

Higher Education and Employment Advancement Committee

JOINT FAVORABLE REPORT

Bill No.: HB-5114

AN ACT REQUIRING TRAINING FOR THE MEMBERS OF THE GOVERNING

Title: BOARDS OF THE INSTITUTIONS OF HIGHER EDUCATION IN THE STATE.

Vote Date: 3/10/2020

Vote Action: Joint Favorable Substitute

PH Date: 2/27/2020

File No.:

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SPONSORS OF BILL:

Higher Education and Employment Advancement Committee

REASONS FOR BILL:

This bill seeks to mandate training for all individuals who are members of higher education institution's governing boards in the State. The intent is to specify precisely what members of the governing boards should be trained on so that such members can more effectively and responsibly exercise their duties. The substitute language reduces the number of trainings that would be mandated for independent institution board members, adds language requiring training about the FOI Act and board members' duties to the state, adds language requiring online posting about trainings, and removes language requiring annual reporting to the Higher Education Committee on the number and type of programs each member completed each year.

RESPONSE FROM ADMINISTRATION/AGENCY:

[Mark Ojakian, President, Connecticut State Colleges and Universities](#): President Ojakian writes that when members of the BOR are appointed and confirmed, they are provided with an in-house orientation session which covers Board bylaws, fiduciary roles, statutory duties of the BOR, CSCU fiscal matters, best practices, mission of the system, CT FOI Act, state code of ethics for state employees and public officials, BOR ethics compliance, the Students First Plan, current budgetary issues, student affairs, academic programming, future policy planning, facilities and infrastructure planning, and fiscal matters concerning the budget, reserves, and T&F trends. He also notes that NECHE mandates members of governing boards to understand, accept, and fulfill their responsibilities as fiduciaries, have a clear understanding of the institutions mission and capacity, and systemically develop, ensure and enhance its own effectiveness through orientation, professional development, and periodic evaluation.

The Board of Trustees of the University of Connecticut: The Board submitted testimony in support of the bill. They state that while they support the intentions of this bill, they are already provided with the necessary background and support needed to carry out fiduciary and other responsibilities. They elaborate that newly appointed members of the board are oriented with a tour of campus, briefings on the role and responsibilities of trustees, board ethics, and state FOI laws, briefings on budget and capital projects, enrollment and financial aid, the UConn foundation, fundraising and Alumni relations, communications and marketing, and government relations and athletics.

NATURE AND SOURCES OF SUPPORT:

Maureen Chalmers, President, Congress of Connecticut Community Colleges: Ms. Chalmers submitted testimony in support of the bill. She writes that their Regents are responsible for setting tuition, approving programs, deciding on construction projects that change campus grounds, and implementing the Students First plan. She feels that mandating training for all higher education governing board members will increase their credibility.

Lauren Doninger, Professor of Psychology, Gateway Community College: Dr. Doninger submitted testimony in support of the bill. She feels that all the Regents, at the very least, should understand how the academy functions. She relates that faculty and staff serving on official governing bodies of the colleges have tried to communicate the urgency and concern regarding governance structures with Regents, but that their concerns have been ignored by those Regents. She feels that requiring Regents to be trained in the area they are responsible for administering is a logical expectation.

Diba Khan-Bureau, Environmental Engineering Technology Program Coordinator, Three Rivers Community College: Dr. Khan-Bureau submitted testimony in support of the bill. She relates that she tells her students that as a professor with a PhD, she needs professional development to help enrich her teaching skills, and that the same is true for all professionals, including the Board of Regents. She feels that the Board of Regent's most important obligation is to ensure that CSCU students have the best possible education and that requiring training for the BOR will benefit everyone in the CSCU system.

Lillian Maisfehl, Librarian, Gateway Community College: Ms. Maisfehl submitted testimony in support of the bill. She feels that the Regents do not fully understand the impact of the ideas they propose because many of them do not come from a background in higher education. She also feels that the Regents have turned a deaf ear to faculty and staff at the colleges who have tried in good faith to work with them on creating a workable model for the proposed Students First consolidation plan. She opines that requiring Regents to be trained would add a measure of credibility to their work.

Kari Swanson, Librarian, Southern Connecticut State University: Ms. Swanson submitted testimony in support of the bill. She feels that it is important for the governing boards to have mandated training so that they have the appropriate information to perform their jobs and an understanding of the CSCU students, programs, services, and priorities.

The Community College Roundtable: The Roundtable submitted testimony in support of the bill. They urge passage of this legislation because they believe the BOR has failed its

responsibilities as a result of unproductive schemes and that the General Assembly has a responsibility to stop the failures of the BOR.

NATURE AND SOURCES OF OPPOSITION:

Gary Minor, Director of College Relations, Goodwin College: Mr. Minor submitted testimony in opposition to the bill on behalf of Goodwin College. He feels that requiring training for governing board members would be redundant because members of the Goodwin University Board of Trustees already participate in a formal orientation regarding university policies, practices and procedures relating to university operations, administration, budgeting and finance, construction and campus economic development, and student and community affairs upon confirmation. He also notes that Goodwin trustees are required to complete an annual self-assessment of their continued understanding of such areas of expertise.

Dr. Mark R. Nemec, President, Fairfield University: Dr. Nemec submitted testimony in opposition to the bill. He states that requiring training would be unnecessary because Fairfield University's Board of Trustees already undergo an extensive vetting and training process and are subject to specific and explicit written guidelines with regards to their role and responsibilities.

Jennifer Widness, President, Connecticut Conference of Independent Colleges: Ms. Widness submitted testimony in opposition to the bill on behalf of the CCIC. They feel that this bill is an overreach and completely unnecessary because governing boards of higher education institutions that are regionally accredited in the state currently must undergo a review and assessment conducted by the New England Commission of Higher Education. She notes that no other state mandates training for board members of private colleges in the manner of the bill's language other than Massachusetts. She further notes that the Massachusetts' mandate is far less intrusive and includes no reporting requirements. She then notes that Wisconsin has a state statute which prohibits state government intrusion in the policies and governance of independent institutions of higher education.

Reported by: Justin Boutin

Date: March 11, 2020