

HOUSE BILL No. 1177

DIGEST OF INTRODUCED BILL

Citations Affected: IC 21-20.

Synopsis: Indiana University board of trustees. Modifies the manner in which alumni members of the Indiana University board of trustees are elected. Removes a residency requirement for members of the board of trustees appointed by the governor. Allows the board of trustees to hold meetings at the dates, times, and places the board of trustees agrees upon. Repeals a provision concerning emergency appointments to the board of trustees.

Effective: August 1, 2011.

Foley, Koch, Welch

January 10, 2011, read first time and referred to Committee on Education.

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First Regular Session 117th General Assembly (2011)

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 2010 Regular Session of the General Assembly.

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HOUSE BILL No. 1177



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

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

1 SECTION 1. IC 21-20-3-4, AS ADDED BY P.L.2-2007, SECTION
2 261, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 AUGUST 1, 2011]: Sec. 4. (a) Three (3) members of the board of
4 trustees shall be elected by the alumni of Indiana University under this
5 chapter. In the year in which the term of any member of the board of
6 trustees elected by the alumni expires, a successor to the trustee shall
7 be elected by the alumni of Indiana University, to serve for a term of
8 three (3) years beginning July 1 next succeeding the election.

9 (b) When a vacancy occurs in the membership of the board of
10 trustees who are elected by the alumni, because of death, resignation,
11 or any other reason, the vacancy shall be filled by ~~election by the~~
12 **alumni; selection by the Indiana University alumni association**
13 **executive council** for the unexpired term.

14 SECTION 2. IC 21-20-3-6, AS ADDED BY P.L.2-2007, SECTION
15 261, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 AUGUST 1, 2011]: Sec. 6. ~~A registry of the names and addresses of~~
17 ~~the alumni of Indiana University shall be kept, and corrected from time~~



1 to time, by the president of Indiana University or the president's
 2 designated representative. The alumni of Indiana University consist of
 3 those persons who have been awarded a degree by the board of trustees
 4 of Indiana University as recommended by the faculty.

5 SECTION 3. IC 21-20-3-8, AS ADDED BY P.L.2-2007, SECTION
 6 261, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 AUGUST 1, 2011]: Sec. 8. The election of members of the board of
 8 trustees shall be held at Indiana University on the secular day
 9 immediately preceding July 1. at 9 a.m. At that time trustees shall be
 10 elected to:

11 (1) serve for a term of three (3) years from July 1 next succeeding
 12 the trustee's election; and

13 (2) complete any unexpired term or terms.

14 SECTION 4. IC 21-20-3-9, AS ADDED BY P.L.2-2007, SECTION
 15 261, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 AUGUST 1, 2011]: Sec. 9. (a) Each alumnus may send to the librarian,
 17 over the alumnus's signature, at any time before the election of a trustee
 18 or trustees, the vote for the trustee or trustees that the alumnus would
 19 be entitled to cast if personally present at the election. The ballots and
 20 the containers in which the ballots are submitted must be:

21 (1) prepared and furnished by the librarian; and

22 (2) designed as to enable the librarian to ascertain the name of the
 23 voter, and to determine whether the voter is entitled to participate
 24 in the election, without knowing for whom the voter casts a ballot.

25 (b) The librarian shall deliver all votes cast in the election, to be
 26 opened and counted at the election, together with the votes cast by
 27 those alumni who are personally present and entitled to vote at the
 28 election.

29 (c) An alumnus may not cast more than one (1) vote. The
 30 university librarian shall conduct the elections to select the three
 31 (3) alumni members of the board of trustees. All alumni (as
 32 described in section 6 of this chapter) are eligible to participate in
 33 the election either by electronic or printed ballot, and each eligible
 34 individual may cast not more than one (1) vote. A request for a
 35 printed ballot must be made in writing to the university librarian
 36 not later than May 1 of an election year. The university librarian
 37 may adopt rules and regulations as necessary to carry out this
 38 section.

39 SECTION 5. IC 21-20-3-12, AS ADDED BY P.L.2-2007,
 40 SECTION 261, IS AMENDED TO READ AS FOLLOWS
 41 [EFFECTIVE AUGUST 1, 2011]: Sec. 12. (a) The governor shall
 42 appoint five (5) members of the board of trustees for terms of three (3)

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years.
(b) Whenever a vacancy occurs in the membership of the board of trustees who are appointed by the governor because of death or resignation ~~removal from the state~~, or for any other reason, the vacancy shall be filled by an appointment of the governor for the unexpired term.

SECTION 6. IC 21-20-3-15, AS ADDED BY P.L.2-2007, SECTION 261, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE AUGUST 1, 2011]: Sec. 15. The board of trustees shall declare vacant the seat of any trustee who is:

- (1) absent **without sufficient excuse** from two (2) successive meetings of the board of trustees; or
- (2) guilty of any gross immorality or breach of the bylaws **of the trustees** of Indiana University.

SECTION 7. IC 21-20-4-5, AS AMENDED BY P.L.3-2008, SECTION 135, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE AUGUST 1, 2011]: Sec. 5. The secretary of the board of trustees shall:

- (1) keep a true record of the proceedings of the board of trustees; **and**
- (2) certify copies of the record of the proceedings of the board of trustees. ~~and~~
- ~~(3) maintain:~~
 - (A) an account of the students in Indiana University by the students' classes; including the students' respective ages and places of residence; and
 - (B) a list of all graduates.

SECTION 8. IC 21-20-5-1, AS ADDED BY P.L.2-2007, SECTION 261, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE AUGUST 1, 2011]: Sec. 1. The board of trustees shall ~~annually meet in Bloomington; at least three (3) days before the annual commencement of Indiana University.~~ **hold meetings at the dates, times, and places upon which the board of trustees agrees.**

SECTION 9. IC 21-20-3-16 IS REPEALED [EFFECTIVE AUGUST 1, 2011].

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