



February 23, 1999

HOUSE BILL No. 1693

DIGEST OF HB 1693 (Updated February 22, 1999 2:00 pm - DI 02)

Citations Affected: IC 20-12; IC 23-13; noncode.

Synopsis: Faculty member on college boards. Requires that a member of the faculty be elected to the board of trustees of Indiana University, Purdue University, Ball State University, Indiana State University, Ivy Tech State College, Vincennes University, and the University of Southern Indiana. Specifies that the faculty trustee at each institution must be elected to a three year term beginning July 1, 2000, by the members of the faculty who hold the rank of assistant professor or higher. Establishes a procedure for the election of the faculty trustee member at state educational institutions.

Effective: July 1, 1999; July 31, 1999.

Adams T, Kruzan, Kersey

January 26, 1999, read first time and referred to Committee on Education.
February 22, 1999, amended, reported — Do Pass.

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HB 1693—LS 7288/DI 47+



February 23, 1999

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

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HOUSE BILL No. 1693



A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-12-23-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. The board of trustees
3 of the state university shall be ~~nine (9)~~ **ten (10)** in number, of whom
4 not more than two (2), excluding the student trustee appointed pursuant
5 to IC 20-12-24-3.5 **and the faculty trustee elected under**
6 **IC 20-12-24-3.6**, shall reside in the same county; and they and their
7 successors shall be a body politic, with the style of "The Trustees of
8 Indiana University"; in that name to sue and be sued; to elect one (1)
9 of their number president; to elect a treasurer, secretary, and such other
10 officers as they may deem necessary, to prescribe the duties and fix the
11 compensation of such officers; to possess all the real and personal
12 property of such university for its benefit; to take and hold, in their
13 corporate name any real or personal property for the benefit of such
14 institution; to expend the income of the university for its benefit; to
15 declare vacant the seat of any trustee who shall absent himself from
16 two (2) successive meetings of the board, or be guilty of any gross
17 immorality or breach of the bylaws of the institution; to elect a

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1 president, such professors and other officers for such university as shall
 2 be necessary, and prescribe their duties and salaries; to employ other
 3 persons as necessary; to establish programs of fringe benefits and
 4 retirement benefits for the university's officers, faculty, and other
 5 employees that may be supplemental to or in lieu of state retirement
 6 programs established by statute for public employees; to prescribe the
 7 course of study and discipline and price of tuition in such university;
 8 and to make all bylaws necessary to carry into effect the powers hereby
 9 conferred.

10 SECTION 2. IC 20-12-23-4 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. ~~Five (5)~~ **Six (6)** of
 12 such trustees shall constitute a quorum; and, in case an emergency is
 13 declared by the faculty, after there shall have been a called session, at
 14 which the other members failed to attend, the three **(3)** trustees residing
 15 in the county of Monroe may fill vacancies in the faculty of the
 16 university and the board of trustees; and, in case there should not be
 17 three (3) trustees in attendance upon such emergency, then those that
 18 are in attendance, together with such members of the faculty as may be
 19 in attendance, shall fill such vacancies; but appointments thus made
 20 shall expire at the next meeting of the board.

21 SECTION 3. IC 20-12-24-3.6 IS ADDED TO THE INDIANA
 22 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 23 [EFFECTIVE JULY 1, 1999]: **Sec. 3.6. One (1) member of the board**
 24 **of trustees shall:**

- 25 **(1) be a member of the faculty of Indiana University who**
 26 **holds the rank of assistant professor or higher;**
- 27 **(2) be elected under IC 20-12-64.5 by secret ballot by all**
 28 **Indiana University employees who hold the rank of assistant**
 29 **professor or higher;**
- 30 **(3) serve a three (3) year term beginning July 1, or if a**
 31 **vacancy occurs for the remainder of the unexpired term of the**
 32 **previous faculty trustee; and**
- 33 **(4) be eligible for reelection as faculty trustee if the person**
 34 **remains a member of the faculty of Indiana University.**

35 SECTION 4. IC 20-12-37-1 IS AMENDED TO READ AS
 36 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. The board of trustees
 37 of Purdue University shall consist of ~~ten (10)~~ **eleven (11)** members, to
 38 be appointed **or elected** for such term of service and in such manner as
 39 is herein provided, and that the terms of all trustees shall terminate on
 40 the first day of July of the year in which their terms of office expire.

