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H.754

Introduced by Representatives Chesnut-Tangerman of Middletown Springs,  
Burditt of West Rutland, Campbell of St. Johnsbury, Canfield  
of Fair Haven, Clifford of Rutland City, Goldman of  
Rockingham, Howard of Rutland City, McGill of Bridport,  
Mulvaney-Stanak of Burlington, Sammis of Castleton, and  
Satcowitz of Randolph

Referred to Committee on

Date:

Subject: Education; Vermont State Colleges; Board of Trustees; Office of  
Chancellor

Statement of purpose of bill as introduced: This bill proposes to make changes  
to the governance structure of the Vermont State Colleges Corporation,  
including eliminating the position of Chancellor and eliminating two  
legislative trustees on the Board of Trustees and replacing them with one  
faculty trustee and one staff trustee. The bill also proposes to eliminate the  
structural deficit reductions and the requirement to maintain current campuses  
as educational centers. The bill also proposes to make conforming  
amendments and revisions throughout the Vermont Statutes Annotated.

1           An act relating to the governance and transformation of the Vermont State  
2           Colleges Corporation

3                           \* \* \* Vermont State Colleges Corporation Governance \* \* \*

4           Sec. 1. 16 V.S.A. § 2174 is amended to read:

5           § 2174. BOARD OF TRUSTEES; POWER

6           The Board of Trustees may confer such honors and degrees as are usually  
7           given in colleges and universities and any other appropriate degrees and shall  
8           appoint ~~a chancellor of the Corporation and~~ a president for each institution  
9           under its control and prescribe ~~their~~ the duties, salaries, and terms of office for  
10          each president. The Board shall make bylaws and regulations for the  
11          government of its meetings and each institution under its control prescribing,  
12          among other things, the terms of admission, courses of instruction, educational  
13          standards, rates of tuition, scholarships, and other student aids.

14          Sec. 2. 16 V.S.A. § 2172 is amended to read:

15          § 2172. TRUSTEES; APPOINTMENT; VACANCIES

16               (a) The Corporation shall be governed by a board of 15 trustees who shall  
17               be appointed or elected as follows:

18                   (1) Biennially, the Governor, with the advice and consent of the Senate,  
19               shall appoint trustees to serve for four-year terms expiring on March 1 of the  
20               year of the biennial session. Five trustees may be in office at one time under  
21               this subdivision. In the event of any vacancy occurring between biennial  
22               sessions in an office under this subdivision, the Governor, pursuant to 3 V.S.A.

1 § 257, shall fill the vacancy, and the term of a person so appointed shall expire  
2 on March 1 in the year of the next following biennial session.

3 (2)(A) One trustee shall be a student trustee:

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

6 (ii) who is pursuing a degree program; and

7 (iii) who has reached the age of majority.

8 (B) The student trustee shall serve a one-year term expiring on  
9 June 1. The student trustee shall be appointed, and a vacancy may be filled,  
10 from among those eligible students applying for the position by the decision of  
11 those members of the steering committee of the Vermont State Colleges  
12 Student Association who have been elected at large to that committee by the  
13 students at their respective colleges. No student trustee may serve more than  
14 two consecutive terms.

15 (3) ~~Four~~ Two trustees shall be legislative trustees who are members of  
16 the General Assembly at the time of their election. Legislative trustees shall  
17 serve four-year terms expiring on March 1 of the second year of the biennial  
18 session, and they shall be elected by joint assembly of the Legislature.

19 Vacancies for any cause shall be filled by the General Assembly at its earliest  
20 opportunity and the term of a person so appointed shall expire on March 1 of  
21 the next even numbered year.

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

5           (5) One trustee shall be a faculty member employed by the Vermont  
6 State Colleges Corporation and appointed by the executive committee of the  
7 union representing faculty to a four-year term expiring on August 1.  
8 Vacancies for any cause shall be filled through an appointment by the  
9 executive committee of the union representing faculty, and the term of the  
10 person so appointed shall expire on the next following August 1.

11           (6) One trustee shall be a staff member employed by the Vermont State  
12 Colleges Corporation. The staff trustee shall be appointed by the unions  
13 representing staff. Vacancies for any cause shall be filled through an  
14 appointment by the unions representing staff and the term of the person so  
15 appointed shall expire on the next following August 1.

16                           \* \* \*

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

20                           \* \* \*

1           (3) In the event of a vacancy occurring under this subsection, the  
2 ~~Governor or the Board~~ appointing or electing authority of the removed trustee,  
3 as applicable, shall fill the vacancy pursuant to subsection (a) of this section.

