

House Conferees' Proposal (May 9, 2022)

Report of Committee of Conference

456

TO THE SENATE AND HOUSE OF REPRESENTATIVES:

The Committee of Conference, to which were referred the disagreeing votes of the two Houses upon House Bill, entitled:

456. An act relating to establishing strategic goals and reporting requirements for the Vermont State Colleges.

Respectfully reports that it has met and considered the same and recommends that the Senate recede from its proposal of amendment and that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

* * * Vermont State Colleges; Strategic Goals and Reporting * * *

Sec. 1. 16 V.S.A. § 2171a is added to read:

§ 2171a. STRATEGIC GOALS

(a) The Corporation shall establish its priorities, budget and allocate its resources, and develop its capabilities to ensure that students successfully achieve their academic goals in a manner and in an environment that provides a high-quality education and that is:

- (1) affordable;
- (2) accessible;

(3) equitable; and

(4) relevant to Vermont’s needs.

(b) As used in this chapter:

(1) “Accessible” means each student, regardless of where the student’s home campus is located, has increased access to academic opportunities, majors, and courses across the Corporation’s academic system.

(2) “Affordability standard” means the extent to which affordability is being achieved for students and for the Corporation as determined jointly by the Corporation and VSAC.

(3) “Affordable” means a level of financial commitment that results from the application of the affordability standard.

(4) “Equitable” means the extent to which gaps in educational access and success are being reduced for students from economically deprived backgrounds, first-generation students, students of color, and other marginalized groups.

(5) “Relevant to Vermont’s needs” means that students graduate as informed and engaged citizens who are prepared for the world of work and for participating in a democratic society.

(6) “Total cost of attendance” has the meaning provided in 20 U.S.C. § 1087ll, as amended.

(7) “Unmet need” means the total cost of attendance minus:

(A) the Student Aid Index, as determined under 20 U.S.C. § 1087mm, as in effect on July 31, 2023; and

(B) all nonloan student financial assistance.

(8) “VSAC” means the Vermont Student Assistance Corporation.

(c) The Corporation’s Board of Trustees shall approve and maintain institutional missions that align to the strategic goals set out in subsection (a) of this section.

Sec. 2. 16 V.S.A. § 2171b is added to read:

§ 2171b. VERMONT STUDENT ASSISTANCE CORPORATION AND VERMONT STATE COLLEGES; REPORTING

On or before January 15, 2024 and on or before January 15 annually thereafter, VSAC, with the assistance of and in collaboration with the Corporation, shall submit a written report to the House and Senate Committees on Education containing:

(1) the Corporation’s progress in attaining affordability for full-time students enrolled with the Corporation for the first time;

(2) the Corporation’s progress in attaining affordability for all other students;

(3) the average and median amount of unmet need for full-time students enrolled with the Corporation for the first time and the average and median amount of unmet need for all other students;

(4) the average, median, annual, and cumulative student and parent debt by loan type (federal direct to student, federal direct to parent, state, or private) for students obtaining a two-year or four-year degree; and

(5) for students enrolled with the Corporation, their average:

(A) yearly continuation rate;

(B) academic progress, showing satisfactory and unsatisfactory progress; and

(C) graduation rate.

Sec. 3. REPORT

On or before July 1, 2023, the Vermont Student Assistance Corporation, in collaboration with the Agency of Education, shall submit a written report to the House and Senate Committees on Education on whether and how to implement a requirement that all high school students complete the Free Application for Federal Student Aid as a condition of graduation.

Sec. 4. 16 V.S.A. § 2171(c) is amended to read:

(c) The Corporation may acquire, hold, and dispose of property in fee or in trust, or any other estate, except as provided in subsection (d) of this section; shall have a common seal; and shall be an instrumentality of the State for the purposes set forth in this section. The State of Vermont shall support and maintain the Corporation. The sale, lease, demolition, or disposal of property

by the Corporation shall comply with the applicable requirements of 32 V.S.A. § 962.

Sec. 5. REPEAL

16 V.S.A. § 2188 is repealed.

Sec. 6. AFFORDABILITY STANDARD; DETERMINATION

On or before July 1, 2023, the Vermont State Colleges and the Vermont Student Assistance Corporation shall jointly recommend to the Senate and House Committees on Education and the Senate and House Committees on Appropriations the definition of the affordability standard under Sec. 1 of this act.

* * * Study of Public Higher Education Governance * * *

Sec. 7. STUDY OF PUBLIC HIGHER EDUCATION GOVERNANCE;

UNIVERSITY OF VERMONT AND STATE AGRICULTURAL
COLLEGE AND VERMONT STATE COLLEGES

(a) The Joint Fiscal Office, in consultation with the New England Board of Higher Education, shall retain a consultant to review and make recommendations on board governance and composition at the University of Vermont and State Agricultural College (UVM) and the Vermont State Colleges (VSC). Because UVM and VSC are separate institutions that have their own unique characteristics, faculty and staff, and student bodies, the consultant shall make separate findings and recommendations that are specifically tailored to each institution. The consultant shall be a nonprofit,

nonpartisan postsecondary educational consulting organization that is nationally recognized in providing expert advice on board governance at public postsecondary educational institutions.

