

1 H.316

2 Introduced by Representative Casey of Montpelier

3 Referred to Committee on

4 Date:

5 Subject: Education; Vermont State Colleges Corporation; University of

6 Vermont; board of trustees; shared governance

7 Statement of purpose of bill as introduced: This bill proposes to (1) eliminate
8 two legislative trustees from the Board of Trustees of the Vermont State
9 Colleges Corporation and add one faculty trustee and one staff trustee, to serve
10 four-year terms; and (2) add one faculty and one staff trustee to the Board of
11 Trustees of the University of Vermont and State Agricultural College, to serve
12 four-year terms.

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

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

16 * * * Vermont State Colleges Corporation Governance * * *

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 ~~45~~ 17 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.

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

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

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

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

13 (B) The student trustee shall serve a one-year term expiring on June

14 1. The student trustee shall be appointed, and a vacancy may be filled, from
15 among those eligible students applying for the position by the decision of those
16 members of the steering committee of the Vermont State Colleges Student
17 Association who have been elected at large to that committee by the students at
18 their respective colleges. No student trustee may serve more than two
19 consecutive terms.

20 (3) Four trustees shall be legislative trustees who are members of the
21 General Assembly at the time of their election. Legislative trustees shall serve

1 four-year terms expiring on March 1 of the second year of the biennial session,
2 and they shall be elected by joint assembly of the Legislature. Vacancies for
3 any cause shall be filled by the General Assembly at its earliest opportunity
4 and the term of a person so appointed shall expire on March 1 of the next even
5 numbered year.

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

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

16 (6) One trustee shall be a staff member employed by the Vermont State
17 Colleges Corporation. The staff trustee shall be appointed by the union or
18 unions representing staff. Vacancies for any cause shall be filled through an
19 appointment by the union or unions representing staff and the term of the
20 person so appointed shall expire on the next following August 1.

21 * * *

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

4 * * *

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

8 Sec. 2. VERMONT STATE COLLEGES CORPORATION; TRANSITION

9 On or before August 1, 2025, the one faculty trustee and one staff trustee
10 shall be appointed in accordance with Sec. 1 of this act.

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

12 Sec. 3. 16 App. V.S.A. § 1-2 is amended to read:

13 § 1-2. BOARD OF TRUSTEES; MEMBERSHIP, TERMS OF SERVICE;

14 PRESIDING CHAIR

15 The Board of Trustees of the University of Vermont and State Agricultural
16 College shall be composed of ~~25~~ 27 members, whose term of office shall be six
17 years, except as to those who are members ex officio and to those who are
18 faculty, staff, and student members. Three members shall be appointed by the
19 Governor with the consent of the Senate. During the legislative session of
20 1955, the Governor shall appoint one member for a term of two years, one
21 member for a term of four years, and one member for a term of six years and it

1 shall be the duty of the Governor during the session of the Legislature prior to
2 expiration of the term of office of any of the members to appoint for the term
3 of six years a successor to the member whose term is expiring. The terms of
4 office of the Trustees shall expire on the last day of February in the respective
5 years of expiration, and the terms of office of their successors shall thereafter
6 begin on March 1 and expire on the last day of February.

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

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

1 Trustees and their successors shall also constitute the Board of Trustees of the
2 University of Vermont.

3 One member shall be faculty employed by the University of Vermont and
4 State Agricultural College and elected by the faculty to a four-year term
5 expiring on August 1. The Faculty Senate shall oversee all faculty trustee
6 elections, which shall be open to all faculty. Vacancies for any cause shall be
7 filled through an election, and the term of the person so elected shall expire on
8 the next following August 1.

9 One member shall be staff employed by the University of Vermont and
10 State Agricultural College and elected by the staff to a four-year term expiring
11 on August 1. The Faculty Senate shall oversee all staff trustee elections, which
12 shall be open to all staff. Vacancies for any cause shall be filled through an
13 election, and the term of the person so elected shall expire on the next
14 following August 1.

15 Two members shall be students enrolled at the University of Vermont and
16 State Agricultural College. Their terms of office shall be two years. Prior to
17 February 1, 1978, the Associated Directors for the Appointment of the
18 University of Vermont and State Agricultural College Student Trustees,
19 Incorporated shall select and appoint one student for a term of one year and
20 one student for a term of two years, both of whom shall be enrolled as full-time
21 undergraduate or full-time graduate students. Annually thereafter, the

1 Directors shall meet to select and appoint one student trustee for a term of two
2 years in accordance with the provisions of this section. The Directors shall fill
3 any vacancy occurring among the student trustee members upon the expiration
4 of the term of office of any of them or otherwise. A student shall be eligible to
5 serve as a Trustee, provided the student is a full-time undergraduate or full-
6 time graduate student matriculating in accordance with the degree
7 qualifications and requirements established by the University of Vermont and
8 State Agricultural College and if the student remains in that status throughout
9 the length of the term of office. The term of office of a Student Trustee shall
10 begin on March 1 following the date of appointment, and the term of office
11 shall end the last day of February in the year of expiration. Any student
12 elected hereunder shall have reached the age of 18.

13 All Trustees so appointed and elected as hereinbefore provided, shall,
14 together with ~~his or her Excellency~~, the Governor of the State, and the
15 President, who shall be, ex officio, a member, constitute an entire Board of
16 Trustees of the corporation known as the University of Vermont and State
17 Agricultural College, who shall have the entire management and control of its
18 property and affairs, and in all things relating thereto, except in the elections to
19 fill vacancies, as aforesaid, shall act together jointly, as one entire Board of
20 Trustees; provided, that all future elections or appointments to the Board of
21 Trustees shall be made with special reference to preventing any religious

1 denominational preponderance in the Board. The Board shall annually, at its
2 first regular meeting after the election of new trustees, elect one of its members
3 to serve as Chair.

4 Sec. 4. UNIVERSITY OF VERMONT AND STATE AGRICULTURAL
5 COLLEGE; TRANSITION

6 On or before August 1, 2025, new faculty members of the Board of Trustees
7 of the University of Vermont and State Agricultural College shall be elected
8 pursuant to Sec. 1 of this act.

9 * * * Effective Date * * *

10 Sec. 5. EFFECTIVE DATE

11 This act shall take effect on passage.