

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 395

BY DURST

AN ACT

1 RELATING TO EDUCATION; AMENDING SECTION 33-102, IDAHO CODE, TO PROVIDE
2 FOR AN EX OFFICIO VOTING MEMBER OF THE STATE BOARD OF EDUCATION; AND
3 AMENDING CHAPTER 37, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW
4 SECTION 33-3726, IDAHO CODE, TO PROVIDE FOR THE COUNCIL OF IDAHO COLLEGE
5 AND UNIVERSITY PRESIDENTS.
6

7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Section 33-102, Idaho Code, be, and the same is hereby
9 amended to read as follows:

10 33-102. MEMBERSHIP -- APPOINTMENT -- TERM OF OFFICE -- QUALIFICATIONS
11 -- PLACE OF OFFICE. The state board of education shall consist of the state
12 superintendent of public instruction, who shall be an ex officio voting
13 member and who shall serve as executive secretary of the board for all
14 elementary and secondary school matters, and seven (7) members appointed by
15 the governor, each for a term of five (5) years. Annually on the first day
16 of March the governor shall appoint members to fill the board positions for
17 which the terms of office have expired. The governor shall, by appointment,
18 fill any vacancy on the board, such appointment to be for the unexpired
19 term of the retiring member. Appointment to the board shall be made solely
20 upon consideration of the ability of such appointees efficiently to serve
21 the interests of the people, and education, without reference to locality,
22 occupation, party affiliation or religion. Any person appointed to said
23 board shall have been a resident of the state for not less than three (3)
24 years prior to the date of appointment; and shall qualify and assume the
25 duties in accordance with laws governing similar appointments to, and
26 qualifications for, office on other state boards. All appointments of
27 members to the state board of education made after the effective date of this
28 act must be confirmed by the senate. The executive director of the council of
29 Idaho college and university presidents shall serve as an ex officio voting
30 member of the state board.

31 Members of the state board of education holding office on the effective
32 date of this act shall continue in office for the balance of the term to which
33 they were appointed.

34 The state board shall have and maintain its office in Ada county.

35 SECTION 2. That Chapter 37, Title 33, Idaho Code, be, and the same is
36 hereby amended by the addition thereto of a NEW SECTION, to be known and
37 designated as Section 33-3726, Idaho Code, and to read as follows:

38 33-3726. COUNCIL OF IDAHO COLLEGE AND UNIVERSITY PRESIDENTS. (1)
39 There is hereby created in the office of the governor the council of Idaho

1 college and university presidents. The council shall be composed of the
2 presidents of Idaho's public baccalaureate degree granting institutions.

3 (2) The council shall report to the governor and to the legislature, but
4 shall not report to the state board of education.

5 (3) The initial president of the council shall be the Idaho college
6 or university president with the greatest seniority in that position. The
7 president of the council shall serve a term of three (3) years. The order
8 of succession after the initial president shall be in order of seniority as
9 president of an Idaho college or university. In the event that a currently
10 serving president of the council no longer serves as a president of an Idaho
11 public institution of higher education, the successor shall be the Idaho
12 college or university president with the next greatest seniority who will
13 begin service as president of the council for a three (3) year term. No
14 individual shall serve a second term as president of the council until all
15 members of the council have had the opportunity to serve as the council's
16 president.

17 (4) The council shall meet not less than four (4) times per year at a
18 location to be determined by the council. A majority of the membership of the
19 council constitutes a quorum to transact business. Service on the council
20 shall be part of the official duties of the Idaho college and university
21 presidents.

22 (5) The council shall appoint an executive director who shall serve at
23 the pleasure of the council. The executive director shall be compensated
24 as determined by the council. The executive director may appoint an
25 administrative assistant who shall be subject to the provisions of chapter
26 53, title 67, Idaho Code. The office of the executive director shall be
27 located in Ada county and the cost of operating that office shall be shared
28 equally by the Idaho colleges and universities represented on the council.

29 (6) The purpose of the council is to create an agenda for public higher
30 education that will be communicated to the governor, the legislature and the
31 people of Idaho.