

HOUSE No. 3959

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to higher education boards of trustees.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 21 of chapter 15A of the General Laws, as appearing in the 2014
2 Official Edition, is hereby amended by inserting at the end thereof the following paragraph:

3 The department of higher education, in this section called the department, shall establish
4 and implement a comprehensive training program for members. The department shall provide
5 instruction and training to members on the proper management of an institution of higher
6 education. The instruction and training shall include, but not be limited to, the following laws
7 and topics: (i) the open meeting law established pursuant to sections 18 to 25, inclusive, of
8 chapter 30A; (ii) the public records law established pursuant to chapter 66; (iii) the conflict of
9 interest law established pursuant to chapter 268A; (iv) procurement law; (v) state finance
10 provisions established pursuant to chapter 29; (vi) fraud prevention; and (vii) fiduciary
11 responsibilities. The department shall consult with the attorney general and the inspector general
12 in developing instruction and training programs pursuant to this section. Within 6 months of
13 being appointed or elected, every member shall complete a training program, as developed by the
14 department. Thereafter members shall complete a training program within 2 years of the date of

15 the member's last training. Membership on the board of trustees shall terminate if a member
16 fails to complete a training program within 6 months of appointment or election as a member, or
17 fails to complete a training program within 2 years of the date of the member's last training, and
18 a vacancy shall be deemed to exist. Any vacancy on a board of trustees shall be filled for the
19 duration of the term in the same manner as the prior appointment. The chairman shall forthwith
20 notify the governor when any vacancy exists.

21 SECTION 2. Section 1A of chapter 75 of the General Laws, as appearing in the 2014
22 Official Edition, is hereby amended by inserting at the end thereof the following paragraph:

23 Within 6 months of being appointed or elected, every member shall complete the training
24 program developed by the department of higher education under section 21 of chapter 15A.
25 Thereafter, members shall complete a training program within 2 years of the date of the
26 member's last training. Membership on the board of trustees shall terminate if a member fails to
27 complete a training program within 6 months of appointment or election as a member, or fails to
28 complete a training program within 2 years of the date of the member's last training, and a
29 vacancy shall be deemed to exist. Any vacancy on a board of trustees shall be filled for the
30 duration of the term in the same manner as the prior appointment. The chairman shall forthwith
31 notify the governor when any vacancy exists.