4           Sec. 3. TRANSITION

5           On or before August 1, 2024, the two longest-serving legislative trustees  
6 shall be replaced by one faculty trustee and one staff trustee in accordance with  
7 Sec. 2 of this act.

8           Sec. 4. 16 V.S.A. § 2181 is added to read:

9           § 2181. OFFICE OF THE PRESIDENT; REPORT

10           (a) The Office of the President of the Vermont State University shall be  
11 responsible for the management of services shared between all institutions  
12 under the control of the Corporation.

13           (b) The Board of Trustees may delegate responsibility for one or more  
14 shared services to the president of an institution other than the University of  
15 Vermont under the control of the Corporation.

16           (c) Notwithstanding 2 V.S.A. § 20(d), the Board of Trustees, through the  
17 President of the Vermont State University or designee, shall annually report to  
18 the General Assembly the details of all shared services provided to the  
19 institutions under the control of the Corporation, with the following details for  
20 each service provided:

21           (1) the institution or institutions for which the service is provided;

1           (2) the total cost of each service and allocation of cost to each institution  
2           for which the service is provided; and

3           (3) the Corporation official responsible for the management and  
4           provision of the service provided.

5                               \* \* \* Conforming Amendments \* \* \*

6       Sec. 5. 3 V.S.A. § 902 is amended to read:

7       § 902. DEFINITIONS

8       As used in this chapter:

9   \* \* \*

10           (7)(A) "Employer" means the State of Vermont, excluding the  
11       Legislative and Judiciary Departments, represented by the Governor or  
12       designee, the Office of the Defender General represented by the Defender  
13       General or designee, Vermont State ~~Colleges~~ University represented by the  
14       ~~Chancellor~~ President of Vermont State University or designee, the Community  
15       College of Vermont represented by the President of the Community College of  
16       Vermont or designee, and the University of Vermont represented by the  
17       President or designee.

18   \* \* \*

1 Sec. 6. 3 V.S.A. § 905 is amended to read:

2 § 905. MANAGEMENT RIGHTS

3 (a) The Governor or designee for the State of Vermont, the ~~Chancellor~~  
4 President or designee for the Vermont State ~~Colleges~~ University, the President  
5 of the Community College of Vermont or designee, the President or designee  
6 for the University of Vermont, and the Executive Director or designee for the  
7 Department of State's Attorneys and Sheriffs shall act as the employer  
8 representatives in collective bargaining negotiations and administration. The  
9 representative shall be responsible for ensuring consistency in the terms and  
10 conditions in various agreements throughout the State service and ensuring  
11 compatibility with merit system statutes and principles and shall not agree to  
12 any terms or conditions for which there are not adequate funds available.

13 \* \* \*

14 Sec. 7. 10 V.S.A. § 541a is amended to read:

15 § 541a. STATE WORKFORCE DEVELOPMENT BOARD

16 (a) Board established; duties. Pursuant to the requirements of 29 U.S.C.  
17 § 3111, the Governor shall establish the State Workforce Development Board  
18 to assist the Governor in the execution of ~~his or her~~ the Governor's duties  
19 under the Workforce Innovation and Opportunity Act of 2014 and to assist the  
20 Commissioner of Labor as specified in section 540 of this title.

21 \* \* \*

1 (c) Membership. The Board shall consist of the Governor and the  
2 following members who are appointed by the Governor in conformance with  
3 the federal Workforce Innovation and Opportunity Act and who serve at ~~his or~~  
4 ~~her~~ the Governor's pleasure, unless otherwise indicated:

5 (1) the Commissioner of Labor;

6 (2) two members of the Vermont House of Representatives, appointed  
7 by the Speaker of the House;

8 (3) two members of the Vermont Senate, appointed by the Senate  
9 Committee on Committees;

10 (4) the President of the University of Vermont;

11 (5) the ~~Chancellor~~ President of the Vermont State ~~Colleges~~ University  
12 or designee;

13 \* \* \*

14 Sec. 8. 16 V.S.A. § 2187 is amended to read:

15 § 2187. INTERCOLLEGIATE SEXUAL HARM PREVENTION COUNCIL

16 (a) Creation. There is created the Intercollegiate Sexual Harm Prevention  
17 Council to create a coordinated response to campus sexual harm across  
18 institutions of higher learning in Vermont.

19 (b) Membership.

