

## State Policy Brief

January 2020

# Building Public Governing Board Capacity through State-Level Education Programs for College and University Board Members

From the Association of Governing Boards of Universities and Colleges

### The Governance Context

State policymakers and the public at large have a vested interest in the successful governance of their higher education institutions. The citizens who are appointed or elected to serve as board members of a state's colleges and universities oversee valuable public assets that they hold in trust for the state and for current and future generations. These citizens assume major fiduciary responsibilities for higher education governance and policymaking, and are ultimately accountable for institutional performance. These members, who serve on campus governing boards, multicampus system boards, and statewide coordinating boards, also exercise strategic, agenda-setting responsibilities that shape how institutions operate, what they do, and ultimately, how they serve states, communities, students, and people.

A state-level board education conference, especially in those states with multiple governing boards—either separate governing boards for each two- and four-year college and university, or some combination of separate institutional boards and one or more multicampus system boards—can be an important strategy to build board capacity for higher education's quality and effectiveness and increase board member understanding of broader responsibilities beyond the institution or system board upon which they serve.

As many as ten states currently mandate state-level board education, commonly through an annual conference. (The appendix lists these states along with a summary of their enacted statutes.) An additional seven states host conferences under long-standing precedents. Programs in the remaining states, if they take place at all, tend to be scheduled irregularly, lack a clear advocate or sponsor, are insufficiently funded, and/or are often viewed with ambivalence. *The Association of Governing Boards recommends, therefore, that every state require public board members to undergo orientation and annual continuing education. In the majority of states, this can be achieved most effectively and efficiently by charging the state's higher education agency with the responsibility for designing and delivering an annual statewide board education conference and requiring board member attendance. If a state-level conference is not feasible, desirable, or necessary for delivering all elements of a required orientation or education program, some required aspects can be*

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## **Goals and Purposes of State Board Member Education Programs**

State-level programs should serve to strengthen higher education citizen leadership. Three goals can help achieve this end.

1. *Provide a forum to learn about and discuss best practices in fulfilling the responsibilities of a public higher education board member.*

Statewide education programs provide an opportunity to address topics that may not be included in an institution or system-based orientation. Pertinent board education topics often include:

- exercising the appropriate level of financial affairs oversight to meet state-level accountability and legal requirements;
- achieving clarity and consistency in institutional academic policies and practices, including student learning outcomes, overall educational quality, and equity;
- developing board policies and practices in compliance with state open meeting and open records laws;
- developing strong ethics and conflict-of-interest guidelines in keeping with state laws and guidelines; and
- building and maintaining effective relationships among competing stakeholders (faculty, staff, students, alumni, community leaders, elected officials, and others).

Statewide trustee conferences present opportunities for board members to interact and learn from one another (as well as from senior administrators) on these critical fiduciary responsibilities. There are also times when board members can hear the important perspectives of state policymakers on these responsibilities.

2. *Connect board members to the state's educational, social, and economic challenges and opportunities.*

States that are developing a new state plan or “public agenda” for higher education find a statewide trustee conference to be an invaluable forum for critical conversations. Likewise, states with an existing plan or agenda find the conference an ideal place where progress can be reported and next steps discussed. While each state will have its own agenda for higher education, common elements have recently included:

- reducing escalating costs and increasing institutional productivity and efficiency to minimize tuition and fee increases;
- developing more refined ways of measuring student learning and institutional and/or system performance;
- maintaining access and college affordability in a time of decreased resources;
- devising strategies for reducing and eliminating equity gaps; and
- facilitating ease of student transfer through sensible articulation agreements.

But state plans and agendas invariably include ways in which higher education's strategies and resources can help address several state needs and priorities, the state economy foremost, by:

- increasing the state's number of college graduates and certificate holders;
- maintaining a competitive workforce by creating new degree and certificate programs to attract cutting-edge industries while preparing graduates for critical jobs currently going unfilled;
- deploying faculty expertise to assist businesses and entrepreneurs, or to better understand and alleviate a social crisis; and

- responding to the need and promise of basic and applied research to undergird a successful future for the state.

Addressing these challenges and seizing such opportunities requires a collective and collaborative state-level response by higher education leaders and institutions. Engaging trustees can be pivotal. If, for example, the state economy is in difficulty or in transition, it's incumbent on state higher education leaders—boards and executives—to have meaningful conversations with state officials year-round. In too many states, engaging board members for ideas, support, and state-level solutions is unfortunately piecemeal or overlooked altogether. A statewide conference is an ideal place to commence or continue these important conversations with and among board members, administrators, and state policymakers to focus expectations and build cohesion and momentum for state higher education policy.

