

# ASSEMBLY HIGHER EDUCATION COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 1385**

with committee amendments

# STATE OF NEW JERSEY

DATED: JUNE 2, 2021

The Assembly Higher Education Committee reports favorably Assembly Bill No. 1385 with committee amendments.

As amended, this bill requires a member of a governing board of a public institution of higher education to complete a training program developed by that institution in consultation with the Secretary of Higher Education. Under the bill, the institution, in consultation with the secretary, would prescribe the subject matter of the training, which will include, but need not be limited to, information concerning governance responsibilities, ethical standards, due diligence, the requirements of the “Senator Byron M. Baer Open Public Meetings Act,” and the open public records law, issues associated with laws on privacy, board member fiduciary responsibilities, and the types of financial, organizational, legal, and regulatory issues associated with discharging the duties of a governing board member.

Under the bill, the institution could provide the training directly or arrange for, or specify, the entity or entities to provide the training, and certify completion of the training for each governing board member.

The bill provides that the training must be completed no later than one year after the date that the person is appointed as a member of the governing board. A person who is serving as a member of a governing board prior to the bill’s effective date is not required to complete the training.

This bill was pre-filed for introduction in the 2020-2021 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

As amended and reported by the committee, this bill is identical to Senate Bill No. 970, which also was amended and reported by the committee on this same date.

#### COMMITTEE AMENDMENTS:

The committee amended the bill to:

- Provide that each public institution of higher education will develop its own training program in consultation with the Secretary of Higher Education. As introduced, the bill required institutions of higher education to utilize a training program developed or approved by the secretary;
- Provide that a person who is appointed as a member of a governing board is required to complete the training no later than one year after the date the person is appointed; and
- Provide that a person who serves as a member of a governing board prior to the effective date of the bill is not required to complete the training.