Introduced by Senators Hooker, Pollina, Ram Hinsdale and Terenzini

Referred to Committee on

Date:

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

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

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

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

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

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

§ 2172. TRUSTEES; APPOINTMENT; VACANCIES

(a) The Corporation shall be governed by a board of 45 trustees who shall be appointed or elected as follows:
(1) Biennially, the Governor, with the advice and consent of the Senate, shall appoint trustees to serve for four-year terms expiring March 1 of the year of the biennial session. Three trustees may be in office at one time under this subdivision. In the event of any vacancy occurring between biennial sessions in an office under this subdivision, the Governor, pursuant to 3 V.S.A. § 257, shall fill the vacancy, and the term of a person so appointed shall expire on March 1 in the year of the next following biennial session.

(2)(A) One trustee shall be a student trustee, two of whom shall be undergraduate students and one of whom shall be a graduate student, each of whom:

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

   (ii) who is pursuing a degree program; and

   (iii) who has reached the age of majority.

(B) The student trustees shall serve a one-year term expiring on June 1. The student trustees shall be appointed, and a vacancy may be filled, from among those eligible students applying for the position by the decision of those members of the steering committee of the Vermont State Colleges Student Association who have been elected at large to that committee by the students at their respective colleges. No student trustee may serve more than two consecutive terms.
(3) Four trustees shall be legislative trustees who are members of the General Assembly at the time of their election. Legislative trustees shall serve four-year terms expiring on March 1 of the second year of the biennial session, and they shall be elected by joint assembly of the Legislature. Vacancies for any cause shall be filled by the General Assembly at its earliest opportunity, and the term of a person so appointed shall expire on March 1 of the next even numbered year.

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

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

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

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

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

(2) Gubernatorial-appointed trustees shall serve at the pleasure of the Governor pursuant to 3 V.S.A. § 2004.
(3) In the event of a vacancy occurring under this subsection, the Governor or the Board appointing or electing authority of the removed trustee, as applicable, shall fill the vacancy pursuant to subsection (a) of this section.

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

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

§ 2173. BOARD OF TRUSTEES; ORGANIZATION

In addition to the 22 elected and appointed trustees, the Board of Trustees shall include as a member the Governor of Vermont. A majority of the trustees shall constitute a quorum for the transaction of business. Biennially, the Board shall elect one of its voting members to serve as its chair.

Sec. 3. TRANSITION

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

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

(2) Two faculty trustees and two staff trustees shall serve an initial term of four years. The first year of service of these new members shall be a partial
year commencing on August 1, 2022 and ending on March 1, 2023. The following three years of their terms shall each be a full year.

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

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

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

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

§ 1-2. BOARD OF TRUSTEES; MEMBERSHIP; TERMS OF SERVICE;

PRESIDING CHAIR

The Board of Trustees of the University of Vermont and State Agricultural College shall be composed of 25 members, whose term of office shall be six years, except as to those who are members ex officio and to those who are student members. Three members shall be appointed by the Governor with the consent of the Senate. During the legislative session of 1955, the Governor shall appoint one member for a term of two years, one member for a term of four years, and one member for a term of six years, and it shall be the duty of
the Governor during the session of the Legislature prior to expiration of the
term of office of any of the members to appoint for the term of six years a
successor to the member whose term is expiring. The terms of office of the
Trustees trustees shall expire on the last day of February in the respective years
of expiration, and the terms of office of their successors shall thereafter begin
on March 1 and expire on the last day of February.

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

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

Two members shall be students enrolled at the University of Vermont and State Agricultural College. Their terms of office shall be two years. Prior to February 1, 1978, the Associated Directors for the Appointment of the University of Vermont and State Agricultural College Student Trustees, Incorporated shall select and appoint one student for a term of one year and one student for a term of two years, both of whom shall be enrolled as full-time undergraduate or full-time graduate students. Annually thereafter, the Directors shall meet to select and appoint one or two student trustees for a term of two years in accordance with the provisions of this section. The Directors shall fill any vacancy occurring among the student trustee members upon the expiration of the term of office of any of them or otherwise. A student shall be eligible to serve as a trustee, provided the student is a full-time undergraduate or full-time graduate student matriculating in accordance with the degree qualifications and requirements established by the University of Vermont and State Agricultural College and if the student remains in that status throughout the length of the term of office. The term of office of a student trustee shall begin on March 1 following the date of appointment, and the term of office shall end the last day of February in
the year of expiration. Any student elected hereunder shall have reached the
age of 18.

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

Four members shall be staff employed by the University of Vermont and
State Agricultural College. The four staff members shall be members of, and
elected by, the unions representing staff. The unions shall convene a
convention to elect members to six-year terms expiring on the last day of
February in the respective year of expiration. Vacancies for any cause shall be
filled by the unions convening a convention to fill the seat, and the term of the
person so appointed shall expire on the next following last day of February.
For any election, each union shall have one delegate for every 20 members
they represent, with a minimum of one delegate for each union.
All trustees so appointed and elected as hereinbefore provided, shall, together with his or her Excellency, the Governor of the State, and the President, who shall be, ex officio, a member, constitute an entire Board of Trustees of the corporation known as the University of Vermont and State Agricultural College, who shall have the entire management and control of its property and affairs, and in all things relating thereto, except in the elections to fill vacancies, as aforesaid, shall act together jointly, as one entire Board of Trustees, provided, that all future elections or appointments to the Board of Trustees shall be made with special reference to preventing any religious denominational preponderance in the Board. The Board shall annually, at its first regular meeting after the election of new trustees, elect one of its members to serve as Chair. No member shall serve more than two terms.

Sec. 5. TRANSITION

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

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

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

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

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

*** Effective Date ***

Sec. 6. EFFECTIVE DATE

This act shall take effect on passage.