Lastly, a conference provides an opportunity for state officials to speak with board members about various topics, such as data on economic indicators, the state's demographic future, new or pending legislation, the projected overall higher education budget in light of current revenue projections, or proposals to merge or restructure governing boards, institutions, or systems.

### *3. Communicate broader roles, responsibilities, and purposes.*

Governing boards and individual trustees need to reconcile their primary fiduciary responsibilities to the colleges and universities they serve with responsibilities to a broader set of audiences and beneficiaries: students, citizens, institutions, state leaders and communities, and the entire state higher education community. Creating an awareness of these joint responsibilities, where they can be captured and sustained, should be a goal of a statewide gathering. Despite encouragement from some presidents and system executives, communicating these joint responsibilities to a broader number of beneficiaries is too rarely replicated elsewhere. Additionally:

- Appointments and popular elections for board members are politically partisan. A statewide conference can help to minimize any political differences among board members and create mutual understandings of the broader public good to be served.
- Trustees need to be effective buffers, advocates, and independent voices for their colleges and universities. Additionally, conversations among trustees across institutional lines and with coordinating board members, particularly at the board chair level, can help to ensure that common problems or strengths are seen as opportunities for institutional and cross-sector collaborations. Annual statewide conferences should not be the only venue for such conversations, of course, but they can lay the groundwork for facilitating such collaboration.
- Statewide conferences provide trustees with an appreciation and understanding of how their own institution's (or system's) vision, mission, and strategic plan fits with the vision, mission, and plans of other institutions. This is important because it can lessen parochial thinking by enabling board members to see how their institution fits into the larger picture of state higher education.

## **Program and Planning Considerations**

A statewide conference program should attempt to strike a good balance between presentation and discussion. Many trustees are successful in their personal careers or professional endeavors. A well-designed program gives them adequate time to be heard, ask questions, and interact in small groups. Board members expect to speak and relate to peers and colleagues as much as, if not more than, they want to listen to presentations.

The program leaders/facilitators should consist of persons who are knowledgeable about issues of substance

and also have adept group-process skills. Their facilitation can be supplemented by experienced speakers and panelists, such as college presidents, state higher education executives, and faculty leaders. A particularly good practice is to draw upon the experiences of seasoned board members at key points in the program agenda.

As noted earlier, it is essential to include the participation of state officials, including agency heads, state legislators and, in particular, the governor. The attorney general's office or board legal counsels should be considered to convey information, for example, about the state's laws regarding open meetings and records and ethics and conflicts of interest. State business leaders and nationally known speakers can provide perspectives on desired topics and provoke interesting and fruitful discussions. Conversations and consultations with colleagues in other states that host conferences can provide several helpful ideas and best practices.

## **Conclusion**

State-level board education programs provide unique learning opportunities for governing and coordinating board members. They can increase trustee attention to fiduciary responsibilities, improve the overall performance of boards, build support and trust around a common agenda, educate a wide audience on several pertinent issues, and strengthen the relationship between public higher education and state government. In the majority of states, board education programs could be mandated with a resulting improvement in board member and overall board capacity resulting in stronger, more effective institutions and multicampus systems, and a more concerted focus on state economic, social, and education priorities.

# APPENDIX

## Examples of State Statutes Requiring Board Education

### Summary

#### **Frequency and Duration**

On average, board education programs are typically facilitated on an annual basis and can last between three and eight hours. These programs usually take place between August and December. Required participants include public higher education board members serving on both higher education governing and coordinating boards. There are also requirements for fulfilling board education within a certain time frame. Most board members have one or two years to complete board education requirements. Although most states provide programs for new *and* continuing board members, Virginia requires annual board education programs only for newly appointed board members.

#### **Required Topics**

Board education programs cover a range of topics, including higher education issues, policies, and laws, such as: board accountability and fiduciary duties; effective and consequential boards; the board-president partnership; state goals for higher education; educational research, achievements, and college completion; workforce development; financial oversight; conflicts of interest; student health and wellness; campus safety; and coordination with other boards, commissions, industries, educational institutions, and state agencies.

#### **Program Coordination**

Generally, these programs are facilitated and financed by the state's coordinating agency/commission. While most statutes merely require participation in the education program, some outline sanctions for nonattendance, such as suspension, removal, or disqualification from being reappointed.

