

1 S.248 alternative language for Senator Perchlik

2 \* \* \* Vermont State Colleges Corporation; Board of Trustees \* \* \*

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

4 § 2172. TRUSTEES; APPOINTMENT; VACANCIES

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

7 (1) Biennially, the Governor, with the advice and consent of the Senate,  
8 shall appoint trustees to serve for four-year terms expiring March 1 of the year  
9 of the biennial session. Five trustees may be in office at one time under this  
10 subdivision. In the event of any vacancy occurring between biennial sessions  
11 in an office under this subdivision, the Governor, pursuant to 3 V.S.A. § 257,  
12 shall fill the vacancy, and the term of a person so appointed shall expire on  
13 March 1 in the year of the next following biennial session.

14 (2)(A) ~~One trustee~~ Two trustees shall be a student ~~trustee~~ trustees:

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

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

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

19 (B) The student ~~trustee~~ trustees shall serve a one-year ~~term~~ terms  
20 expiring on June 1. The student ~~trustee~~ trustees shall be appointed, and a  
21 vacancy may be filled, from among those eligible students applying for the

1 position by the decision of those members of the steering committee of the  
2 Vermont State Colleges Student Association who have been elected at large to  
3 that committee by the students at their respective colleges. No student trustee  
4 may serve more than two consecutive terms.

5 (3) Four trustees shall be legislative trustees who are members of the  
6 General Assembly at the time of their election. Legislative trustees shall serve  
7 four-year terms expiring on March 1 of the second year of the biennial session,  
8 and they shall be elected by joint assembly of the Legislature. Vacancies for  
9 any cause shall be filled by the General Assembly at its earliest opportunity,  
10 and the term of a person so appointed shall expire on March 1 of the next even  
11 numbered year.

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

16 (5) One trustee shall be faculty or staff employed by the Vermont State  
17 Colleges Corporation. The one faculty or staff trustee shall be elected by the  
18 faculty and staff at-large to a four-year term expiring on March 1. The Faculty  
19 Senate shall oversee all faculty or staff trustee elections. Vacancies for any  
20 cause shall be filled through an election, and the term of the person so  
21 appointed shall expire on the next following March 1.

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

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

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

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

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

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

§ 2173. BOARD OF TRUSTEES; ORGANIZATION

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

1 **Sec. 3. TRANSITION**

2 (a) On or before July 31, 2022, the new faculty or staff member of the  
3 Board of Trustees of the Vermont State Colleges Corporation shall be elected  
4 under Sec. 1 of this act.

5 (b) On or before September 15, 2022, the new student member shall be  
6 appointed under Sec. 1 of this act. The new student trustee shall serve a partial  
7 term, commencing on September 15, 2022 and ending on March 1, 2023.

8 \* \* \* University of Vermont and State Agricultural College \* \* \*

9 Sec. 4. 16 App. V.S.A. Chapter 1, § 1-2 is amended to read:

10 § 1-2. BOARD OF TRUSTEES; MEMBERSHIP; TERMS OF SERVICE;  
11 PRESIDING CHAIR

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

1 ~~Trustees~~ trustees shall expire on the last day of February in the respective years  
2 of expiration, and the terms of office of their successors shall thereafter begin  
3 on March 1 and expire on the last day of February.

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

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

1 Two members shall be students enrolled at the University of Vermont and  
2 State Agricultural College. Their terms of office shall be two years. Prior to  
3 February 1, 1978, the Associated Directors for the Appointment of the  
4 University of Vermont and State Agricultural College Student Trustees,  
5 Incorporated shall select and appoint one student for a term of one year and  
6 one student for a term of two years, both of whom shall be enrolled as full-time  
7 undergraduate or full-time graduate students. Annually thereafter, the  
8 Directors shall meet to select and appoint one student trustee for a term of two  
9 years in accordance with the provisions of this section. The Directors shall fill  
10 any vacancy occurring among the student trustee members upon the expiration  
11 of the term of office of any of them or otherwise. A student shall be eligible to  
12 serve as a ~~Trustee~~ trustee, provided the student is a full-time undergraduate or  
13 full-time graduate student matriculating in accordance with the degree  
14 qualifications and requirements established by the University of Vermont and  
15 State Agricultural College and if the student remains in that status throughout  
16 the length of the term of office. The term of office of a ~~Student Trustee~~ student  
17 trustee shall begin on March 1 following the date of appointment, and the term  
18 of office shall end the last day of February in the year of expiration. Any  
19 student elected hereunder shall have reached the age of 18.

20 One member shall be faculty or staff employed by the University of  
21 Vermont and State Agricultural College. The one faculty or staff trustee shall

1 be elected to a six-year term by the faculty and staff at-large. The Faculty  
2 Senate shall oversee all faculty and staff trustee elections. Vacancies for any  
3 cause shall be filled through an election, and the term of the person so elected  
4 shall expire on the next following last day of February.

5 All ~~Trustees~~ trustees so appointed and elected as hereinbefore provided,  
6 shall, together with ~~his or her Excellency~~, the Governor of the State, and the  
7 President, who shall be, ex officio, a member, constitute an entire Board of  
8 Trustees of the corporation known as the University of Vermont and State  
9 Agricultural College, who shall have the entire management and control of its  
10 property and affairs, and in all things relating thereto, except in the elections to  
11 fill vacancies, as aforesaid, shall act together jointly, as one entire Board of  
12 Trustees; ~~provided~~, that all future elections or appointments to the Board of  
13 Trustees shall be made with special reference to preventing any religious  
14 denominational preponderance in the Board. The Board shall annually, at its  
15 first regular meeting after the election of new trustees, elect one of its members  
16 to serve as Chair.

17 **Sec. 5. TRANSITION**

18 (a) On or before July 31, 2022, new members of the Board of Trustees of  
19 the University of Vermont and State Agricultural College shall be appointed or  
20 elected under Sec. 4 of this act.