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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:

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2 States of Micronesia is hereby repealed in its entirety and a new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

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

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

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

22 (3) One member who shall be a citizen of the Federated
23 States of Micronesia shall be a representative of nonpublic
24 schools in the Federated States of Micronesia and, as such,
25 shall occupy a position of responsibility within a nonpublic

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1 school or nonpublic school system.

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

9 Section 2. Section 124 of title 40 of the Code of the Federated
10 States of Micronesia is hereby repealed in its entirety and a new section
11 124 is enacted to read as follows:

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

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

20 (2) The terms of the respective members shall be
21 determined by drawing lots at the organizational meeting of the
22 Board. Any vacancy shall be filled for the remainder of the
23 term by appointment by the President with the advice and consent
24 of Congress. Any vacancy created by a representative of one of
25 the States shall be filled for the remainder of that representa-

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1 tive's term by appointment by the President after consultation
2 with the governor of the State of the member creating the
3 vacancy, and with the advice and consent of Congress.

4 (3) No member of the Board may serve as a member of the
5 Board beyond the period that such member holds an office or a
6 position qualifying such member for appointment under section
7 1 of this act."

8 Section 3. Section 125 of title 40 of the Code of the Federated
9 States of Micronesia is hereby repealed in its entirety and a new section
10 125 is enacted to read as follows:

11 "Section 125. Board of Education of the Federated States of
12 Micronesia - Organization and meetings. The Board shall by
13 majority vote elect from among its members a chairperson who
14 shall serve for such term as may be prescribed by the Board,
15 except that the Chief of the Division of Education shall not be
16 elected as chairperson. In the event of the absence or
17 disability of the chairperson, the Board may designate another
18 member to preside during the meeting. Four members of the
19 Board shall constitute a quorum. The Board shall meet at such
20 times and places as it may designate but not less than twice
21 each year. The members shall be notified of meetings by the
22 Chief of the Division of Education in writing at least two weeks
23 before the date of any meeting."

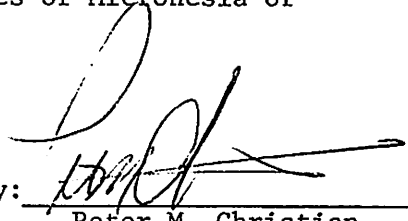
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1 Section 4. Effective date. This act shall become law upon
2 approval by the President of the Federated States of Micronesia or
3 upon its becoming law without such approval.

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5 Date: Aug 14, 1984

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Introduced by: 
Peter M. Christian