### **1. Arkansas**

#### **A.C.A. § 6-61-202**

Arkansas Code Annotated

Title 6 Education

Subtitle 5 Postsecondary and Higher Education Generally

Chapter 61 Postsecondary Institutions Generally

Subchapter 2—Arkansas Higher Education Coordinating Board

6-61-202. Powers and duties generally.

- (a) In order to promote a coordinated system of higher education in Arkansas and to assure an orderly and effective development of each of the publicly supported institutions of higher education, the Arkansas Higher Education Coordinating Board shall have the following powers and duties:
- (1) (A) To receive within one (1) year of their appointment and each year thereafter a minimum of eight (8) clock hours of instruction and training, to include higher education issues, policies, laws, and the duties and responsibilities associated with the position of board member.
- (B) The members of the boards of all publicly supported institutions of higher education shall receive similar instruction and training within one (1) year of their appointment or election and each year thereafter, which shall be conducted by the individual institutions;

## **2. Colorado**

### **C.R.S. 24-3.7-102**

Colorado Revised Statutes Annotated

Title 24. Government – State

Administration

Article 3.7. Statutory Requirements for Creation of Boards and Commissions

24-3.7-102. Best practices for state boards and commissions

- (1) Notwithstanding any law to the contrary, commencing January 1, 2019, each statutorily created board or commission in state government, not including a special purpose authority as defined in section 24-77-102 (15), shall implement written policies or bylaws and obtain annual training on:
  - (a) Understanding and operating within the limits of statutory directives, legislative intent, and any specific directions or laws related to the board or commission's establishment and its powers and duties;
  - (b) Defining the board or commission's mission or role in the oversight of projects or entities approved to receive public funding, if applicable;
  - (c) Understanding the goals of the programs the board or commission oversees, and aligning the board or commission's processes with those goals;
  - (d) Identifying and managing conflicts of interest;
  - (e) Understanding the requirements of the "Colorado Open Records Act," part 2 of article 72 of this title 24, and the open meetings law, part 4 of article 6 of this title 24;
  - (f) Setting parameters regarding board or commission staff's duties relative to the board or commission's mission or role;
  - (g) Identifying and securing sufficient data in order for the board or commission to make informed decisions;
  - (h) Ensuring the appropriate involvement of members in the review of key communications and in any policymaking activities;
  - (i) Ensuring members act in accordance with their roles as public representatives;
  - (j) Coordinating with other boards or commissions, industry, educational institutions, and state agencies where responsibilities and interests overlap; and
  - (k) Annually reviewing management practices to ensure best practices are utilized.
- (2) Each state agency responsible for a statutorily created board or commission shall ensure that the state board or commission obtains the annual training and implements the written policies specified in subsection (1) of this section.

## **3. Illinois**

### **110 ILCS 205/13**

Illinois Compiled Statutes

Chapter 110 Higher Education

110 ILCS 205/ Board of Higher Education Act.

Sec. 13. Leadership training for university board members.

- (a) The Board shall require every voting member of the governing board of a public university appointed for a term beginning after January 1, 2016, to complete a minimum of 4 hours of

professional development leadership training covering topics that shall 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 of a member of a governing board within 2 years after beginning service and within every 2 years of service thereafter.

- (b) A public university shall maintain on its Internet website the names of all voting members of the governing board who have successfully completed the training.
- (c) Beginning after the effective date of this amendatory Act of the 99th General Assembly, by July 31 of each year, the chairperson of each governing board shall certify to the Board the number of hours of training that each member received during the preceding fiscal year.
- (d) If the certification indicates that a board member has not completed the training required under this Section, the Board shall send a notice to the Governor, the President of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, and the Minority Leader of the House of Representatives of that fact, and the governing board shall suspend the board member from continued service, at which point, the board member has 45 days to complete all training deemed incomplete as provided by the certification. Failure of the board member to complete the necessary training within this probationary period constitutes a resignation from and creates a vacancy in the governing board, to be filled as provided by law.
- (e) The training under this Section may be provided by the Board or by other qualified providers approved by the Board.  
(Source: P.A. 99-695, eff. 1-1-17.)

## **4. Kentucky**

### **KRS 164.020-25**

Kentucky Revised Statutes

Chapter 164 State Universities and Colleges—Regional Education

Subchapter .020 Powers and duties of council.

