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A BILL FOR AN ACT

To amend title 40 of the Code of the Federated States of Micronesia by amending sections 121, 123, 124, 125, 127 and 128 to change the composition of the Board of Education to reflect the changes made by Public Law No. 5-21, to give the Board of Education greater power and responsibilities, and for other purposes.

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

1 Section 1. Section 121 of title 40 of the Code of the Federated  
2 States of Micronesia is hereby amended to read as follows:

3 "Section 121. Definitions. As used herein, unless  
4 otherwise indicated by the context:

5 (1) 'Board' means the Federated States of Micronesia Board  
6 of Education.

7 (2) 'Chief Assistant Secretary of Education'  
8 means the Chief Assistant Secretary of the Division  
9 of Education within of the Department of Social Services Human  
10 Resources of the Federated States of Micronesia.

11 (3) 'President' means the President of the Federated  
12 States of Micronesia.

13 (4) 'Secretary of Social Services Human Resources' means  
14 the Secretary of the Department of Social Services Human  
15 Resources of the Federated States of Micronesia."

16 Section 2. Section 123 of title 40 of the Code of the  
17 Federated States of Micronesia is hereby amended to read as follows:

18 "Section 123. Federated States of Micronesia Board of  
19 Education - Establishment; Membership. There is hereby  
20 established a Federated States of Micronesia Board of Education  
21 which shall consist of five members. There shall be one member  
22 from each State of the Federated States of Micronesia. The  
23 Chief Assistant Secretary of the Division of Education shall  
24 also be a member and shall be executive officer of the Board.  
25 The Chief Assistant Secretary of the Division of Education

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1 shall have no vote except in the event of a tie, in which case  
2 he shall cast the tie-breaking vote. The State members of the  
3 Board shall be appointed by the President after discussion and  
4 consultation with the Governor of each State, and with the  
5 advice and consent of the Congress of the Federated States of  
6 Micronesia."

7 Section 3. Section 124 of title 40 of the Code of the Federated  
8 States of Micronesia is hereby amended to read as follows:

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

11 (1) Except for the ~~Chief~~ Assistant Secretary of  
12 ~~the Division of~~ Education, the members of the Board shall serve  
13 for three years; provided however, that when the Board is first  
14 appointed, two members shall serve for a term of two years, and  
15 two for a term of three years from the date of their appointment.

16 (2) The terms of the respective members shall be  
17 determined by drawing lots at the initial meeting of the Board.  
18 Vacancies shall be filled for unexpired terms by appointment by  
19 the President after discussion and consultation with the  
20 Governor of the State where the member creating the vacancy is  
21 from, and with the advice and consent of the Congress of the  
22 Federated States of Micronesia."

23 Section 4. Section 125 of title 40 of the Code of the Federated  
24 States of Micronesia is hereby amended to read as follows:

25 "Section 125. Federated States of Micronesia Board of

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1        Education - Organization and meetings. The Board shall by  
2        majority vote elect from among its members a chairman who shall  
3        serve for such term as may be prescribed by the Board, except  
4        that the ~~Chief~~ Assistant Secretary of the Division of  
5        Education shall not be elected chairman. In the event of  
6        absence or disability of the chairman, the Board may designate  
7        another member to preside during the meeting. Three members of  
8        the Board shall constitute a quorum. The Board shall meet at  
9        such times and places as it may designate but not less than  
10       twice each year. The members shall be notified of meetings by  
11       the ~~Chief~~ Assistant Secretary of the Division of Education  
12       in writing at least two weeks before the date of any meeting."

13       Section 5. Section 127 of title 40 of the Code of the Federated  
14       States of Micronesia is hereby amended to read as follows:

15                "Section 127. Federated States of Micronesia Board of  
16        Education - Duties and functions of the Board. The Board's  
17        duties and functions shall be to ~~act in an advisory capacity~~  
18        formulate and promulgate policy decisions, directives and guidelines  
19        to the National Government of the Federated States of Micronesia  
20        with respect to National functions in the field of education.  
21        Recognizing the purposes and responsibilities of the State  
22        boards of education and the educational needs and goals of the  
23        National and State Governments, the Board shall ~~advise and~~  
24        ~~assist~~ decide upon and provide the National Government of the  
25        Federated States of Micronesia as follows:

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1           (1) ~~in formulating~~ a formulation and ~~defining~~ definition of  
2 educational objectives and policies in the Federated States of  
3 Micronesia;

4           (2) ~~in establishing~~ establish minimum uniform nationwide  
5 standards for curricula, textbooks, the certification of teachers and  
6 schools, and other educational matters of National concern;

7           (3) ~~in coordinating~~ a plan to coordinate National programs of  
8 education throughout the Federated States of Micronesia;

9           (4) ~~in evaluating~~ an evaluation of past and current educational  
10 expenditures and ~~in recommending~~ yearly recommendations for education  
11 budgets to the President;

12           (5) ~~in the~~ a formulation of rules and regulations to  
13 implement the provisions of this subchapter; and

14           (6) ~~in~~ such other educational matters as may be assigned  
15 to it by the President, Secretary of ~~Social Services~~ Human  
16 Resources, ~~Chief Assistant Secretary of the Division of~~  
17 Education, or by law."

18           Section 6. Section 128 of title 40 of the Code of the Federated  
19 States of Micronesia is hereby amended to read as follows:

20           "Section 128. Federated States of Micronesia Board of  
21 Education - Rules and regulations. The Secretary of ~~Social~~  
22 ~~Servitès~~ Human Resources, upon approval of the President, is  
23 hereby authorized to issue and promulgate rules and regulations  
24 implementing the provisions of this subchapter, which rules and  
25 regulations shall have the force and effect of law."

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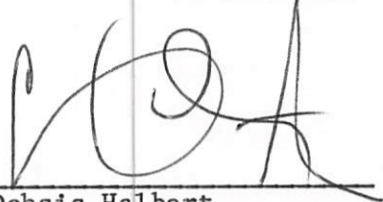
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1 Section 7. This act shall become law upon approval by the  
2 President of the Federated States of Micronesia or upon its becoming  
3 law without such approval.

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5 Date: 5-12-88

Introduced by:   
Dohsis Halbert

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