20 (1) The Council shall be composed of the following members:



1 (A) a Title IX coordinator and a campus-based sexual harm  
2 prevention/education coordinator from an institution of higher learning,  
3 appointed by the ~~Chancellor~~ President of the Vermont State ~~Colleges~~  
4 University, who shall consult with the President of the Community College of  
5 Vermont;

6 \* \* \*

7 Sec. 9. 16 V.S.A. § 2845 is amended to read:

8 § 2845. TRUST FUND; GRANTS; STUDENTS IN DEPARTMENT FOR  
9 CHILDREN AND FAMILIES CUSTODY

10 (a) The Board shall establish a trust fund to be used to provide grants for  
11 students who do not have parental support and are or have been under the  
12 custody of the Commissioner for Children and Families. The Board may draw  
13 up to 90 percent of the assets in the fund for these purposes.

14 \* \* \*

15 (g) The Board shall coordinate implementation of this section with the  
16 Commissioner for Children and Families, the President of the Association of  
17 Vermont Independent Colleges, the ~~Chancellor~~ presidents of the Vermont State  
18 Colleges Corporation, and the President of the University of Vermont. The  
19 Board may establish procedures and policies or adopt rules to implement this  
20 section.

1 Sec. 10. 16 V.S.A. § 2885 is amended to read:

2 § 2885. VERMONT HIGHER EDUCATION ENDOWMENT TRUST FUND

3 (a) A Vermont Higher Education Endowment Trust Fund is established in  
4 the Office of the State Treasurer to comprise the following:

5 \* \* \*

6 (h) There is created the Vermont Higher Education Endowment Trust Fund  
7 Council to perform the duties set forth in subsections (d) and (e) of this section.  
8 The Council shall be attached to the Office of Treasurer for administration  
9 purposes and shall be composed of the following members:

10 (1) the President of the University of Vermont;

11 (2) the ~~Chancellor~~ President of the Vermont State ~~Colleges~~ University  
12 or designee;

13 (3) the President of the Vermont Student Assistance Corporation;

14 (4) the President of the Association of Vermont Independent Colleges;

15 (5) a representative from the business and industry community, selected  
16 by the Vermont Business Roundtable;

17 (6) a member of the House of Representatives, appointed by the Speaker  
18 of the House; and

19 (7) a member of the Senate, appointed by the Committee on  
20 Committees.

1       Sec. 11. CONFORMING REVISIONS

2           When preparing the Vermont Statutes Annotated for publication, the Office  
3           of Legislative Counsel may make the following revisions throughout the  
4           statutes as appropriate, provided the revisions have no other effect on the  
5           meaning of the affected statutes:

6           (1) replace “Vermont State Colleges” with “Vermont State University”;

7           and

8           (2) revisions that are substantially similar to those described in  
9           subdivision (1) of this section.

10           \* \* \* Vermont State University Structural Deficit Reduction \* \* \*

11       Sec. 12. 2021 Acts and Resolves No. 74, Sec. E.602.2(b), as amended by 2022  
12       Acts and Resolves No. 185, Sec. C.101, is further amended to read:

13           (b) VSC shall meet the following requirements during the transformation of  
14           its system required under subsection (a) of this section and shall accommodate  
15           the oversight of the General Assembly in so doing.

16           (1) ~~VSC shall reduce its structural deficit by \$5,000,000.00 per year~~  
17           ~~through a combination of annual operating expense reductions and increased~~  
18           ~~enrollment revenues, for a total of \$25,000,000.00 by the end of fiscal year~~  
19           ~~2026. These reductions shall be structural in nature and shall not be met by~~  
20           ~~use of one-time funds. The VSC Board of Trustees, through the Chancellor or~~  
21           ~~designee, shall report the results of these structural reductions to the House and~~

1 ~~Senate Committees on Education and on Appropriations annually during the~~  
2 ~~Chancellor's budget presentation. [Repealed.]~~

3 (2) The VSC Board of Trustees shall develop and implement a 10-year  
4 strategic plan for managing its physical assets that is fiscally sustainable,  
5 maintains reasonable net asset value, and meets the needs of Vermont learners.  
6 Updates to the plan and an annual report on its implementation shall be  
7 presented to the House Committee on Corrections and Institutions and the  
8 Senate Committee on Institutions.

9 ~~(3) VSC shall maintain its present campus locations as educational and~~  
10 ~~student support centers, recognizing that overall campus size, governance and~~  
11 ~~operational structures as well as program and service offerings may change as~~  
12 ~~circumstances require. [Repealed.]~~

13 \* \* \*

14 \* \* \* Effective Date \* \* \*

15 Sec. 13. EFFECTIVE DATE

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