Section 25

- (25) (a) Develop in cooperation with each public university and the Kentucky Community and Technical College System a comprehensive orientation and education program for new members of the council and the governing boards and continuing education opportunities for all council and board members. For new members of the council and institutional governing boards, the council shall:
1. Ensure that the orientation and education program comprises six (6) hours of instruction time and includes but is not limited to information concerning the roles of the council and governing board members, the strategic agenda and the strategic implementation plan, and the respective institution's mission, budget and finances, strategic plans and priorities, institutional policies and procedures, board fiduciary responsibilities, legal considerations including open records and open meetings requirements, and ethical considerations arising from board membership;
  2. Establish delivery methods by which the orientation and education program can be completed in person or electronically by new members within one (1) year of their appointment or election;
  3. Provide an annual report to the Governor and Legislative Research Commission of those new board members who do not complete the required orientation and education program; and
  4. Invite governing board members of private colleges and universities licensed by the Council on Postsecondary Education to participate in the orientation and education program described in this subsection; (b) Offer, in cooperation with the public universities and the Kentucky Community and Technical College System, continuing education opportunities for all council

and governing board members; and (c) Review and approve the orientation programs of each public university and the Kentucky Community and Technical College System for their governing board members to ensure that all programs and information adhere to this subsection;

## **5. Massachusetts**

### **MGL Part 1, Title II, Chapter 15A, Section 45**

Massachusetts General Laws

Part 1 Administration of Government

Title II Executive and Administrative Officers of The Commonwealth

Chapter 15A Public Education

Section 45

- (a) The board shall establish and implement a comprehensive training program for members of the boards of trustees of public institutions of higher education under section 5. The board shall provide instruction and training to the members on the proper governance of a public institution of higher education. Instruction and training shall include, but not be limited to, an overview of: (i) sections 18 to 25, inclusive, of chapter 30A; (ii) clause Twenty-sixth of section 7 of chapter 4 and chapter 66; (iii) chapters 268A and 268B; (iv) state procurement laws; (v) state finance provisions under chapter 29; (vi) fraud prevention; and (vii) fiduciary responsibilities. In developing instruction and training programs under this section, the board shall consult with the attorney general and the inspector general.

Members of a board of trustees of a public institutions of higher education shall complete the comprehensive training program within 4 years of the date of the member's last training; provided however, that the board shall establish a schedule that ensures that all appointed or elected members of the boards of trustees of said public institutions complete the comprehensive training program. Membership on a board of trustees of public institutions of higher education shall terminate and a vacancy shall exist if a member fails to complete the comprehensive training program within the period of time established by the board or fails to complete a training program within 4 years of the date of the member's last training. A vacancy on a board that exists as a result of this section shall be filled for the remainder of the term in the same manner as the prior appointment and be consistent with section 21 and section 1A of chapter 75.

### **MGL Part 1, Title XII, Chapter 69, Section 31B**

Massachusetts General Laws

Part 1 Administration of Government

Title XII Education

Chapter 69

Section 31B

- (e) Each member of an institution's governing body shall receive instruction and training in higher education financial metrics, legal and fiduciary responsibilities and applicable standards for accreditation at least once every 4 years.



## **6. Oklahoma**

### **70 OK Stat § 70-3228**

Oklahoma Statutes

Title 70. Schools

Section 70-3228. Regents – Continuing education requirement

- A. Unless otherwise prohibited by law, each person appointed on or after January 1, 1991, as a member of the board of regents for an institution or group of institutions within The Oklahoma State System of Higher Education shall be required to attend a minimum of fifteen (15) clock hours of continuing education during the first two (2) years of the term of office of the member. At least two (2) of the fifteen (15) hours must be in ethics. The continuing education courses which shall satisfy the continuing education requirement shall be held within this state and shall be selected by the Oklahoma State Regents for Higher Education. The Attorney General shall advise the Oklahoma State Regents for Higher Education on the selection of continuing education courses.
- B. It is the intent of the Oklahoma Legislature that the failure by a member of the board of regents to satisfy the continuing education requirement of this section shall disqualify such member from being reappointed to the membership of the board of regents to which such person is a member or from being appointed to the membership of any other board of regents of any institution or group of institutions within The Oklahoma State System of Higher Education.
- C. The Oklahoma State Regents for Higher Education shall provide opportunities for regents to complete said continuing education at various locations within the state. At least half of said opportunities shall be scheduled outside of the major population centers.

## **7. Tennessee**

### **TCA § 49-8-201**

Tennessee Code Annotated

Title 49 Education

Chapter 8 State University and Community College System

Part 2 Board of Regents

49-8-201 Composition.