41 SECTION 5. IC 20-12-37-2 IS AMENDED TO READ AS
 42 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. **(a)** The governor of



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1 the state of Indiana shall appoint ten (10) trustees for Purdue University
 2 for the term beginning on the first day of July, which trustees and their
 3 successors shall be appointed as hereinafter provided. **In addition, one**
 4 **(1) member of the Purdue University board of trustees shall be**
 5 **elected under subsection (b).**

6 **(b) One (1) member of the board of trustees shall:**

7 **(1) be a member of the faculty of Purdue University who holds**
 8 **the rank of assistant professor or higher;**

9 **(2) be elected under IC 20-12-64.5 by secret ballot by all**
 10 **Purdue University employees who hold the rank of assistant**
 11 **professor or higher;**

12 **(3) serve a three (3) year term beginning July 1, or if a**
 13 **vacancy occurs for the remainder of the unexpired term of the**
 14 **previous faculty trustee; and**

15 **(4) be eligible for reelection as faculty trustee if the person**
 16 **remains a member of the faculty of Purdue University.**

17 SECTION 6. IC 20-12-56-3 IS AMENDED TO READ AS
 18 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 3. (a) The Indiana State
 19 University board of trustees shall be composed of ~~nine (9)~~ **ten (10)**
 20 trustees. The governor shall appoint to the board seven (7) competent
 21 persons, one (1) of whom must be a student, and two (2) additional
 22 competent persons, alumni of the university, nominated by the alumni
 23 council of the university, shall be appointed by the governor. There
 24 shall be one (1) or more women on the duly constituted board. **One (1)**
 25 **member of the board of trustees shall be a member of the faculty**
 26 **of Indiana State University elected under subsection (d).**

27 (b) All trustees and their successors shall be appointed for terms of
 28 four (4) years, except:

29 **(1) the student member, who shall be appointed for two (2) years**
 30 **during which time he the member must be a full-time student of**
 31 **Indiana State University;**

32 **(2) the faculty member, who shall be appointed for three (3)**
 33 **years.**

34 (c) To aid the governor in the selection of the student member, a
 35 search and screen committee is created consisting of one (1)
 36 representative of the governor and at least four (4) students chosen by
 37 the elected student government representatives of the student body. The
 38 committee shall establish the mode and criteria to be used in the
 39 selection of student nominees to serve on the board of trustees. The
 40 committee shall submit a list of at least ten (10) names to the governor
 41 for ~~his~~ **the governor's** consideration. The governor shall select one (1)
 42 of these names for appointment as a trustee of the university in



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1 accordance with the provisions of this chapter.

2 **(d) One (1) member of the board of trustees shall:**

3 **(1) be a member of the faculty of Indiana State University**
 4 **who holds the rank of assistant professor or higher;**

5 **(2) be elected under IC 20-12-64.5 by secret ballot by all**
 6 **Indiana State University employees who hold the rank of**
 7 **assistant professor or higher;**

8 **(3) serve a three (3) year term beginning July 1, or if a**
 9 **vacancy occurs for the remainder of the unexpired term of the**
 10 **previous faculty trustee; and**

11 **(4) be eligible for reelection as faculty trustee if the person**
 12 **remains a member of the faculty of Indiana State University.**

13 ~~(d)~~ **(e)** All members appointed to the board shall be residents of the
 14 state of Indiana and citizens of the United States of America. The
 15 alumni members appointed to the board shall have completed a
 16 prescribed course of study by Indiana State University or its
 17 predecessors, Indiana State Normal School, Indiana State Teachers
 18 College, or Indiana State College.

