

[First Reprint]

**SENATE, No. 970**

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**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

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INTRODUCED JANUARY 27, 2020

**Sponsored by:**

**Senator M. TERESA RUIZ**

**District 29 (Essex)**

**Senator SANDRA B. CUNNINGHAM**

**District 31 (Hudson)**

**SYNOPSIS**

Requires members of governing boards of public institutions of higher education to complete training program developed by institution in consultation with Secretary of Higher Education.

**CURRENT VERSION OF TEXT**

As reported by the Assembly Higher Education Committee on June 2, 2021, with amendments.



1 AN ACT concerning the members of governing boards of public  
 2 institutions of higher education, amending P.L.2009, c.308, and  
 3 supplementing chapter 3B of Title 18A of the New Jersey  
 4 Statutes.

5  
 6 **BE IT ENACTED** by the Senate and General Assembly of the State  
 7 of New Jersey:

8  
 9 1. (New section) a. As a condition of serving as a member of  
 10 the governing board of a public institution of higher education, a  
 11 person shall be required to complete a training program developed  
 12 <sup>1</sup>**[or approved]** by <sup>1</sup>that institution in consultation with<sup>1</sup> the  
 13 Secretary of Higher Education that is designed to clarify the roles  
 14 and duties of a governing board member.

15 b. The training shall be completed no later than <sup>1</sup>**[six months]**  
 16 one year<sup>1</sup> after the date that the person is appointed as a member of  
 17 the governing board of a public institution of higher education;  
 18 except that a person who serves as a member of a governing board  
 19 prior to the effective date of this act shall <sup>1</sup>**[complete the training**  
 20 **no later than six months after the effective date]** not be required to  
 21 complete the training<sup>1</sup>.

22 c. The <sup>1</sup>institution, in consultation with the<sup>1</sup> secretary<sup>1,1</sup> shall:  
 23 (1) prescribe the subject matter of the training which shall  
 24 include, but need not be limited to, governance responsibilities,  
 25 ethical standards, due diligence, the requirements of the “Senator  
 26 Byron M. Baer Open Public Meetings Act,” P.L.1975, c.231  
 27 (C.10:4-6 et seq.), and P.L.1963, c.73 (C.47:1A-1 et seq.), issues  
 28 associated with laws on privacy, board member fiduciary  
 29 responsibilities, and a review of the types of financial,  
 30 organizational, legal, and regulatory issues that a member of a  
 31 governing board may be required to consider in the course of  
 32 discharging the member’s governance responsibilities;  
 33 (2) provide the training directly or arrange for, or specify, the  
 34 entity or entities to provide the training <sup>1</sup>**[**. In the case of a county  
 35 college, the secretary shall designate the New Jersey Council of  
 36 County Colleges to provide the training<sup>1</sup>**]**;

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

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

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Assembly AHI committee amendments adopted June 2, 2021.

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

3

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

6       17. A public research university and State college shall provide  
7 information, orientation, and training to each of its governing board  
8 members on the legal and ethical responsibilities of a member of the  
9 governing board. The training provided to governing board  
10 members shall be in accordance with the provisions of section 1 of  
11 P.L. , c. (C. ) (pending before the Legislature as this bill).  
12 (cf: P.L.2009, c.308, s.17)

13

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

18

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