- f. (7)(A) The Tennessee higher education commission shall coordinate and administer an orientation training program, as well as an ongoing continuing education program, for governing board members. This training shall include a perspective on higher education that incorporates national experts in higher education governance. This training shall address the roles and responsibilities of governing boards; the 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; the role of higher education in K-12 collaboration; and setting strategic goals. Initial training shall be conducted prior to the first called meeting of the board. In subsequent years, all newly appointed members shall attend orientation seminars within their first year of service.

## 8. Texas

### TEC §61.084

Texas Education Code

Title 3. Higher Education

Subtitle B. State Coordination of Higher Education

Chapter 61. Texas Higher Education Coordinating Board

Subchapter C. Powers and Duties of the Board

Sec. 61.084. Training for Members of Governing Boards

- a. The board by rule shall establish a training program for members of the governing boards of institutions of higher education. Each member of a governing board of an institution of higher education shall attend, during the member's first two years of service as a member of a governing board of an institution of higher education, at least one training program under this section. A member of a governing board who is required to attend a training program under this section may attend additional training programs under this section.
  - (a-1) The board's rules must require a governing board member who holds an appointive position to attend, as part of the training program, the intensive short orientation course developed under Section 61.0841 and any available training course sponsored or coordinated by the office of the governor with a curriculum designed for training newly appointed state officers, board members, or high-level executive officials. The rules must require the member to attend those courses the first time they are offered following the date the member takes the oath of office, regardless of whether that attendance is required under other law. The rules may provide a governing board member with additional time to attend those courses if the member for good cause is unable to attend the courses the first time they are offered. Subsection (g) does not apply to the courses required by this subsection.
  - (a-2) A member of the governing board of an institution of higher education who holds an appointive position and whose first year of service on the governing board begins on or after January 1, 2016, is prohibited from voting on a budgetary or personnel matter related to system administration or institutions of higher education until the member completes the intensive short orientation course described by Subsection (a-1).
- b. The training program must include a seminar held annually in Austin to be conducted by the staff of the board. The staff of the board may obtain assistance from representatives of the office of the attorney general, the office of the comptroller of public accounts, the office of the state auditor, and the Texas Ethics Commission and from other training personnel the board deems necessary. The board by rule may prescribe an alternative training program for members of governing boards for whom attendance at a seminar held in Austin would be a hardship. The alternative training program need not be in the form of a seminar but must include substantially the same information included in the seminar held in Austin.
- c. The board by rule shall establish a registration fee to be paid by training program participants in an amount adequate to cover the costs incurred by the board and other state agencies in providing the training program. A participant shall pay from private funds the fee required by this subsection and the participant's costs of travel, including transportation, lodging, and meals. Neither the fee required by this subsection nor a participant's travel costs shall be reimbursed from appropriated funds, other than grants and donations of private funds available for that purpose.
- d. The content of the instruction at the training program shall focus on the official role and duties of the members of governing boards and shall provide training in the areas of budgeting, policy development, and governance. Topics covered by the training program may include:
  - (1) auditing procedures and recent audits of institutions of higher education;

- (2) the enabling legislation that creates institutions of higher education;
  - (3) the role of the governing board at institutions of higher education and the relationship between the governing board and an institution's administration, faculty and staff, and students;
  - (4) the mission statements of institutions of higher education;
  - (5) disciplinary and investigative authority of the governing board;
  - (6) the requirements of the open meetings law, Chapter 551, Government Code, and the open records law, Chapter 552, Government Code;
  - (7) the requirements of conflict of interest laws and other laws relating to public officials;
  - (8) any applicable ethics policies adopted by institutions of higher education or the Texas Ethics Commission; and
  - (9) any other topic relating to higher education the board considers important.
- e. In addition to the content of the instruction at a training program required under Subsection (d), topics covered by the training program for members of a governing board of a public junior college district must include information about best practices in campus financial management, financial ratio analysis, and case studies using financial indicators.
  - f. The minutes of the last regular meeting held by a governing board of a public junior college district during a calendar year must reflect whether each member of the governing board has completed any training required to be completed by the member under this section as of the meeting date.
  - g. The board shall provide an equivalent training program by electronic means in the event a member of a governing board is unable to attend the training program required by this section. Completion of the training program by electronic means is deemed to satisfy the requirements of this section.
  - h. The board is responsible for documenting governing board members' completion of the requirements provided by this section.

## **9. Virginia**

### **VA § 23.1-1304**

Code of Virginia

Title 23.1. Institutions of Higher Education; Other Educational and Cultural Institutions

Subtitle IV. Public Institutions of Higher Education

Chapter 13. Governing Boards of Public Institutions of Higher Education

§ 23.1-1304. Governing boards; additional duties; educational programs.

