THIRD CONGRESS OF THE FEDERATED STATES OF MICRONESIA
THIRD SPECIAL SESSION, 1984

A BILL FOR AN ACT

To amend title 40 of the Code of the Federated States of Micronesia by repealing sections 123, 124, and 125 and by enacting new sections 123, 124, and 125 to prescribe a new composition and organization of the Board of Education of the Federated States of Micronesia, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

Section 1. Section 123 of title 40 of the Code of the Federated States of Micronesia is hereby repealed in its entirety and a new section 123 is enacted to read as follows:

"Section 123. Board of Education of the Federated States of Micronesia - Establishment and membership. There is hereby established the Board of Education of the Federated States of Micronesia which shall consist of seven members, appointed by the President with the advice and consent of Congress, as follows:

(1) Four members shall be representatives of each of the four States. If the governors of the respective States so choose, the representative of each State may be the State Director of Education of that State. If the governor of a State does not choose to appoint the State Director of Education, then the representative of that State shall be an individual who occupies a position of responsibility within that State with respect to the development of educational policy.

(2) One member shall be a citizen of the Federated States of Micronesia who is a regent on the Board of Regents of the College of Micronesia.

(3) One member who shall be a citizen of the Federated States of Micronesia shall be a representative of nonpublic schools in the Federated States of Micronesia and, as such, shall occupy a position of responsibility within a nonpublic
school or nonpublic school system.

(4) The Chief of the Division of Education within the Department of Social Services of the Federated States of Micronesia shall also be a member of the Board and shall be executive officer of the Board. The Chief of the Division of Education shall have no vote except in the event of a tie, in which case he shall cast the tie-breaking vote. No member of the Board shall represent more than one entity on the Board."

Section 2. Section 124 of title 40 of the Code of the Federated States of Micronesia is hereby repealed in its entirety and a new section 124 is enacted to read as follows:

"Section 124. Board of Education of the Federated States of Micronesia - Tenure of members.

(1) Except for the Chief of the Division of Education, the members of the Board shall serve for three years; provided, however, that when the Board is first appointed, three members shall serve for a term of two years and three for a term of three years from the date of the organizational meeting of the Board.

(2) The terms of the respective members shall be determined by drawing lots at the organizational meeting of the Board. Any vacancy shall be filled for the remainder of the term by appointment by the President with the advice and consent of Congress. Any vacancy created by a representative of one of the States shall be filled for the remainder of that representa-
tive's term by appointment by the President after consultation
with the governor of the State of the member creating the
vacancy, and with the advice and consent of Congress.

(3) No member of the Board may serve as a member of the
Board beyond the period that such member holds an office or a
position qualifying such member for appointment under section
1 of this act."

Section 3. Section 125 of title 40 of the Code of the Federated
States of Micronesia is hereby repealed in its entirety and a new section
125 is enacted to read as follows:

"Section 125. Board of Education of the Federated States of
Micronesia - Organization and meetings. The Board shall by
majority vote elect from among its members a chairperson who
shall serve for such term as may be prescribed by the Board,
except that the Chief of the Division of Education shall not be
elected as chairperson. In the event of the absence or
disability of the chairperson, the Board may designate another
member to preside during the meeting. Four members of the
Board shall constitute a quorum. The Board shall meet at such
times and places as it may designate but not less than twice
each year. The members shall be notified of meetings by the
Chief of the Division of Education in writing at least two weeks
before the date of any meeting."
Section 4. Effective date. This act shall become law upon approval by the President of the Federated States of Micronesia or upon its becoming law without such approval.

Date Aug 14, 1984

Introduced by: Peter M. Christian