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:

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

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

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

(2) 'Chief Assistant Secretary of Education' means the Chief Assistant Secretary of the Division of Education of the Department of Human Resources of the Federated States of Micronesia.

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

(4) 'Secretary of Human Resources' means the Secretary of the Department of Human Resources of the Federated States of Micronesia."

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

"Section 123. Federated States of Micronesia Board of Education - Establishment; Membership. There is hereby established a Federated States of Micronesia Board of Education which shall consist of five members. There shall be one member from each State of the Federated States of Micronesia. The Chief Assistant Secretary of the Division of Education shall also be a member and shall be executive officer of the Board. The Chief Assistant Secretary 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. The State members of the
Board shall be appointed by the President after discussion and
consultation with the Governor of each State, and with the
advice and consent of the Congress of the Federated States of
Micronesia."

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

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

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

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

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

"Section 125. Federated States of Micronesia Board of
Education - Organization and meetings. The Board shall by majority vote elect from among its members a chairman who shall serve for such term as may be prescribed by the Board, except that the Chief Assistant Secretary of the Division of Education shall not be elected chairman. In the event of absence or disability of the chairman, the Board may designate another member to preside during the meeting. Three 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 Assistant Secretary of the Division of Education in writing at least two weeks before the date of any meeting."

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

"Section 127. Federated States of Micronesia Board of Education - Duties and functions of the Board. The Board's duties and functions shall be to act in an advisory capacity formulate and promulgate policy decisions, directives and guidelines to the National Government of the Federated States of Micronesia with respect to National functions in the field of education. Recognizing the purposes and responsibilities of the State boards of education and the educational needs and goals of the National and State Governments, the Board shall establish and direct the National Government of the Federated States of Micronesia as follows:
1. In formulating a formulation and defining definition of educational objectives and policies in the Federated States of Micronesia;

2. In establishing establish minimum uniform nationwide standards for curricula, textbooks, the certification of teachers and schools, and other educational matters of National concern;

3. In coordinating a plan to coordinate National programs of education throughout the Federated States of Micronesia;

4. In evaluating an evaluation of past and current educational expenditures and in recommending yearly recommendations for education budgets to the President;

5. In the a formulation of rules and regulations to implement the provisions of this subchapter; and

6. In such other educational matters as may be assigned to it by the President, Secretary of Human Resources, Assistant Secretary of the Division of Education, or by law."

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

"Section 128. Federated States of Micronesia Board of Education - Rules and regulations. The Secretary of Human Resources, upon approval of the President, is hereby authorized to issue and promulgate rules and regulations implementing the provisions of this subchapter, which rules and regulations shall have the force and effect of law."
Section 7. 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: 5-12-88

Introduced by: Dohsis Halbert