

Training Requirements for Governing Board Members of Texas Public Institutions and Systems of Higher Education

Texas statutes require certain training for governing board members of Texas public institutions and systems of higher education. The information summarized in the table below and on subsequent pages is provided by the Texas Higher Education Coordinating Board (THECB) to assist new governing board members in complying with these training requirements.

Legal Requirement	Satisfied By	Texas Statute
<p>Before voting on a budgetary or personnel matter, each governing board member who <u>holds an appointive position</u> and whose first year of service on the governing board begins on or after January 1, 2016, must complete the intensive short orientation course that includes best practices and transparency in trusteeship and governance.</p>	<p>The THECB offers a free online Intensive Short Orientation Course. Satisfactory completion of an assessment test (70%) subsequent to completing the course satisfies this legal requirement.</p> <p>(Please see page 2.)</p>	<p>Texas Education Code, Section 61.0841 (Intensive Short Course for Appointed Members of Governing Boards)</p>
<p>During the member's first year of service as a member of a governing board, each governing board member who <u>holds either an elective or appointive position</u> must attend a training program that is focused on the official role and duties of the members of governing boards and that provides training in the areas of budgeting, policy development, and governance.</p>	<p>1) Attendance at the day-long orientation that is offered annually in the fall as part of the THECB's annual Higher Education Leadership Conference satisfies this legal requirement; or 2) Videos from the THECB's orientation for newly appointed regents and elected trustees are also available online approximately one month after the Leadership Conference for those who are unable to attend the conference in person. Satisfactory completion of an assessment test (70%) subsequent to watching the videos satisfies this legal requirement.</p> <p>(Please see page 3.)</p>	<p>Texas Education Code, Section 61.084 (Training for Members of Governing Boards)</p>
<p>Not later than the 90th day after the date the member takes the oath of office or otherwise assumes responsibilities as a member of the governmental body, each governing board member who <u>holds either an elective or appointive position</u> must complete a course of training regarding the responsibilities of the governmental body and its members under the Open Meeting Act and the Public Information Act.</p>	<p>The Office of the Attorney General offers free online video training courses that satisfy this legal requirement.</p> <p>(Please see page 4.)</p>	<p>Texas Government Code, Section 551.005 (Open Meetings Training)</p> <p>Texas Government Code, Section 552.012 (Open Records Training)</p>
<p>Within six months after taking office or assuming duties, each governing board member who <u>holds either an elective or appointive position</u> must attend at least one training session relating to the person's investment responsibilities.</p>	<p>The University of North Texas, Center for Public Management offers the video "Protecting Public Funds: The Responsibilities of Governing Boards under the Public Funds Investment Act" for order that satisfies this legal requirement.</p> <p>(Please see page 4.)</p>	<p>Texas Government Code, Section 2256 (Public Funds Investment)</p>

**Training for Members of Governing Boards
(Texas Education Code, Section 61.0841)
(Texas Administrative Code, Title 19, Part 1, Chapter 1, Subchapter A, Rule §1.9)¹**

Texas Education Code Section 61.0841, as enacted by the 84th Texas Legislature, provides that 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 that section. The course must include:

- (1) best practices relating to excellence, transparency, accountability, and efficiency in the governing structure and organization of general academic teaching institutions and university systems;
- (2) best practices relating to the manner in which governing boards and administrators of general academic teaching institutions and university systems develop and implement major policy decisions, including the need for impartiality and adequate internal review in their processes;
- (3) matters relating to excellence, transparency, accountability, and efficiency in the governance and administration of general academic teaching institutions and university systems; and
- (4) ethics, conflicts of interests, and the proper role of a board member in the governing structure of general academic teaching institutions and university systems.

Satisfied by:

The legislation directed the Texas Higher Education Coordinating Board (THECB) to develop an intensive short orientation course for members of governing boards of institutions of higher education who hold appointive positions. It has done so.

The THECB offers online a course for newly appointed members of governing boards that satisfies this legal requirement. This short course must be completed the first time it is offered following the date the member takes the oath of office. As noted above, a member 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 until the member successfully completes this course. Please see information at <http://www.thecb.state.tx.us/intensive.short.course>. Questions regarding this training requirement should be directed to legal counsel of the institution for which the regent serves as a board member, or to the Texas Higher Education Coordinating Board at (512) 427-6101. The THECB is responsible for documenting governing board members' completion of the requirements of this law.

¹ The rules adopted by the Texas Higher Education Coordinating Board (THECB) are part of a larger body of state agency rules that are collected and published by the Office of the Secretary of State as the Texas Administrative Code (TAC). THECB's rules are codified under Title 19, Part I, of the TAC. Title 19 is Education, and Part I is the Texas Higher Education Coordinating Board. The THECB may adopt new rules or amendments to existing rules.

**Training for Members of Governing Boards
(Texas Education Code, Section 61.084)
(Texas Administrative Code, Title 19, Part 1, Chapter 1, Subchapter A, Rule §1.9)**

The Texas Education Code Section 61.084 specifies mandatory training requirements for elected and appointed members of the governing boards of institutions of higher education. The statute directed the Texas Higher Education Coordinating Board (THECB) to develop a training program for elected and appointed members of governing boards of institutions of higher education. It has done so.

