

1 S.136

2 Introduced by Senator Perchlik

3 Referred to Committee on

4 Date:

5 Subject: Education; postsecondary education; Vermont State Colleges

6 Corporation; University of Vermont; board of trustees; shared

7 governance

8 Statement of purpose of bill as introduced: This bill proposes to add two
9 faculty or staff trustees to the boards of trustees of both the Vermont State
10 Colleges Corporation and the University of Vermont and State Agricultural
11 College.

12 An act relating to the governance of the Vermont State Colleges and the
13 University of Vermont and State Agricultural College

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

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

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

17 § 2172. TRUSTEES; APPOINTMENT; VACANCIES

18 (a) The Corporation shall be governed by a board of ~~15~~ 17 trustees who
19 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~~ Two trustees shall be a student ~~trustee~~ trustees:

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

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

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

13 (B) The student ~~trustee~~ trustees shall serve a one-year ~~term~~ terms
14 expiring on June 1. The student ~~trustee~~ trustees shall be appointed, and a
15 vacancy may be filled, from among those eligible students applying for the
16 position by the decision of those members of the steering committee of the
17 Vermont State Colleges Student Association who have been elected at large to
18 that committee by the students at their respective colleges. No student trustee
19 may serve more than two 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 faculty or staff employed by the Vermont State
11 Colleges Corporation and elected by the faculty and staff to a four-year term
12 expiring on August 1. The faculty assembly or assemblies shall oversee all
13 trustee elections under this subdivision, which shall be open to all faculty and
14 staff. Vacancies for any cause shall be filled through an election, and the term
15 of the person so appointed shall expire on the next following August 1.

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

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

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 (2) Gubernatorial-appointed trustees shall serve at the pleasure of the
5 Governor pursuant to 3 V.S.A. § 2004.

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

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

10 § 2173. BOARD OF TRUSTEES; ORGANIZATION

11 In addition to the ~~44~~ 16 elected and appointed trustees, the Board of
12 Trustees shall include as a member the Governor of Vermont. A majority of
13 the trustees shall constitute a quorum for the transaction of business.
14 Biennially, the Board shall elect one of its voting members to serve as its chair.

15 Sec. 3. TRANSITION

16 (a) On or before August 1, 2025, the new faculty or staff member of the
17 Board of Trustees of the Vermont State Colleges Corporation shall be elected
18 under Sec. 1 of this act.

19 (b) On or before September 15, 2025, the new student member shall be
20 appointed under Sec. 1 of this act. The new student trustee shall serve a partial
21 term, commencing on September 15, 2025 and ending on March 1, 2026.

* * * University of Vermont and State Agricultural College; Board of
Trustees * * *

Sec. 4. 16 App. V.S.A. 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~~ 27 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

1 successors, and it shall be the duty of the Legislature at its session during
2 which the terms of office of any class of the members expire to elect three
3 successor members for terms of six years. The terms shall commence on
4 March 1 in the year of election. The nine ~~Trustees~~ trustees and their successors
5 shall also constitute the Board of Trustees of the Vermont Agricultural
6 College.

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

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~~ trustee, provided the student is a full-time undergraduate or
6 full-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~~ student
10 trustee shall begin on March 1 following the date of appointment, and the term
11 of office shall end the last day of February in the year of expiration. Any
12 student elected hereunder shall have reached ~~the age of~~ 18 years of age.

13 One member shall be faculty or staff employed by the University of
14 Vermont and State Agricultural College and elected by the faculty and staff to
15 a six-year term expiring on August 1. The Faculty Senate shall oversee all
16 trustee elections under this subdivision, which shall be open to all faculty and
17 staff. Vacancies for any cause shall be filled through an election, and the term
18 of the person so elected shall expire on the next following August 1.

19 All ~~Trustees~~ trustees so appointed and elected as hereinbefore provided,
20 shall, together with ~~his or her Excellency~~, the Governor of the State, and the
21 President, who shall be, ex officio, a member, constitute an entire Board of

1 Trustees of the corporation known as the University of Vermont and State
2 Agricultural College, who shall have the entire management and control of its
3 property and affairs, and in all things relating thereto, except in the elections to
4 fill vacancies, as aforesaid, shall act together jointly, as one entire Board of
5 Trustees; provided, that all future elections or appointments to the Board of
6 Trustees shall be made with special reference to preventing any religious
7 denominational preponderance in the Board. The Board shall annually, at its
8 first regular meeting after the election of new trustees, elect one of its members
9 to serve as Chair.

10 Sec. 5. TRANSITION

11 On or before August 1, 2025, new members of the Board of Trustees of the
12 University of Vermont and State Agricultural College shall be appointed or
13 elected under Sec. 4 of this act.

14 * * * Effective Date * * *

15 Sec. 6. EFFECTIVE DATE

16 This act shall take effect on July 1, 2025.