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H.737

Introduced by Representatives Stone of Burlington, Arsenault of Williston,
Burrows of West Windsor, and Graning of Jericho

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, one of whom shall be a full member and the other of

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

13 (3) Three members shall be appointed by the Speaker of the House,
14 none of which may be legislators.

15 ~~(4)~~ Upon the expiration of the respective terms of those members of
16 the Board previously appointed, excluding the student members, the ~~Governor~~
17 appointing authority that made the initial appointment to the expired term
18 shall, biennially in the month of February ~~with the advice and consent of the~~
19 ~~Senate~~, appoint members for terms of six years. The terms shall begin March
20 1 of the year in which the appointments are made. A member serving a term of
21 six years shall not be eligible for reappointment for successive terms.

1 ~~(2)~~(5) In the event of any vacancy occurring in the membership of the
2 Board, the ~~Governor~~ the appointing authority that made the initial appointment
3 to the vacated term shall fill the vacancy with a qualified person whose
4 appointment shall be for the unexpired portion of the term.

5 ~~(3)~~(6) Biennially, the Board shall choose a member of the Board to be
6 its chair.

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

14 Sec. 2. TRANSITION PERIOD APPOINTMENTS

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

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

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

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

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

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

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

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

19 Sec. 3. EFFECTIVE DATE

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