

# HOUSE BILL No. 1693

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 20-12; IC 23-13-18-4.

**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.

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

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**Adams T, Kruzan, Kersey**

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January 26, 1999, read first time and referred to Committee on Education.

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Introduced

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

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

40 SECTION 5. IC 20-12-37-2 IS AMENDED TO READ AS  
 41 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. **(a)** The governor of  
 42 the state of Indiana shall appoint ten (10) trustees for Purdue University



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

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

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

8 **(2) be elected by secret ballot by all Purdue University**  
 9 **employees who hold the rank of assistant professor or higher;**

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

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

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

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

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

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

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

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



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

3           **(2) be elected by secret ballot by all Indiana State University**  
 4           **employees who hold the rank of assistant professor or higher;**

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

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

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

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

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

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

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



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1 for ~~his~~ **the governor's** consideration. The governor shall select one (1)  
 2 of these names for appointment as a trustee of the university in  
 3 accordance with the provisions of ~~under~~ this chapter.

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

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

7 **(2) be elected by secret ballot by all Ball State University**  
 8 **employees who hold the rank of 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 Ball State University.**

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

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

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

35 SECTION 10. IC 20-12-61-4 IS AMENDED TO READ AS  
 36 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. (a) Ivy Tech **State**  
 37 **College** shall be governed by a board of trustees, composed of ~~thirteen~~  
 38 ~~(13)~~ **fourteen (14)** members. **Thirteen (13) members shall be**  
 39 **appointed by the governor, and one (1) member of the faculty of Ivy**  
 40 **Tech State College shall be elected under subsection (b).** Each  
 41 member of the state board must have knowledge or experience in one  
 42 (1) or more of the following areas:



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- 1 (1) Manufacturing.  
 2 (2) Commerce.  
 3 (3) Labor.  
 4 (4) Agriculture.  
 5 (5) State and regional economic development needs.  
 6 (6) Indiana's educational delivery system.
- 7 At least one (1) trustee must reside in each region established under  
 8 section 9(4) of this chapter. **Except for the elected faculty member**  
 9 **under subsection (b)**, appointments shall be for three (3) year terms,  
 10 on a staggered basis.
- 11 **(b) One (1) member of the board of trustees shall:**  
 12 **(1) be a member of the faculty of Ivy Tech State College who**  
 13 **holds the rank of assistant professor or higher;**  
 14 **(2) be elected by secret ballot by all Ivy Tech State College**  
 15 **employees who hold the rank of assistant professor or higher;**  
 16 **(3) serve a three (3) year term beginning July 1, or if a**  
 17 **vacancy occurs for the remainder of the unexpired term of the**  
 18 **previous faculty trustee; and**  
 19 **(4) be eligible for reelection as faculty trustee if the person**  
 20 **remains a member of the faculty of Ivy Tech State College.**
- 21 ~~(b)~~ (c) No one who holds an elective or appointed office of the state  
 22 is eligible to serve as a member of the state board. A member of a  
 23 regional board may be appointed to the state board, but must then resign  
 24 from the regional board.
- 25 SECTION 11. IC 20-12-61-6 IS AMENDED TO READ AS  
 26 FOLLOWS [EFFECTIVE JULY 31, 1999]: Sec. 6. (a) **Except as**  
 27 **provided by section 4(b) of this chapter**, the governor shall fill all  
 28 vacancies on the state board. Each trustee appointed to fill a vacancy  
 29 shall represent the same region as ~~his~~ **the trustee's** predecessor.
- 30 (b) If a vacancy occurs on the state board, the regional board for the  
 31 region in which the former member resided may recommend to the  
 32 governor one (1) or more qualified persons to fill the vacancy.
- 33 SECTION 12. IC 20-12-64-7 IS AMENDED TO READ AS  
 34 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 7. (a) The board  
 35 consists of ~~nine (9)~~ **ten (10)** members who shall serve staggered terms  
 36 of four (4) years. However:  
 37 **(1) the student member required by subsection (c) shall serve a**  
 38 **term of two (2) years; and**  
 39 **(2) the faculty member elected under subsection (d) shall**  
 40 **serve a term of three (3) years.**
- 41 (b) Each member of the board must be a citizen of the United States  
 42 and a resident of Indiana.

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1 (c) The board must include at least the following:

2 (1) One (1) member who is an alumnus of the university or an  
3 alumnus of the regional campus.

4 (2) One (1) member who is a full-time student in good standing  
5 enrolled in the university.

6 (3) One (1) member who is a resident of Vanderburgh County.

7 **(4) One (1) member who is a member of the faculty of the**  
8 **university as provided by subsection (d).**

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

10 **(1) be a member of the faculty of the University of Southern**  
11 **Indiana who holds the rank of assistant professor or higher;**

12 **(2) be elected by secret ballot by all employees of the**  
13 **University of Southern Indiana who hold the rank of assistant**  
14 **professor or higher;**

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

18 **(4) be eligible for reelection as faculty trustee if the person**  
19 **remains a member of the faculty of the University of Southern**  
20 **Indiana.**

21 SECTION 13. IC 20-12-64-8 IS AMENDED TO READ AS  
22 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 8. **Except as provided**  
23 **by section 7(d) of this chapter,** the governor shall appoint the  
24 members of the board. If a vacancy occurs during the term of any  
25 member **that was appointed by the governor,** the governor shall  
26 appoint an individual to serve the unexpired term of the vacating  
27 member.

28 SECTION 14. IC 23-13-18-4 IS AMENDED TO READ AS  
29 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. (a) The board of  
30 trustees of Vincennes University shall consist of ~~ten (10)~~ **eleven (11)**  
31 trustees. Nine (9) shall be appointed by the governor, one (1) of whom  
32 must be a resident of Knox County and one (1) must be an alumnus of  
33 Vincennes. In addition, the governor shall appoint one (1) trustee who  
34 is a full-time student of the university during ~~his~~ **the student's** term.  
35 **One (1) member of the board of trustees shall be a member of the**  
36 **faculty of Vincennes University elected under subsection (d).**

37 (b) To aid the governor in the selection of the student member, a  
38 search and screen committee is created consisting of one (1)  
39 representative of the governor and at least four (4) students chosen by  
40 the elected student government representatives of the student body. The  
41 committee shall establish the mode and criteria to be used in the  
42 selection of student nominees to serve on the board of trustees. The



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1 committee shall submit a list of at least five (5) names to the governor  
 2 for ~~his~~ **the governor's** consideration. The governor shall select one (1)  
 3 of these names for appointment as a trustee of the university in  
 4 accordance with the provisions of this chapter.

5 (c) There shall be four (4) ex officio members of the board: the  
 6 president of the university, the superintendent of the Vincennes  
 7 Community School Corporation, the superintendent of the South Knox  
 8 School Corporation, and the superintendent of the North Knox School  
 9 Corporation.

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

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

13 **(2) be elected by secret ballot by all employees of Vincennes**  
 14 **University who hold the rank of assistant professor or higher;**

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

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

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

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

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

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

39 SECTION 15. [EFFECTIVE JULY 1, 1999] **(a) As used in this**  
 40 **SECTION, "universities and college" refers to Indiana University,**  
 41 **Purdue University, Ball State University, Indiana State University,**  
 42 **Ivy Tech State College, Vincennes University, and the University**



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1 **of Southern Indiana.**

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

5 **(c) Notwithstanding any provision of this act, the terms of each**  
6 **of the faculty members elected to the boards of trustees of the**  
7 **universities and college under this act begin July 1, 2000.**

8 **(d) This SECTION expires July 1, 2000.**

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