- A. From such funds as are appropriated for such purpose, the Council shall develop, in consultation with public institutions of higher education and members of their governing boards, and annually deliver educational programs for the governing boards of such institutions. New members of such governing boards shall participate, at least once during their first two years of membership, in the programs, which shall be designed to address the role, duties, and responsibilities of the governing boards and may include in-service programs on current issues in higher education. In developing such programs, the Council may consider similar educational programs for institutional governing boards in other states.
- B. Educational programs for the governing boards of public institutions of higher education shall include presentations related to:
  1. Board members' duty to the Commonwealth;
  2. Governing board committee structure and function;
  3. The duties of the executive committee set forth in § 23-2.04;
  4. Professional accounting and reporting standards;
  5. Methods for meeting the statutory, regulatory, and fiduciary obligations of the board;

6. The requirements of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), developed and delivered in conjunction with the Freedom of Information Advisory Council;
  7. Institutional ethics and conflicts of interest;
  8. Creating and implementing institution-wide rules and regulations;
  9. Business operations, administration, budgeting, financing, financial reporting, and financial reserves, including a segment on endowment management;
  10. Fixing student tuition and fees;
  11. Overseeing planning, construction, maintenance, expansion, and renovation projects that impact the University's consolidated infrastructure, physical facilities, and natural environment, including its lands, improvements, and capital equipment;
  12. Workforce planning, strategy, and investment;
  13. Institutional advancement, including philanthropic giving, fundraising initiatives, alumni programming, communications and media, government and public relations, and community affairs;
  14. Student welfare issues, including academic studies; curriculum; residence life; student governance and activities; and the general physical and psychological well-being of undergraduate and graduate students;
  15. Current national and state issues in higher education;
  16. Future national and state issues in higher education;
  17. Relations between the board of visitors and the president of the institution, including perspectives from presidents of public institutions of higher education in the Commonwealth;
  18. Best practices for board governance, including perspectives from current board members; and
  19. Any other topics that the Council, public institutions of higher education, and members of their governing boards deem necessary or appropriate.
- C. The Council shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of the Council pursuant to this section no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website. 1996, cc. 868, 992; 2013, c. 577; 2014, c. 644.

## **10. West Virginia**

### **WV Code §18B-1D-9**

West Virginia Code

Chapter 18B. Higher Education

Article 1D. Higher Education Accountability

§18B-1D-9. Commission, Council and Institutional Governing Board Training and Development; Training and Development Requirements, Applicability and Exceptions

- a) The commission and council, either jointly or separately, shall coordinate periodic training and development opportunities for members of the commission, council and institutional governing boards as provided in this section. The training and development shall address the following topics:
  - (1) State goals, objectives and priorities for higher education;
  - (2) The accountability system for higher education set forth in this article;
  - (3) The general powers and duties of members; and
  - (4) Ethical considerations arising from board membership.
- b) Training and development is required as follows:

- (1) A member newly appointed to the commission, council or a governing board shall complete three hours of training and development by the end of the first fiscal year of service if the appointment is made in the first half of a fiscal year. If the appointment is made in the second half of a fiscal year the member shall complete three hours of training and development by the end of the first half of the second fiscal year.
  - (2) With the exception of the ex officio members of the commission and the council and the student member of a governing board, each member shall complete at least six hours of training and development related to his or her duties within two fiscal years of beginning service and within every two fiscal years of service thereafter
- c) Annually, by July 31, the chair of the commission, council and each governing board shall certify to the commission or council, as appropriate, the number of hours of training and development that each member received during the preceding fiscal year.
  - d) If the certification indicates that a board member has not completed the training and development required by this section, the commission or council, as appropriate, shall send a notice to the Governor and the Secretary of State or to the institutional appointing entity that the board member is disqualified from continued service notwithstanding the provisions of sections five and six, article six, chapter six of this code. The commission or council, as appropriate, shall request the Governor or appointing entity to appoint a replacement for that board member.
  - e) Annually, September 30, the commission and council shall report to the Legislative Oversight Commission on Education Accountability on the training and development that members of the commission and the council and the governing boards under their respective jurisdictions have received during the preceding fiscal year and shall include this information in the institutional and statewide report cards provided in section eight of this article.
  - f) As used in this section, “member” means all members of the commission, council and the governing boards unless a specific exception is provided in this section.