



New Board Member Orientation and Education Program for the Council on Postsecondary Education and Institutional Governing Boards

Approved by the Council: **proposed changes for Sept 2023**
Effective Date: **September 19, 2023**

Previous Actions

Original Approval: November 18, 2016

Amended: April 16, 2021

New Board Member Orientation and Education Program: Policy and Procedures

History

During the 2016 legislative session, a bill was passed requiring all new institutional and CPE board members to complete an orientation and education program within their first year of appointment. The measure affected several statutes and those went into effect on July 1, 2016.

More specifically, it included the following provisions:

- CPE must develop in cooperation with the public campuses a comprehensive orientation and education program for new board members and continuing education programs for all appointed and elected board members.
- For new members, the orientation shall include six instructional hours covering the following:
 - the role of the council and governing board members;
 - the statewide strategic agenda and the strategic implementation plan;
 - the respective institution's mission, budget and finances, strategic plan, and priorities;
 - institutional policies and procedures;
 - board fiduciary responsibilities;
 - legal considerations including open records and open meetings requirements;
 - ethical considerations arising from board membership; and
 - board member removal and replacement provisions of KRS 63.080.
- The orientation program must be developed in a way that allows new members to complete the requirements electronically or in person.
- Board members must complete the orientation within one year of appointment or election.
- CPE must provide a report to the legislature listing all new board members who do not complete the required orientation.
- Governing board members of private colleges and universities licensed by CPE must be invited to participate.

Additionally, HB 15 requires CPE to review and approve all existing board orientation programs at the public universities and KCTCS.

Affected Statutes

- [KRS 164.020\(25\)](#) - Powers and duties of the Council
- [KRS 164.011\(13\)](#) - Council on Postsecondary Education -- Membership -- Terms -- Meetings

- [KRS 164.131 \(1\)\(b\)](#) - Board of Trustees of University of Kentucky -- Membership – Terms
- [KRS 164.321\(9\)](#) - Boards of Regents of Eastern Kentucky, Morehead State, Murray State, Western Kentucky, Kentucky State, and Northern Kentucky Universities, and Kentucky Community and Technical College System -- Membership – Terms
- [KRS 164.821\(1\)\(a\)](#) - Board of Trustees of University of Louisville -- Membership -- Terms

Section 1: Orientation and Education Program Curriculum

As required by HB 15, all new appointees to public university boards, the KCTCS board, and the CPE board shall participate in a new member orientation and education program that focuses both on the state's higher education goals as well as institution-specific matters. To facilitate this process, the delivery of the new member orientation shall be shared by the CPE, KCTCS and the respective university boards in two parts.

- A. State-level Orientation:** The following shall be included in a comprehensive orientation program. Some elements may be delivered by organizations with specific expertise in board development and higher education (e.g., Association of Governing Boards).
- Higher education governance in Kentucky and the role and function of CPE.
 - The statewide strategic agenda and related accountability system.
 - Characteristics of an effective governing board.
 - Kentucky's open records and open meetings requirements.
 - The biennial budget development process and performance funding.
 - Fiduciary responsibilities of board members.
 - Shared governance in higher education.
 - Regional accreditation.
 - Ethical considerations arising from board membership and causes and considerations for board member removal, per KRS 63.080.
- B. Campus and KCTCS Orientation:** The following shall be included in an orientation program for new board members developed and delivered by each campus and KCTCS:
- Institutional mission, vision, and values, by-laws, and if applicable, the standing delegation of authority.
 - The university or KCTCS strategic plan and related accountability system.
 - Budget and finances, including a review of all sources of revenue and expenditures relevant to the institution's mission.
 - Board-relevant policies and procedures that affect the students, staff, and board members, including information regarding student privacy/FERPA regulations.

- The board's fiduciary responsibility and specific board rules as they pertain to open records and open meetings. (As required, the campus shall provide copies and obtain necessary confirmation of receipt of any documents required to be distributed by the Attorney General.)
- Review of conflict of interest and ethical considerations as they apply to Kentucky's board members.
- Access to historically relevant board actions, including but not limited to the previous two (2) years of meeting minutes.
- If applicable, an overview of the institution's foundation, including but not limited to the foundation's mission, membership, financial statements, how the foundation supports the institution, and how the foundation's board interacts with the campus's governing board.
- If applicable, the board's role, responsibilities, and limitations regarding NCAA regulations.

SECTION 2: Delivery Methods

The orientation and education program must be developed in a way that allows the new member to complete the requirements electronically or in person.

A. State-level Orientation Programs: The state-level orientation and training program will be offered to all newly appointed and elected members electronically. Assessment checks are incorporated as part of the program to ensure retention of the information, and CPE will notify the applicable institutional board liaison upon the board member's completion of the program. An in-person option may be available as a stand-alone session or as part of the Governor's Conference on Postsecondary Education Trusteeship.

~~1. In-Person Delivery Method: The program will be offered as a stand-alone session or as part of the Governor's Conference on Postsecondary Education Trusteeship. The program will be offered in a central part of the state and may feature national, state, and local guest speakers. There is no assessment required for this option; attendance and participation will suffice for the requirement of completion.~~

~~2. Online Delivery Method: The program will be offered through the completion of an online program if a new appointee is unable to attend or if it is not feasible to hold the training in person due to a state or national emergency. Assessment checks are incorporated as part of the program to ensure retention of the information, and CPE will notify the applicable institutional board liaison upon the board member's completion of the program.~~

B. Campus Orientation Programs: The campus's orientation program may be delivered in a method at the discretion of the individual campus, and the board liaison shall notify CPE of the date of completion of each appointee.

SECTION 3: Annual Certification Report

As prescribed by KRS 164.020(25)(a)(3), CPE will 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.

SECTION 4: Review and Approval of New Member Campus Orientation programs

Per KRS 164.020(25)(c), CPE must 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 the provisions of HB 15 (2016).

- A. The campus new member orientation programs shall be reviewed for approval every 5 years beginning March 2017 (~~see~~ Attachment A – Submission Form). CPE will notify the campus in writing upon review and approval. If the submission is incomplete, the campus will receive a list of required items.

Future formal submission dates are tentatively set for the following dates:

- ~~March 31, 2022~~
 - March 31, 2027
 - March 31, 2032
- B. If a program undergoes a substantial revision, the campus shall submit a Revised Submission prior to its regularly scheduled review date. Upon CPE approval, the revised submission will go into effect for the remaining duration of the five-year period.
 - C. The campus's governing board is encouraged to review its orientation program on a regular basis. If formally approved by the board, it should be indicated on the submission form.

SECTION 5: Continuing Education Programs

CPE provides a variety of continuing education opportunities to all board members at CPE, public and private institutions, which includes but is not limited to the following:

- A. The ~~annual or biennial~~ Trusteeship Symposium conference, which features national speakers and local experts on relevant and time-sensitive topics of interest to postsecondary education board members, campus leadership, policy leaders, and members of the Kentucky General Assembly.
- B. Open access to the online board orientation and education program to all board members.

~~C. Regular meetings of the board chairs and vice chairs of the public institutions.~~

~~D.C.~~ 24/7 website access to CPE's latest research publications, infographics, blog posts, press releases, and the interactive data center.

~~E.D.~~ Webinars ~~open to the general public~~ regarding national and state issues, newly released reports or popular topics of interest.