

CHAPTER 176

EDUCATION - UNIVERSITIES AND COLLEGES

SENATE BILL 08-191

BY SENATOR(S) Keller;
also REPRESENTATIVE(S) Green, Borodkin, King, Labuda, McFadyen, Merrifield, Middleton, Summers, and Todd.

AN ACT**CONCERNING THE COLORADO SCHOOL OF MINES BOARD OF TRUSTEES.**

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

SECTION 1. Legislative intent. (1) The general assembly hereby finds that:

(a) The Colorado school of mines board of trustees does not currently include faculty representation, and faculty members desire to be more informed and involved in making policies that affect the institution;

(b) Several public institutions of higher education in Colorado include faculty representation on their respective governing boards, including the boards of Adams State College, Colorado State University, Fort Lewis College, Mesa State College, Metropolitan State College, University of Northern Colorado, Western State College, and most community colleges in Colorado;

(c) Adding a member to the Colorado school of mines board of trustees who is elected from among the faculty would change the membership of the board of trustees to mirror the construction of other similarly situated institutions of higher education in Colorado.

SECTION 2. 23-41-102 (1) (a), Colorado Revised Statutes, is amended to read:

23-41-102. Board of trustees - term. (1) (a) There shall be a board of trustees of the Colorado school of mines to be composed of ~~eight~~ NINE persons. The five members serving on the board on July 1, 1973, shall continue to serve the terms for which they were appointed. On or before July 1, 1973, the governor shall appoint two additional members of the board, of which one shall be appointed for a term to expire on March 1, 1975, and one shall be appointed for a term to expire on March

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

1, 1977. Prior to June 15, 1987, the governor shall fill the vacancies in appointed offices occurring every two years by appointments of members of the board for terms of six years each, in accordance with this arrangement. Persons who are appointed members and who are holding office on June 15, 1987, are subject to the provisions of section 24-1-137, C.R.S. Thereafter the terms of such appointed members shall be four years. Notwithstanding any other provision of this section, the term of each member serving on the board of trustees as of May 26, 2006, shall be extended to expire on December 31 of the calendar year in which the member's appointed term would otherwise expire. Members appointed on or after January 1, 2007, shall serve terms of up to four years, expiring on December 31 of the third calendar year following the calendar year in which the member is appointed. For terms ending on or after December 31, 2006, the governor shall appoint a succeeding member on or before March 1 immediately following the expiration of the term. Of the seven members appointed by the governor, no more than four members shall be from the same political party. The TWO remaining ~~office~~ MEMBER POSITIONS shall be filled by:

(I) An elected member of the student body who is a full-time junior or senior student at the Colorado school of mines, and the term of said elected office shall be one year, beginning July 1. The elected ~~office~~ STUDENT MEMBER shall be advisory, without the right to vote. ~~The elected member of the board shall have resided in the state of Colorado not less than three years prior to the member's election.~~ For the purposes of this subsection (1), "full-time student" means the equivalent of the definition of "full-time equivalent student" used by the joint budget committee of the general assembly.

(II) A FULL-TIME MEMBER OF THE ACADEMIC FACULTY OF THE COLORADO SCHOOL OF MINES ELECTED BY A MAJORITY OF AT LEAST SIXTY-SEVEN PERCENT OF THE ACADEMIC FACULTY. THE INITIALLY ELECTED FACULTY BOARD MEMBER SHALL BE ELECTED AT A SPECIAL ELECTION TO BE HELD DURING THE SPRING SEMESTER OF 2008. THE TERM OF OFFICE FOR THE INITIALLY ELECTED FACULTY MEMBER SHALL END DECEMBER 31, 2010. SUBSEQUENTLY ELECTED FACULTY MEMBERS SHALL SERVE TWO-YEAR TERMS COMMENCING JANUARY 1 OF EACH ODD-NUMBERED YEAR THEREAFTER. THE ELECTED FACULTY MEMBER SHALL BE ADVISORY, WITHOUT THE RIGHT TO VOTE.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 24, 2008