

Your Question:

You asked which states require training for postsecondary system or institutional governing boards, as well as the nature of the professional development requirements.

Our Response:

Education Commission of the States conducted a policy review, consulted with staff at the Association of Governing Boards of Universities and Colleges and identified at least eight states that require training programs for governing board members. These states include: **Arkansas, Illinois, Kentucky, Oklahoma, Tennessee, Texas, Virginia** and **West Virginia**. In 2018, **Oregon** enacted legislation that required public universities to establish advisory boards to the president and governing board and required training for members on specified issues.

In most cases, coordinating boards/agencies are responsible for developing, organizing or conducting the governing board member training programs, often in conjunction with institutions or other agencies and organizations. Every state indicates a time and/or timeline requirement related to board education programs and most include some form of accountability for failing to participate in or complete the training. Most states require the training to cover the following topics to some extent: duties, roles and responsibilities; financial oversight, budgeting, fiduciary responsibilities, audits and accounting; open meetings and records laws; and ethics and conflicts of interest.

Arkansas

Arkansas state code requires that members of the Arkansas Higher Education Coordinating Board receive within one year of their appointment and each year thereafter a minimum of eight hours of instruction and training. The training must include higher education issues, policies, laws, and the duties and responsibilities associated with the position of the board member. In addition, board members of all publicly supported higher education institutions must receive similar instruction and training within one year of their appointment or election and each year thereafter. The training will be conducted by the individual institutions.
(Arkansas Higher Education Coordinating Board Policies, see page 705 for [A.C.A. § 6-61-202](#) language.)

Illinois

[S.B. 2157](#) (2016) requires each voting member of a community college board of trustees to complete a minimum of four hours of professional development leadership training. The topics must include, but are not limited to, open meetings law, community college and labor law, freedom of information law, contract law, ethics, sexual violence on campus, financial oversight and accountability, audits and fiduciary responsibilities. If members do not satisfy the training requirements, the board secretary must send a notice to other members and the community college president.
(Statute: [110 ILCS 805/3-8.5](#). Community college trustee's leadership training.)

Additional Resource

[The 10 Habits of Highly Effective Boards](#) examines characteristics and habits of governing boards that meet the test of strategic governance. (Association of Governing Boards, 2014)

[S.B. 2174](#) (2016) requires voting members of Illinois university governing boards, appointed as of Jan. 1, 2016, to participate in a minimum of four hours of professional development leadership training. The topics must include, but are not limited to, public university and labor law, contract law, ethics, sexual violence on campus, financial oversight and accountability, audits and fiduciary responsibilities. If members fail to fulfill the requirements, the board must send a notice to the governor and legislative leadership. The board member will be suspended and has 45 days to complete the training requirements or must resign.

(Statute: [110 ILCS 205/13](#). Leadership training for university board members.)

Kentucky

In 2016, lawmakers enacted [H.B. 15](#) that requires the Council on Postsecondary Education to develop an orientation and education program for new members of the council, public universities and the Community and Technical College System. Board members must complete the program to be eligible for a second term. The orientation and training program for new members must be six hours and address the following issues:

- Roles and responsibilities of council and governing board members.
- The state's public strategic agenda for higher education and implementation plan.
- Institutional missions, finances, strategic plans, policies and procedures.
- Board fiduciary duties and fundamental governance responsibilities.
- Legal considerations, including open records/meetings requirements, and ethics/conflict of interest policies.

In addition, the council must establish an online orientation course or other method by which board members can receive education and training electronically. The legislation also requires that the council invite independent colleges and universities to participate in orientation and education programs. Lastly, the council is required to provide an annual report to the governor and legislature with names of board members who do not complete the required orientation and education programs.

[Statute: Kentucky Revised Statutes Ch. 164 – 020 – (25).]

The Kentucky Council on Postsecondary Education's [New Board Member Orientation and Training Policy](#) document summarizes the training requirements, curriculum, delivery methods and other components of the program.

Oklahoma

Oklahoma statute indicates that, unless otherwise prohibited by law, members of the board of regents for an institution or group of institutions within the Oklahoma State System of Higher Education must attend a minimum of 15 hours of continuing education during the first two years of their term. At least two of the hours must be in ethics. The Oklahoma State Regents for Higher Education will select the continuing education courses, and the attorney general will provide advice. Members who fail to satisfy the continuing education requirement will be disqualified from being reappointed to the board on which they serve or other boards within the state higher education system.

(Statute: Oklahoma Statutes, [Title 70. Chapter 50. Article II. Section 3228](#).)

Tennessee

As part of a major higher education governance restructuring initiative, [H.B. 2578](#) (2016) required the Tennessee Higher Education Commission to coordinate and administer an orientation training program and an ongoing continuing education program for governing board members. The training must include a perspective on postsecondary education that incorporates national experts in higher education governance. The training also must address the following topics:

- Roles and responsibilities of governing boards.
- Legal and ethical responsibilities of trustees.
- The board's role in upholding academic standards, intellectual diversity and academic freedom.
- Budget development.