19 ~~(e)~~ **(f) Except as provided by subsection (d),** all vacancies
 20 occurring in the board from death, resignation, or removal from the
 21 state shall be filled by appointment by the governor for the unexpired
 22 term of the retiring member, subject to the provision that the alumni
 23 council of the university shall nominate the appointee to fill a vacancy
 24 caused by the loss of an alumni member.

25 SECTION 7. IC 20-12-57.5-2 IS AMENDED TO READ AS
 26 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. ~~(Board of Trustees:~~
 27 ~~Membership)~~ **(a)** The Ball State University board of trustees shall be
 28 composed of ~~nine (9)~~ **ten (10)** members, ~~nine (9) of whom shall be~~
 29 ~~appointed by the governor pursuant to the provisions of under~~ this
 30 chapter. **Of the nine (9) members appointed by the governor, six (6)**
 31 ~~of whom~~ shall be appointed at large, two (2) ~~of whom~~ shall be
 32 appointed as alumni of Ball State University, ~~and one (1) of whom~~ shall
 33 be appointed as a Ball State University student. **One (1) member of**
 34 **the board of trustees shall be a member of the faculty of Ball State**
 35 **University elected under subsection (d).**

36 **(b)** Within the nonstudent board membership, not more than six (6)
 37 shall be of the same sex and not less than one (1) shall be a resident of
 38 and reside in Delaware County, Indiana.

39 **(c)** To aid the governor in the selection of the student member, a
 40 search and screen committee is created consisting of one (1)
 41 representative of the governor and at least four (4) students chosen by
 42 the elected student government representatives of the student body. The



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1 committee shall establish the mode and criteria to be used in the
 2 selection of student nominees to serve on the board of trustees. The
 3 committee shall submit a list of at least ten (10) names to the governor
 4 for ~~his~~ **the governor's** consideration. The governor shall select one **(1)**
 5 of these names for appointment as a trustee of the university ~~in~~
 6 accordance with the provisions of **under** this chapter.

7 **(d) One (1) member of the board of trustees shall:**

8 **(1) be a member of the faculty of Ball State University who**
 9 **holds the rank of assistant professor or higher;**

10 **(2) be elected under IC 20-12-64.5 by secret ballot by all Ball**
 11 **State University employees who hold the rank of assistant**
 12 **professor or higher;**

13 **(3) serve a three (3) year term beginning July 1, or if a**
 14 **vacancy occurs for the remainder of the unexpired term of the**
 15 **previous faculty trustee; and**

16 **(4) be eligible for reelection as faculty trustee if the person**
 17 **remains a member of the faculty of Ball State University.**

18 SECTION 8. IC 20-12-57.5-8 IS AMENDED TO READ AS
 19 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 8. (a) ~~With the~~
 20 ~~exception of the student member of the board;~~ **Except as provided in**
 21 **subsection (b) and section 2(d) of this chapter,** all appointments to
 22 the board of trustees are for four (4) year terms. Each term of a
 23 nonstudent board member begins on January 1 of the appropriate year.
 24 Each member shall serve until ~~his~~ **the member's** successor is
 25 appointed and qualified.

26 (b) The student member of the board of trustees who is appointed
 27 under section 2 of this chapter is appointed for a two (2) year term. ~~His~~
 28 **The student member's** term begins on July 1 of the year in which ~~he~~
 29 **the student** is appointed. The student member of the board must be a
 30 full-time student at Ball State University throughout ~~his~~ **the student**
 31 **member's** term.

32 SECTION 9. IC 20-12-57.5-9 IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 9. ~~(Board Vacancies)~~
 34 **Except as provided by IC 20-12-57.5-2(d),** all vacancies occurring on
 35 the board of trustees from death, incapacitation, or resignation shall be
 36 filled by appointment of the governor for the unexpired term.
 37 Vacancies in offices held by alumni members shall be filled from
 38 nominees submitted by the alumni council.