Each governing board member must attend, during the member's first year of service as a member of a governing board, a training program described by Section 61.084 of the Texas Education Code. The training program includes a seminar held annually in Austin that is conducted by the staff of the THECB and other invited speakers.

The content of the instruction at the training program is focused on the official role and duties of the members of governing boards and provides training in the areas of budgeting, policy development, and governance. Topics covered by the training program include: auditing procedures and recent audits of institutions of higher education; the enabling legislation that creates institutions of higher education; 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; the mission statements of institutions of higher education; disciplinary and investigative authority of the governing board; the requirements of the open meetings law, Chapter 551, Government Code, and the open records law, Chapter 552, Government Code; the requirements of conflict of interest laws and other laws relating to public officials; any applicable ethics policies adopted by institutions of higher education or the Texas Ethics Commission; and other topics relating to higher education the THECB considers significant to the role of governing board members.

In addition to the content of the instruction at a training program as described above, topics covered by the training program for members of a governing board of a public junior college district must also include information about best practices in campus financial management, financial ratio analysis, and case studies using financial indicators.

Satisfied by:

The THECB presents an orientation seminar for newly appointed regents and elected trustees that satisfies this legal requirement. This orientation must be completed within one year from the date of the appointment. The day-long orientation is offered annually in the fall as part of the THECB's annual Higher Education Leadership Conference. Please see information at: <http://www.thecb.state.tx.us/2015LeadershipConference>. (Note: For years after 2015, simply change the website address to match the then current year.) Questions regarding this training requirement should be directed to legal counsel of the institution for which the regent or trustee serves as a board member, or to the Texas Higher Education Coordinating Board at (512) 427-6101.

Videos from the THECB's orientation for newly appointed regents and elected trustees are also available online. Please see the information on the THECB's website at www.thecb.state.tx.us/Governing_Board_Training. Questions regarding this training option should be directed to Mary Mitchell, Administrative Assistant for the Office of Academic Planning and Policy, Texas Higher Education Coordinating Board, at (512) 427-6566 or Mary.Mitchell@thecb.state.tx.us.

Open Meetings Training
(Texas Government Code, Section 551.005)
(Texas Government Code, Section 552.012)

The Open Meeting Act (Texas Government Code, Section 551.005) and the Public Information Act (Texas Government Code, Section 552.012) specify mandatory open government education requirements for elected and appointed officials who are subject to these laws. Each elected or appointed public official who is subject to these laws must complete a course of training regarding the responsibilities of the governmental body and its members under these laws not later than the 90th day after the date the member takes the oath of office or otherwise assumes responsibilities as a member of the governmental body.

The training must include instruction in the general background of the legal requirements for open meetings; the applicability of that law to governmental bodies; procedures and requirements regarding quorums, notice, and recordkeeping; procedures and requirements for holding an open meeting and for holding a closed meeting; and penalties and other consequences for failure to comply.

Satisfied by:

The Office of the Attorney General offers free online video training courses that satisfy this legal requirement. This course must be completed within 90 days from the date of the appointment. Please see information at https://www.oag.state.tx.us/open/og_training.shtml. Questions regarding this requirement or training options should be directed to legal counsel of the institution for which the regent or trustee serves as a board member, or to the Office of the Attorney General at (800) 252-8011.

Investment Training; State Agency Board Members and Officers
(Texas Government Code, Section 2256.007)

The Public Funds Investment Act (Texas Government Code, Section 2256) specifies mandatory investment training requirements for elected and appointed officials who are subject to this law. Each member of the governing board of a state agency and its investment officer must attend at least one training session relating to the person's investment responsibilities within six months after taking office or assuming duties. An investment officer shall attend a training session not less than once each state fiscal biennium and may receive training from any independent source approved by the governing body of the state agency.

The training must include education in investment controls, security risks, strategy risks, market risks, diversification of investment portfolio, and compliance with Chapter 2256 of the Texas Government Code.

Satisfied by:

The University of North Texas, Center for Public Management offers the video "Protecting Public Funds: The Responsibilities of Governing Boards under the Public Funds Investment Act" for order that satisfies this legal requirement. This course must be completed within six months from the date of the appointment. Please see information at <http://pacs.unt.edu/cpm/content/investment-training-video>. Questions regarding this requirement or training options should be directed to legal counsel of the institution for which the regent or trustee serves as a board member, or to the University of North Texas, Center for Public Management at (940) 369-7843.

Additional Sources of Information for Members of Governing Boards

Office of the Attorney General

Open Government and Related Publications

https://www.oag.state.tx.us/open/publications_og.shtml

Texas Ethics Commission

State Officer Publications and Guides

<http://www.ethics.state.tx.us/filinginfo/statepub.htm>

Association of Governing Boards of Universities and Colleges (Washington, D.C.)

Publications

<http://agb.org/publications>

Association of Governing Boards of Universities and Colleges (Washington, D.C.)

Conferences and Workshops

<http://agb.org/conferences-and-workshops>