

2012 -- S 2447 SUBSTITUTE A AS AMENDED

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LC01141/SUB A
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO EDUCATION -- BOARD OF GOVERNORS FOR HIGHER EDUCATION

Introduced By: Senator Rhoda E. Perry

Date Introduced: February 16, 2012

Referred To: Senate Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 16-60-1 and 16-60-2 of the General Laws in Chapter 16-60
2 entitled "Board of Regents for Elementary and Secondary Education" are hereby amended to read
3 as follows:

4 **16-60-1. Board established.** -- (a) There is created a board of regents for elementary and
5 secondary education sometimes referred to as the "regents" or the "board of regents," which shall
6 be and is constituted a public corporation, empowered to sue and be sued in its own name, to have
7 a corporate seal, and to exercise all the powers, in addition to those specifically enumerated in
8 this chapter, usually appertaining to public corporations entrusted with control of elementary and
9 secondary education institutions and functions. The regents shall be protected from sudden
10 changes in membership and reversal of policy by having staggered terms for its public members.

11 (b) Upon its organization the board of regents shall be invested with the legal title (in
12 trust for the state) to all property, real and personal, now owned by and/or under the control or in
13 the custody of the board of regents for education for the use of the department of elementary and
14 secondary education. The board of regents is made successor to all powers, rights, duties, and
15 privileges pertaining to elementary and secondary education.

16 (c) The board of regents for elementary and secondary education shall consist of ~~nine (9)~~
17 ten (10) members as follows: Eight (8) public members appointed pursuant to the terms of ~~section~~
18 subsection 16-60-2(a), one student member who shall be ex-officio and nonvoting elected
19 pursuant to the provisions of subsection 16-60-2(d), and a member of the board of governors for

1 higher education designated by the governor. Five (5) voting members of the board shall
2 constitute a quorum and the vote of a majority vote of those present and voting shall be required
3 for action.

4 The public members of the board of regents shall not be compensated for service in
5 attending meetings or duly organized subcommittee meetings of the board at which business is
6 transacted.

7 (d) The governor shall designate one of the public members as chairperson of the board
8 of regents. The board may elect from among its members such other officers as it deems
9 necessary.

10 **16-60-2. Appointment of board members.** -- (a) The governor shall with the advice and
11 consent of the senate establish the board by appointing eight (8) members to serve staggered
12 terms. The appointments shall be made for terms of three (3) years commencing on February 1 in
13 the year of appointment and ending on January 31 in the third (3rd) year after this, except, at the
14 expiration of their terms members shall remain and continue in their official capacity until a new
15 member is appointed and confirmed. Any vacancy among the public members of the board shall
16 be filled by appointment of the governor for the remainder of the unexpired term. In the selection
17 and appointment of members of the board the governor shall seek persons who best serve the
18 entire needs of the state. Public members shall not be appointed for more than three (3)
19 successive three (3) year terms each; provided, that this limitation shall not apply to that person
20 designated as chairperson by the governor who may be a member so long as he or she shall serve
21 as chairperson.

22 (b) No person shall be eligible for appointment to the board after the effective date of
23 this act [March 24, 2006] unless he or she is a resident of this state.

24 (c) Members of the board shall be removable by the governor pursuant to the provisions
25 of section 36-1-7 of the general laws and for cause only, and removal solely for partisan or
26 personal reasons unrelated to capacity or fitness for the office shall be unlawful.

27 (d) There is hereby established a student advisory council to the board of regents,
28 consisting of one elected high school student representative from each public secondary school in
29 the state of Rhode Island.

30 (1) Each public secondary school shall hold elections for its representative to the student
31 advisory council no earlier than the first (1st) day of March and no later than the end of the second
32 (2nd) full week of April. Each school shall elect only one representative. Elected members shall be
33 notified of their election on or before the Friday of the third (3rd) week of April of the year of
34 their election. No person shall be eligible to be elected to the student advisory council unless at

1 the time of his or her election he or she is enrolled as a student in a secondary school between the
2 grades of nine (9) and eleven (11) within the state of Rhode Island. No person shall be allowed to
3 vote if they are not currently enrolled in a Rhode Island public secondary school between the
4 grades of nine (9) and eleven (11). If at any time during his or her term of office a member of the
5 student advisory council ceases to be so enrolled, his or her membership shall be terminated and
6 his or her position shall be deemed vacant. This vacancy shall be filled by the public secondary
7 school within thirty (30) school days of the opening of the vacancy.

8 (2) The student advisory council will serve from the first (1st) day of May of the year it is
9 elected until the last day of April of the following year. A student may serve no more than three
10 (3) terms.

11 (3) Said student advisory council shall meet from time to time and shall consider such
12 matters as it deems appropriate.

13 (4) Prior to the first (1st) day of June of each annual session the student advisory council
14 shall adopt a set of bylaws.

15 (5) Members of the council shall not be compensated for service in attending meetings
16 except that they shall be reimbursed for necessary expenses incurred in travelling to and from
17 meetings.

18 (6) The members of said student advisory council shall, by majority vote prior to the first
19 (1st) day of June in each year, elect from their members a chairperson who shall serve for a term
20 of one year beginning on the first (1st) day of June. Said chairperson shall serve as an exofficio
21 and nonvoting member of the board of regents for a term of one year, unless the student advisory
22 council removes said chairperson from his or her position in a manner described within the
23 bylaws of that council and/or if he or she is otherwise removed by the governor.

24 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO EDUCATION -- BOARD OF GOVERNORS FOR HIGHER EDUCATION

1 This act would authorize the addition of a nonvoting ex-officio student representative
2 member to the Rhode Island board of regents for elementary and secondary education. The act
3 would also establish a student advisory council to the board of regents consisting of one high
4 school representatives from each public secondary school in the state.

5 This act would take effect upon passage.

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