39 SECTION 10. IC 20-12-61-4 IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. (a) Ivy Tech **State**
 41 **College** shall be governed by a board of trustees, composed of ~~thirteen~~
 42 ~~(13)~~ **fourteen (14)** members. **Thirteen (13) members shall be**



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1 appointed by the governor, **and one (1) member of the faculty of Ivy**
 2 **Tech State College shall be elected under subsection (b).** Each
 3 member of the state board must have knowledge or experience in one
 4 (1) or more of the following areas:

- 5 (1) Manufacturing.
- 6 (2) Commerce.
- 7 (3) Labor.
- 8 (4) Agriculture.
- 9 (5) State and regional economic development needs.
- 10 (6) Indiana's educational delivery system.

11 At least one (1) trustee must reside in each region established under
 12 section 9(4) of this chapter. **Except for the elected faculty member**
 13 **under subsection (b),** appointments shall be for three (3) year terms,
 14 on a staggered basis.

15 **(b) One (1) member of the board of trustees shall:**

- 16 **(1) be a member of the faculty of Ivy Tech State College who**
 17 **holds the rank of assistant professor or higher;**
- 18 **(2) be elected under IC 20-12-64.5 by secret ballot by all Ivy**
 19 **Tech State College employees who hold the rank of assistant**
 20 **professor or higher;**
- 21 **(3) serve a three (3) year term beginning July 1, or if a**
 22 **vacancy occurs for the remainder of the unexpired term of the**
 23 **previous faculty trustee; and**
- 24 **(4) be eligible for reelection as faculty trustee if the person**
 25 **remains a member of the faculty of Ivy Tech State College.**

26 ~~(b)~~ (c) No one who holds an elective or appointed office of the state
 27 is eligible to serve as a member of the state board. A member of a
 28 regional board may be appointed to the state board, but must then resign
 29 from the regional board.

30 SECTION 11. IC 20-12-61-6 IS AMENDED TO READ AS
 31 FOLLOWS [EFFECTIVE JULY 31, 1999]: Sec. 6. (a) **Except as**
 32 **provided by section 4(b) of this chapter,** the governor shall fill all
 33 vacancies on the state board. Each trustee appointed to fill a vacancy
 34 shall represent the same region as ~~his~~ **the trustee's** predecessor.

35 (b) If a vacancy occurs on the state board, the regional board for the
 36 region in which the former member resided may recommend to the
 37 governor one (1) or more qualified persons to fill the vacancy.

38 SECTION 12. IC 20-12-64-7 IS AMENDED TO READ AS
 39 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 7. (a) The board
 40 consists of ~~nine~~ ~~(9)~~ **ten (10)** members who shall serve staggered terms
 41 of four (4) years. However:

