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AS AMENDED

By: Dossett (J.J.)

emergency]

Section 3-101. A. The State Board of Education shall consist of seven (7) members. The State Superintendent of Public Instruction shall be a member and the chairperson of the Board. The remaining six members shall be appointed by the Governor by and with the advice and consent of the Senate. Except as otherwise provided for in subsection B of this section, upon assuming office each Governor shall appoint one member from each congressional district and one member from the state at large. Each appointment shall be made to take effect on April 2. The term of each appointed member shall be four (4) years. Appointed members shall serve until a successor is appointed. ~~Appointed~~ The Governor may remove appointed

1 members ~~shall serve at the pleasure of the Governor~~ for cause as
2 provided for in subsection D of this section. Upon the occurrence
3 of a vacancy the same shall be filled by the Governor, subject to
4 confirmation by the Senate at the next session of the Legislature.
5 The appointment to fill a vacancy shall be made for the unexpired
6 term.

7 B. On the effective date of this act, all appointed positions
8 of the current State Board of Education shall be deemed vacant and
9 the terms of persons serving on the Board shall be deemed
10 terminated. The Governor shall make initial appointments pursuant
11 to the provisions of this subsection within thirty (30) days of the
12 effective date of this act, with one member appointed from each
13 congressional district and one member appointed from the state at
14 large. The appointments shall be subject to confirmation by the
15 Senate at the next session of the Legislature. The terms for
16 members appointed pursuant to this subsection shall terminate on
17 April 2, 2015. Thereafter, members shall be appointed as provided
18 for in subsection A of this section.

19 C. No person shall be eligible to be appointed to serve on the
20 State Board unless the person has been awarded a high school diploma
21 or certificate of high school equivalency. Any member appointed to
22 the State Board shall complete the workshop requirements of a new
23 school board member pursuant to Section 5-110 of this title within
24 thirteen (13) months following or preceding the appointment of the

1 member. Notwithstanding any provision of law to the contrary, the
2 State Department of Education shall not charge any member of the
3 State Board of Education a fee for any workshop provided by the
4 Department for board members pursuant to Section 5-110 of this title
5 and shall not pay a fee to any organization or institution of higher
6 education on behalf of a member of the State Board of Education, or
7 reimburse any member of the Board for a fee paid to any organization
8 or institution of higher education, for attendance at a workshop or
9 courses to satisfy the requirements of Section 5-110 of this title.

10 D. The Governor may remove an appointed member for cause which
11 shall include but not be limited to:

12 1. Being found guilty by a court of competent jurisdiction of a
13 felony or any offense involving moral turpitude;

14 2. Being found guilty of malfeasance, misfeasance or
15 nonfeasance in relation to Board duties;

16 3. Being found mentally incompetent by a court of competent
17 jurisdiction; or

18 4. Failing to attend three successive meetings of the Board
19 without just cause, as determined by the Governor.

20 E. Members of the Board shall receive necessary traveling
21 expenses while in the performance of their duties in accordance with
22 the State Travel Reimbursement Act.

23 SECTION 2. This act shall become effective July 1, 2021.
24

1 SECTION 3. It being immediately necessary for the preservation
2 of the public peace, health or safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

5 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION
6 February 2, 2021 - DO PASS AS AMENDED
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