- Presidential searches and evaluation.
- Role of higher education in K-12 collaboration.
- Setting strategic goals.

Initial training must be conducted prior to the first called meeting of the board. In subsequent years, all newly appointed members are required to attend orientation seminars within their first year of service.

(*Statute*: Tennessee Code Annotated, [Section 49-8-201](#).)

The commission coordinates the training in partnership with university staff and the Association of Governing Boards of Universities and Colleges.

Texas

State code requires the Texas Higher Education Coordinating Board to establish a training program for members of institutional governing boards. During the first two years of service, board members must attend at least one training program. Board staff must conduct an annual training program seminar and may obtain assistance from other state offices and agencies. The staff may prescribe an alternative training program for board members for whom attendance would be a hardship.

The program must focus on the official role and duties of the board members and provide training in the areas of budgeting, policy development and governance. Topics covered by the training program may include:

- Auditing procedures and recent audits of higher education institutions.
- The enabling legislation that creates institutions.
- Role of governing boards and the relationship between boards and an institution’s administration, faculty, staff and students.
- Mission statements of higher education institutions.
- Disciplinary and investigative authority of the governing board.
- Requirements of open meetings/records laws.
- Requirements of conflict of interest and other laws relating to public officials.
- Applicable ethics policies adopted by institutions or the Texas Ethics Commission.

In addition, training programs for members of public junior college district governing boards must include information about best practices in campus financial management, financial ratio analysis and case studies using financial indicators. The minutes of junior college board meetings must reflect whether members have completed the required training.

(*Statute*: Texas Education Code, [§ 61.084](#) Training for Members of Governing Boards.)

Virginia

[H.B. 1303](#) (2016) amends state code to prohibit the reappointment of any member of the board of visitors of four-year public institutions or the State Board for Community Colleges who fails to attend, during their first term, the required educational programs provided by the State Council of Higher Education for Virginia. The training programs address the role, duties and responsibilities of governing boards.

[*Statute*: Virginia Code [§ 23.1-1300 \(E\)](#).]

Another section of Virginia state code requires the state council of higher education to develop and annually deliver educational programs for institutional governing boards. New members must participate, at least once during their first two years of membership, in the programs.

The educational programs must include presentations related to:

- Duties of board members and the executive committee.
- Governing board committee structure and function.
- Professional accounting and reporting standards.
- Methods for meeting the statutory, regulatory and fiduciary obligations of the board.
- Requirements of the Virginia Freedom of Information Act.
- Institutional ethics and conflicts of interest.
- Creating and implementing institution-wide rules and regulations.
- Business operations, administration, budgeting, financing, financial reporting and financial reserves.
- Setting student tuition and fees.
- Overseeing planning, construction, maintenance, expansion and renovation projects.
- Workforce planning, strategy and investment.
- Institutional advancement, including philanthropic giving, fundraising, alumni programming, communications and media, government and public relations, and community affairs.
- Student welfare and well-being issues, including academic studies, curricula, residence life, student governance and activities.
- Current and future national and state issues in higher education.
- Relations between the board of visitors and the president of the institution.
- Best practices for board governance.

(Statute: Virginia Code, [§ 23.1-1304](#) – Educational programs for governing boards.)

West Virginia

West Virginia code requires that the Higher Education Postsecondary Commission and the Council for Community and Technical Colleges, either jointly or separately, coordinate periodic training and development opportunities for members of the commission, council and institutional governing boards. Within six months of beginning service, new members must complete at least three hours of training and development that addresses the following topics:

- State goals, objectives and priorities for higher education.
- Accountability systems for higher education.
- General powers and duties of board members.
- Ethical considerations arising from board membership.

Each board member, except ex-officio members of the commission and council and student members of governing boards, must complete at least six hours of training and development within two years of beginning service and within every two years of service thereafter. If members do not complete the training and development, a notice must be sent to the governor and secretary of state or to the institutional appointing entity that the member is disqualified from continued service. The commission and council must annually report to the Legislative Oversight Commission on Education Accountability on the training and development that its members and governing boards have received.

(Statute: West Virginia Code [§18B-1D-9](#).)

Oregon (University advisory board training)

[H.B. 4141](#) (2018) requires Oregon public universities to establish an advisory body to advise presidents on recommendations to the governing board regarding resident tuition and mandatory enrollment fees. Advisory board members must be offered training on the public university budget, mechanism by which money is appropriated by the Legislature to the Higher Education Coordinating Commission for allocation to universities, and historical data regarding the relationship between the amount of resident tuition and mandatory enrollment fees charged by the university and the amount of state appropriations that the commission allocates to the university.