

CHAPTER 250

AN ACT concerning the members of governing boards of public institutions of higher education, amending P.L.2009, c.308, 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:*

C.18A:3B-6.3 Required training program for governing board member of public institution.

1. a. As a condition of serving as a member of the governing board of a public institution of higher education, a person shall be required to complete a training program developed by that institution in consultation with the Secretary of Higher Education that is designed to clarify the roles and duties of a governing board member.

b. The training shall be completed no later than one year after the date that the person is appointed as a member of 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 not be required to complete the training.

c. The institution, in consultation with the secretary, shall:

(1) prescribe the subject matter of the training which shall include, but need not be limited to, governance responsibilities, ethical standards, due diligence, 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.), issues associated with laws on privacy, board member fiduciary responsibilities, and a review of the types of financial, organizational, legal, and regulatory issues that a member of a governing board may be required to consider in the course of discharging the member’s governance responsibilities;

(2) provide the training directly or arrange for, or specify, the entity or entities to provide the training. In the case of a county college, the secretary shall designate the New Jersey Council of County Colleges to provide the training;

(3) conduct a periodic review of the prescribed subject matter of the training to insure that the training includes information on relevant changes to State or federal law and other information deemed necessary to enable governing board members to serve effectively;

(4) certify completion of the training for each governing board member upon receipt of documentation thereof, as provided on a form and in a manner prescribed by the secretary, or otherwise arrange for certification by the training entity; and

(5) take other such actions as the secretary determines appropriate to effectuate the purposes of this act.

2. Section 17 of P.L.2009, c.308 (C.18A:3B-62) is amended to read as follows:

C.18A:3B-62 Provision of information, orientation, training.

17. A public research university and State college shall provide information, orientation, and training to each of its governing board members on the legal and ethical responsibilities of a member of the governing board. The training provided to governing board members shall be in accordance with the provisions of section 1 of P.L.2021, c.250 (C.18A:3B-6.3).

C.18A:3B-6.4 Rules, regulations.

3. The Secretary of Higher Education shall adopt rules and regulations pursuant to the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), to effectuate the purposes of this act.

4. This act shall take effect on the 180th day after the date of enactment, but the Secretary of Higher Education may take such anticipatory administrative action in advance thereof as shall be necessary for the implementation of this act.

Approved October 18, 2021.