(b) The consultant shall:

(1) review the current board governance structure for UVM and VSC, including:

(A) board composition and representation, including the extent to which the board represents the institution’s stakeholders and the diversity of the board members;

(B) board expertise;

(C) board effectiveness;

(D) the board’s governing documents, bylaws, and policies;

(E) the board member appointment process; and

(F) the board’s operation and management;

(2) review stakeholder access to and engagement with the board, including for faculty, staff, and students;

(3) review best practices and governance structures for boards of public postsecondary educational institutions in the New England states and other states as determined appropriate by the consultant, including:

(A) the extent to which faculty and staff are represented and the form of their representation, including whether they are board members with or without voting rights or whether they have an advisory role; and

(B) how perceived conflicts of interest are managed where one or more faculty or staff are board members.

(c) The consultant shall consult with the Stakeholder Engagement Advisory Group created under Sec. 8 of this act to ensure robust, varied, and comprehensive input and shall meet with that Group and its individual members upon their reasonable request.

or, if no Stakeholder Engagement Advisory Group

(c) The consultant shall consult with the following stakeholders to ensure robust, varied, and comprehensive input and shall meet with these stakeholders upon their reasonable request:

- (1) Board Trustees;
- (2) school administration;
- (3) school faculty and staff;
- (4) students; and
- (5) alumni and donors.

(d) On or before December 15, 2022, the consultant shall provide separate written reports with its findings and recommendations on board governance at each of UVM and VSC to the House and Senate Committees on Education.

Sec. 8. STAKEHOLDER ENGAGEMENT ADVISORY GROUP

(a) Creation. There is created the Stakeholder Engagement Advisory Group (Advisory Group) to ensure that the consultant retained under Sec. 7 of this act has robust, varied, and comprehensive input and that stakeholders have access to the consultant.

(b) Membership. The Advisory Group shall be composed of the following 13 members:

(1) one current member of the House of Representatives, who shall be appointed by the Speaker of the House;

(2) one current member of the Senate, who shall be appointed by the Committee on Committees;

(3) the President of the University of Vermont and State Agricultural College (UVM) or designee;

(4) the Chancellor of the Vermont State Colleges (VSC) or designee;

(5) a representative of the UVM Board of Trustees who is not a student Trustee, appointed by the UVM Board Chair;

(6) a representative of the VSC Board of Trustees who is not a student Trustee, appointed by the VSC Board Chair;

(7) a member of the UVM faculty, appointed by the President of the UVM Faculty Senate;

(8) a member of the VSC faculty, appointed by the Chair of the VSC

Education Personnel and Student Life Committee;

(9) a member of the UVM staff, appointed by the President of the UVM

Staff Council;

(10) a member of the VSC staff, appointed by the Chair of the VSC

Education Personnel and Student Life Committee;

(11) a student Board Trustee at UVM, appointed by the Board Chair;

(12) the student Board Trustee at VSC; and

(13) the President of the Vermont Student Assistance Corporation (VSAC) or designee.

(c) Powers and duties. The Advisory Group shall provide input to the consultant retained under Sec. 7 of this act and shall advise the consultant on its work, including on the reports required to be produced by the consultant. The Advisory Group shall not have the power to vote on or approve these reports.

(d) Assistance. The Advisory Group shall have the administrative and technical assistance of the VSAC.

(e) Meetings.

(1) The President of VSAC or designee shall call the first meeting of the Advisory Group to occur on or before August 1, 2022.

(2) The representatives of the House and Senate shall jointly chair the Advisory Group.

(3) The Advisory Group shall cease to exist on December 16, 2022.

(f) Compensation and reimbursement. Members of the Advisory Group shall not receive compensation or reimbursement for their service on the Advisory Group.

Sec. 9. APPROPRIATION

The sum of \$[REDACTED].00 is appropriated from the General Fund in fiscal year 2023 to the Joint Fiscal Office for retention of the consultant under Sec. 7 of this act.

* * * Effective Dates * * *

Sec. 10. EFFECTIVE DATES

Secs. 1 and 2 shall take effect on July 1, 2023 and Secs. 3–9 and this section shall take effect on passage.

and that after passage the title of the bill be amended to read:

An act relating to [the Vermont State Colleges and the University of Vermont and State Agricultural College].

COMMITTEE ON THE PART OF
THE SENATE

COMMITTEE ON THE PART OF
THE HOUSE

SEN. BRIAN CAMPION

REP. KATHRYN WEBB

SEN. CHERYL M. HOOKER

REP. LAWRENCE CUPOLI

SEN. ANDREW PERCHLIK

REP. KATHLEEN JAMES