- 42 **(1) the student member required by subsection (c) shall serve a**



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- 1 term of two (2) years; **and**
 2 **(2) the faculty member elected under subsection (d) shall**
 3 **serve a term of three (3) years.**
 4 (b) Each member of the board must be a citizen of the United States
 5 and a resident of Indiana.
 6 (c) The board must include at least the following:
 7 (1) One (1) member who is an alumnus of the university or an
 8 alumnus of the regional campus.
 9 (2) One (1) member who is a full-time student in good standing
 10 enrolled in the university.
 11 (3) One (1) member who is a resident of Vanderburgh County.
 12 **(4) One (1) member who is a member of the faculty of the**
 13 **university as provided by subsection (d).**
 14 **(d) One (1) member of the board of trustees shall:**
 15 **(1) be a member of the faculty of the University of Southern**
 16 **Indiana who holds the rank of assistant professor or higher;**
 17 **(2) be elected under IC 20-12-64.5 by secret ballot by all**
 18 **employees of the University of Southern Indiana who hold the**
 19 **rank of assistant professor or higher;**
 20 **(3) serve a three (3) year term beginning July 1, or if a**
 21 **vacancy occurs for the remainder of the unexpired term of the**
 22 **previous faculty trustee; and**
 23 **(4) be eligible for reelection as faculty trustee if the person**
 24 **remains a member of the faculty of the University of Southern**
 25 **Indiana.**
 26 SECTION 13. IC 20-12-64-8 IS AMENDED TO READ AS
 27 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 8. **Except as provided**
 28 **by section 7(d) of this chapter,** the governor shall appoint the
 29 members of the board. If a vacancy occurs during the term of any
 30 member **that was appointed by the governor,** the governor shall
 31 appoint an individual to serve the unexpired term of the vacating
 32 member.
 33 SECTION 14. IC 20-12-64.5 IS ADDED TO THE INDIANA
 34 CODE AS A NEW CHAPTER TO READ AS FOLLOWS
 35 [EFFECTIVE JULY 1, 1999]:
 36 **Chapter 64.5. Election of Faculty Trustee Members at State**
 37 **Educational Institutions**
 38 **Sec. 1. As used in this chapter, "committee" refers to a trustee**
 39 **election committee established under section 5 of this chapter.**
 40 **Sec. 2. As used in this chapter, "faculty organization" refers to**
 41 **the organization in the governance structure of a state educational**
 42 **institution that:**

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- 1 (1) is composed of faculty members; and
2 (2) may include other university personnel who are not faculty
3 members.

4 Sec. 3. As used in this chapter "faculty trustee member" refers
5 to the member of the faculty who serves on the board of trustees or
6 similarly named governing body of a state educational institution.

7 Sec. 4. As used in this chapter, "state educational institution"
8 has the meaning set forth in IC 20-12-0.5-1.

9 Sec. 5. The faculty organization at each state educational
10 institution shall establish a trustee election committee by
11 determining the following:

- 12 (1) The number of members of the committee, which must be
13 at least five (5).
14 (2) The qualifications required for members of the committee.
15 However, each member of the committee must be faculty
16 member at the state educational institution who holds the
17 rank of assistant professor or higher.
18 (3) The manner of selection and appointment of the following:
19 (A) Members of the committee.
20 (B) A chairperson of the committee.
21 (C) A vice chairperson of the committee.
22 (4) The length of a member's term of service on the
23 committee.
24 (5) A method for removing a member from the committee.
25 (6) A method for filling vacancies on the committee.
26 (7) Other matters the faculty organization considers necessary
27 and relevant.

28 Sec. 6. A committee shall meet at the call of:

- 29 (1) the chairman; or
30 (2) a majority of the members of the committee.

31 Sec. 7. A quorum for a committee to do business is a majority of
32 the total membership of the committee.

33 Sec. 8. The affirmative vote of a majority of the members of a
34 committee is required for the committee to take action.

35 Sec. 9. The committee shall do the following:

- 36 (1) Establish procedures for the election of the faculty trustee
37 member. However, the procedures that the committee
38 establishes must meet the requirements of section 10 of this
39 chapter.
40 (2) Personally conduct the election or make other
41 arrangements for the conduct of the election under the
42 direction of the committee.

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1 **(3) Perform other duties related to the election of the faculty**
 2 **trustee member as directed by the faculty organization.**

3 **Sec. 10. The following procedures must be observed in the**
 4 **election of the faculty trustee member:**

5 **(1) The election must be conducted under the direction of the**
 6 **committee.**

7 **(2) The committee must conduct the election in a manner that**
 8 **assures that the person who is elected as faculty trustee**
 9 **member meets the statutory requirements for the position.**

10 **(3) The committee must conduct the election in a manner that**
 11 **assures that the faculty trustee member is elected by all**
 12 **employees of the state educational institution who hold the**
 13 **rank of assistant professor or higher.**

