 Referred to Committee on

4 Date:

5 Subject: Education; Vermont State Colleges; Board of Trustees; restructuring  
6 plan and tuition program

7 Statement of purpose of bill as introduced: This bill proposes to expand and  
8 reconstitute the Vermont State Colleges Board of Trustees, to require the  
9 reconstituted Board to develop a restructuring plan and tuition program for the  
10 Vermont State Colleges, and, on or before December 15, 2021, for the Board  
11 to report its recommendations to the General Assembly.

12 An act relating to the reconstitution of the Vermont State Colleges Board of  
13 Trustees and the development of a restructuring plan and tuition program  
14 for the Vermont State Colleges

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

16 \* \* \* Board of Trustees \* \* \*

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

18 § 2172. TRUSTEES; APPOINTMENT; VACANCIES

19 (a) The Corporation shall be governed by a board of ~~15~~ 19 trustees who  
20 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 trustees may be in office at one time under this~~  
4 ~~subdivision. In the event of any vacancy occurring between biennial sessions~~  
5 ~~in an office under this subdivision, the Governor pursuant to 3 V.S.A. § 257~~  
6 ~~shall fill the vacancy, and the term of a person so appointed shall expire on~~  
7 ~~March 1 in the year of the next following biennial session. Four trustees shall~~  
8 ~~be full or part-time faculty of the Corporation elected by the Corporation's full~~  
9 ~~and part-time faculty voting at large to four-year terms expiring on March 1.~~  
10 ~~Vacancies for any cause shall be filled by vote of the full or part-time faculty~~  
11 ~~of the Corporation voting at large, and the term of the person so appointed~~  
12 ~~shall expire on the next following March 1.~~

13           (2)(A) ~~One trustee~~ Two trustees shall be a student trustee, each of  
14 whom:

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

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

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

19           (B) ~~The~~ Each student trustee shall serve a one-year term expiring on  
20 June 1. ~~The~~ Each student trustee shall be appointed, and a vacancy may be  
21 filled, from among those eligible students applying for the position by the

1 decision of those members of the steering committee of the Vermont State  
2 Colleges Student Association who have been elected at large to that committee  
3 by the students at their respective colleges. No student trustee may serve more  
4 than two consecutive terms.

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

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

16 (5) One trustee shall be a full or part-time librarian of the Corporation  
17 appointed by the Board of Trustees to a four-year term expiring on March 1. A  
18 vacancy for any cause shall be filled by the Board, and the term of the person  
19 so appointed shall expire on the next following March 1.

20 (6) Two trustees shall be members of the Corporation's American  
21 Federation of Teachers' United Professionals bargaining unit appointed by the

1 bargaining unit to four-year terms expiring on March 1. A vacancy for any  
2 cause shall be filled by the bargaining unit, and the term of the person so  
3 appointed shall expire on the next following March 1.

4 (7) Two trustees shall be members of the Vermont State Employees  
5 Association appointed by the Vermont State Employees Association to four-  
6 year terms expiring on March 1. A vacancy for any cause shall be filled by the  
7 Vermont State Employees Association, and the term of the person so appointed  
8 shall expire on the next following March 1.

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

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~~ the appointing party or the electors, as applicable, shall  
3           fill the vacancy pursuant to subsection (a) of this section.

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

5           § 2173. ~~BOARD OF TRUSTEES;~~ ORGANIZATION

6           ~~In addition to the 14 elected and appointed trustees, the Board of Trustees~~  
7           ~~shall include as a member the Governor of Vermont.~~ A majority of the trustees  
8           shall constitute a quorum for the transaction of business. Biennially, the Board  
9           shall elect one of its voting members to serve as its chair.

10          Sec. 3. TRANSITION

11          (a) The service of the Governor and the Governor's appointees on the  
12          Vermont State Colleges Board of Trustees shall terminate on July 1, 2021.

13          (b) On or before July 31, 2021, new members of the Vermont State  
14          Colleges Board shall be appointed or elected under Sec. 1 of this act. The first  
15          year of service of these new members shall be a partial year commencing on  
16          August 1, 2021 and ending on March 1, 2022. The following three years of  
17          their terms shall each be a full year.

18                                 \* \* \* Restructuring plan and tuition program \* \* \*

19          Sec. 4. RESTRUCTURING PLAN AND TUITION PROGRAM; REPORT

20          On or before December 15, 2021, the Vermont State Colleges Board of  
21          Trustees shall submit a written report to the General Assembly. In preparing

1 its report, the Board shall take into consideration the report entitled “Uniting  
2 Vermont: A Design for a Unified Public-Access Higher Education System;  
3 Labor Task Force for Public Higher Education in Vermont” proposed by  
4 members of the Labor Unions of the Vermont State Colleges System, dated  
5 November 2020. The Board shall make the following recommendations to the  
6 General Assembly.

7 (1) How to increase access, collaboration, administrative efficiency, and  
8 innovation through the development of a single unified system of public  
9 postsecondary education that has a single executive office formed by the  
10 consolidation of executive and upper-level administrative operations across the  
11 Colleges and the elimination of the Chancellor’s Office. The recommendation  
12 shall assume that the Vermont State Colleges shall remain independent of the  
13 University of Vermont and State Agricultural College while maintaining  
14 cooperative relations with the University.

15 (2) The design of a last-dollar tuition program for Vermont residents and  
16 how that program should be funded.

17 (A) The funding recommendation shall:

18 (i) include a requirement that the Vermont Student Assistance  
19 Corporation cease providing scholarship or tuition assistance for Vermont  
20 residents who attend college out-of-state and shall redirect those funds to the  
21 Vermont State Colleges tuition program; and

1                   (ii) redirect administrative savings from the Board's restructuring  
2                   recommendation under subdivision (1) of this section to that tuition program.

3                   (B) The funding recommendation may:

4                   (i) include a portion of revenue from taxes on cannabis products;

5                   (ii) redirect appropriations from workforce development  
6                   programs; and

7                   (iii) include other funding sources identified by the Board.

8                                           \* \* \* Effective Date \* \* \*

9                   Sec. 5. EFFECTIVE DATE

10                   This act shall take effect on passage.