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AN ACT concerning training for members of governing boards of public institutions of higher education and supplementing chapter 3B of Title 18A of the New Jersey Statutes.

Requires members of governing boards of public institutions of higher education to complete training program as condition of board membership.

PRIME Sponsor \_\_\_\_\_ / \_\_\_\_\_

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Suggested allocation: s.1: C.18A:3B-6a

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**AN ACT** concerning training for members of governing boards of public institutions of higher education and supplementing chapter 3B of Title 18A of the New Jersey Statutes.

**BE IT ENACTED** *by the Senate and General Assembly of the State of New Jersey:*

1. a. A member of the governing board of a public institution of higher education, as a condition of serving as a member of the board, shall be required to complete a training program regarding the responsibilities, duties, and roles of a governing board member. A governing board member shall complete the training program within one year after the date that the member is first appointed to the governing board of a public institution of higher education; except that a person who serves as a member of a governing board prior to the effective date of this act shall complete the training within one year after the effective date.

b. The Secretary of Higher Education shall prescribe the subject matter of the training program, which shall include, but need not be limited to, the following topics:

(1) an overview of governance responsibilities entrusted to the governing board of a public institution of higher education;

(2) fiduciary responsibilities to students and the public;

(3) ethical conduct and standards;

(4) auditing procedures;

(5) fiscal responsibilities and financial reporting;

(6) the requirements of the “Senator Byron M. Baer Open Public Meetings Act,” P.L.1975, c.231 (C.10:4-6 et seq.), and P.L.1963, c.73 (C.47:1A-1 et seq.);

(7) governance roles concerning academic freedom, curriculum, and union issues;

(8) governance roles in maintaining a safe and supportive environment for students and faculty;

(9) governance roles and procedures in determining certain controversies, disputes, and disciplinary matters;

(10) legal and regulatory issues and responsibilities; and

(11) the use of third-party data in determining how the institution is meeting its goals and operating as a sustainable and financially secure organization.

c. Within each 12-month period after a governing board member’s first year of service, the board member shall complete a follow-up training course developed or approved by the secretary regarding relevant legal, regulatory, and best practices updates and other information deemed appropriate to enable governing board members to serve more effectively.

d. The training required under this section may be provided directly by the secretary, or by other qualified providers designated by the secretary, which may include the New Jersey Association of State Colleges and Universities, the New Jersey Council of County Colleges, or other qualified regional or national training providers.

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Any training program offered by a provider other than the secretary shall be reviewed and approved by the secretary.

e. (1) The chairperson of the governing board of each public institution of higher education shall certify completion of the training required under this section for each governing board member in each fiscal year, upon receipt of appropriate documentation thereof.

(2) A public institution of higher education shall post on the institution's website the number of hours of training completed by each governing board member in each fiscal year and the cumulative number of hours of training completed by each governing board member over the member's terms of service.

f. A member of the governing board of a public institution of higher education who does not complete the training required under subsection a. or subsection c. of this section within the required time period shall be ineligible for continued service on the board, and the seat shall be vacated; provided, however, that the governing board member may request from the secretary an extension of no more than six months to complete the required training before the member is deemed ineligible for service and the seat is vacated.

2. This act shall take effect on the 180th day after the date of enactment.

#### STATEMENT

This bill requires a member of a governing board of a public institution of higher education to complete a training program regarding the responsibilities, duties, and roles of a governing board member. The bill provides that the training must be completed no later than one year after the date that the member is first appointed to the governing board. Individuals who serve as members of a governing board prior to the bill's effective date must complete the training within one year after the effective date. The Secretary of Higher Education will prescribe the subject matter of the training, which will include, but need not be limited to: (1) governance responsibilities; (2) fiduciary responsibilities to students and the public; (3) ethical conduct and standards; (4) auditing procedures; (5) fiscal responsibilities and financial reporting; (6) the requirements of the "Senator Byron M. Baer Open Public Meetings Act" and the open public records law; (7) governance roles concerning academic freedom, curriculum, and union issues; (8) maintaining a safe and supportive environment for students and faculty; (9) governance roles and procedures in determining controversies, disputes, and disciplinary matters; (10) legal and regulatory issues and responsibilities; and (11) third-party data usage in determining how the institution is meeting its goals and operating as a sustainable and financially secure organization.

In addition, the bill requires a member of a governing board of a public institution of higher education to complete a follow-up

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training course within each 12-month period after the member's first year of service. The follow-up training will be developed or approved by the secretary and will include relevant legal, regulatory, and best practices updates and other information deemed appropriate to enable governing board members to serve more effectively.

Under the bill, the secretary may provide the required training directly or may designate other qualified providers to offer the training, which may include the New Jersey Association of State Colleges and Universities, the New Jersey Council of County Colleges, or other qualified regional or national training providers. The secretary will review and approve any training programs offered by other providers.

The bill directs the chairperson of the governing board of each public institution of higher education to certify completion of the required training for each board member in each fiscal year, upon receipt of appropriate documentation. The bill requires each public institution of higher education to post on its website the number of hours of training completed by each governing board member in each fiscal year and the cumulative number of hours of training completed by each governing board member over the member's terms of service.

The bill provides that a governing board member who fails to complete the training required under the bill within the required period of time will be ineligible for continued service on the board, and the member's seat will be vacated. However, the bill permits the board member to request from the secretary a six-month extension in which to complete the missed training before the member is deemed ineligible for service and the seat is vacated.

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Requires members of governing boards of public institutions of higher education to complete training program as condition of board membership.

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