14 **(4) The election must be conducted by means of a written**
 15 **ballot designed by the committee.**

16 **(5) The election must take place by secret ballot.**

17 **(6) The committee must provide for the impartial tabulation**
 18 **of ballots and the reporting of results of the election.**

19 **(7) The committee must provide for the safekeeping of the**
 20 **ballots for four (4) years after the election.**

21 SECTION 15. IC 23-13-18-4 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. (a) The board of
 23 trustees of Vincennes University shall consist of ~~ten (10)~~ **eleven (11)**
 24 trustees. Nine (9) shall be appointed by the governor, one (1) of whom
 25 must be a resident of Knox County and one (1) must be an alumnus of
 26 Vincennes. In addition, the governor shall appoint one (1) trustee who
 27 is a full-time student of the university during ~~his~~ **the student's** term.
 28 **One (1) member of the board of trustees shall be a member of the**
 29 **faculty of Vincennes University elected under subsection (d).**

30 (b) To aid the governor in the selection of the student member, a
 31 search and screen committee is created consisting of one (1)
 32 representative of the governor and at least four (4) students chosen by
 33 the elected student government representatives of the student body. The
 34 committee shall establish the mode and criteria to be used in the
 35 selection of student nominees to serve on the board of trustees. The
 36 committee shall submit a list of at least five (5) names to the governor
 37 for ~~his~~ **the governor's** consideration. The governor shall select one (1)
 38 of these names for appointment as a trustee of the university in
 39 accordance with the provisions of this chapter.

40 (c) There shall be four (4) ex officio members of the board: the
 41 president of the university, the superintendent of the Vincennes
 42 Community School Corporation, the superintendent of the South Knox



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1 School Corporation, and the superintendent of the North Knox School
2 Corporation.

3 **(d) One (1) member of the board of trustees shall:**

4 **(1) be a member of the faculty of Vincennes University who**
5 **holds the rank of assistant professor or higher;**

6 **(2) be elected under IC 20-12-64.5 by secret ballot by all**
7 **employees of Vincennes University who hold the rank of**
8 **assistant professor or higher;**

9 **(3) serve a three (3) year term beginning July 1, or if a**
10 **vacancy occurs for the remainder of the unexpired term of the**
11 **previous faculty trustee; and**

12 **(4) be eligible for reelection as faculty trustee if the person**
13 **remains a member of the faculty of Vincennes University.**

14 ~~(d)~~ **(e)** The term of each appointed trustee shall be for three (3)
15 years, except that of the student appointee, who shall serve a one (1)
16 year term. When a vacancy occurs in the membership of the board of
17 trustees, such vacancy shall be filled by the board for the unexpired
18 term, **except a vacancy of a faculty member which shall be filled**
19 **under subsection (d).** The appropriate number of appointive trustees
20 shall be appointed prior to the first Monday of October of each year and
21 that first Monday shall be the first day of their terms.

22 ~~(e)~~ **(f)** The annual meeting of the board shall be held on the first
23 Monday of October of each year. Special meetings may be called by the
24 president of the board or by any ~~four (4)~~ **five (5)** trustees.

25 ~~(f)~~ **(g)** Six (6) trustees shall constitute a quorum at any regular or
26 special meeting of the board.

27 ~~(g)~~ **(h)** The trustees shall serve without compensation, except that
28 each member is entitled to the salary per diem as provided by
29 IC 4-10-11-2.1 and to reimbursement for travel, lodging, meals, and
30 other expenses as provided in the state travel policies and procedures
31 established by the department of administration and approved by the
32 state budget agency.

33 SECTION 16. [EFFECTIVE JULY 1, 1999] **(a) As used in this**
34 **SECTION, "universities and college" refers to Indiana University,**
35 **Purdue University, Ball State University, Indiana State University,**
36 **Ivy Tech State College, Vincennes University, and the University**
37 **of Southern Indiana.**

38 **(b) The employees of the universities and college who hold the**
39 **rank of assistant professor or higher shall elect the initial faculty**
40 **trustee members added by this act not later than March 1, 2000.**

41 **(c) Notwithstanding any provision of this act, the terms of each**
42 **of the faculty members elected to the boards of trustees of the**

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1 **universities and college under this act begin July 1, 2000.**
2 **(d) This SECTION expires July 1, 2000.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1693, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 27, after "elected" insert "**under IC 20-12-64.5**".

Page 3, line 8, after "elected" insert "**under IC 20-12-64.5**".

Page 4, line 3, after "elected" insert "**under IC 20-12-64.5**".

Page 5, line 7, after "elected" insert "**under IC 20-12-64.5**".

Page 6, line 14, after "elected" insert "**under IC 20-12-64.5**".

Page 7, line 12, after "elected" insert "**under IC 20-12-64.5**".

Page 7, between lines 27 and 28, begin a new paragraph and insert:
"SECTION 14. IC 20-12-64.5 IS ADDED TO THE INDIANA CODE AS A **NEW CHAPTER** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]:

Chapter 64.5. Election of Faculty Trustee Members at State Educational Institutions

Sec. 1. As used in this chapter, "committee" refers to a trustee election committee established under section 5 of this chapter.

Sec. 2. As used in this chapter, "faculty organization" refers to the organization in the governance structure of a state educational institution that:

- (1) is composed of faculty members; and
- (2) may include other university personnel who are not faculty members.

Sec. 3. As used in this chapter "faculty trustee member" refers to the member of the faculty who serves on the board of trustees or similarly named governing body of a state educational institution.

Sec. 4. As used in this chapter, "state educational institution" has the meaning set forth in IC 20-12-0.5-1.

Sec. 5. The faculty organization at each state educational institution shall establish a trustee election committee by determining the following:

- (1) The number of members of the committee, which must be at least five (5).
- (2) The qualifications required for members of the committee. However, each member of the committee must be faculty member at the state educational institution who holds the rank of assistant professor or higher.
- (3) The manner of selection and appointment of the following:
 - (A) Members of the committee.
 - (B) A chairperson of the committee.



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- (C) A vice chairperson of the committee.
- (4) The length of a member's term of service on the committee.
- (5) A method for removing a member from the committee.
- (6) A method for filling vacancies on the committee.
- (7) Other matters the faculty organization considers necessary and relevant.

Sec. 6. A committee shall meet at the call of:

- (1) the chairman; or
- (2) a majority of the members of the committee.

Sec. 7. A quorum for a committee to do business is a majority of the total membership of the committee.

Sec. 8. The affirmative vote of a majority of the members of a committee is required for the committee to take action.

Sec. 9. The committee shall do the following:

- (1) Establish procedures for the election of the faculty trustee member. However, the procedures that the committee establishes must meet the requirements of section 10 of this chapter.
- (2) Personally conduct the election or make other arrangements for the conduct of the election under the direction of the committee.
- (3) Perform other duties related to the election of the faculty trustee member as directed by the faculty organization.

Sec. 10. The following procedures must be observed in the election of the faculty trustee member:

- (1) The election must be conducted under the direction of the committee.
- (2) The committee must conduct the election in a manner that assures that the person who is elected as faculty trustee member meets the statutory requirements for the position.
- (3) The committee must conduct the election in a manner that assures that the faculty trustee member is elected by all employees of the state educational institution who hold the rank of assistant professor or higher.
- (4) The election must be conducted by means of a written ballot designed by the committee.
- (5) The election must take place by secret ballot.
- (6) The committee must provide for the impartial tabulation of ballots and the reporting of results of the election.
- (7) The committee must provide for the safekeeping of the ballots for four (4) years after the election."



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Page 8, line 13, after "elected" insert "**under IC 20-12-64.5**".
Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1683 as introduced.)

CHENEY, Chair

Committee Vote: yeas 7, nays 6.

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