

# 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 <b>holds an appointive</b> position 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 online assessment test (70%) subsequent to completing the course satisfies this legal requirement.</p> <p>(See page 3.)</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 <b>holds either an elective or appointive position</b> 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>	<ol style="list-style-type: none"> <li>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;</li> <li>or</li> <li>2) Videos from the THECB's orientation for newly appointed regents and elected trustees are available online approximately one month after the Leadership Conference for those who are unable to attend the conference in person. Watching these videos, and completing an online form confirming such viewing, satisfies through electronic means this legal requirement.</li> </ol> <p>(See page 4.)</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 <b>holds either an elective or appointive position</b> 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>(See page 5.)</p>	<p>Texas Government Code, Section 551.005 (Open Meetings Training)</p> <p>Texas Government Code, Section 552.012 (Open Records Training)</p>

Legal Requirement	Satisfied By	Texas Statute
<p>Within six months after taking office or assuming duties, each governing board member who <b>holds either an elective or appointive position</b> 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 a free online training video "Texas Public Funds Investment Act Compliance for Higher Education &amp; State Agency Board Members " that satisfies this legal requirement.</p> <p>(See page 5.)</p>	<p>Texas Government Code, Section 2256 (Public Funds Investment)</p>
<p>At least once each year, each governing board member who <b>holds either an elective or appointive position</b> must complete a certified cybersecurity training program.</p>	<p>The Department of Information Resources offers a free online video training course that satisfies this legal requirement.</p> <p>(See page 6.)</p>	<p>Texas Government Code, Section 2054.5191 (Cybersecurity Training), as certified under Section 2054.519 [or offered under Section 2054.519(f)]</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)<sup>1</sup>

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 [Intensive Short Course for Appointed members of Governing Boards](#). 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 Mary Mitchell, Executive Assistant & Special Assistant to the Board, THECB, at (512) 427-6566 or [GBOnlineTraining@highered.texas.gov](mailto:GBOnlineTraining@highered.texas.gov). The THECB is responsible for documenting governing board members' completion of the requirements of this law.

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<sup>1</sup> 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 1, of the TAC. Title 19 is Education, and Part 1 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, Texas Government Code, Chapter 551, and the open records law, Texas Government Code, Chapter 552; 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 Texas Higher Education Leadership Conference. Please see information at [Governing Board Member Training](#). 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.

Videos from the THECB's orientation for newly appointed regents and elected trustees are also available as an online course for those unable to attend in person. Please see the information on the THECB's website at [Online Training for All Regents & Trustees](#). If you have questions regarding this online training please contact Mary Mitchell, Executive Assistant & Special Assistant to the Board at [GBOnlineTraining@highered.texas.gov](mailto:GBOnlineTraining@highered.texas.gov).

## 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

[Open Meetings Act Training | Office of the Attorney General \(texasattorneygeneral.gov\)](#) and [Public Information Act Training | Office of the Attorney General \(texasattorneygeneral.gov\)](#).

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 must 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 Texas Government Code, Chapter 2256.

### **Satisfied by:**

The University of North Texas, Center for Public Management offers a free online training video "Texas Public Funds Investment Act Compliance for Higher Education & State Agency Board Members" that satisfies this legal requirement. This course must be completed within six months from the date of the appointment. Please see information at [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.

## Cybersecurity Training

### (Texas Government Code, Section 2054.5191)

Texas Government Code (TGC), Section 2054.5191, as enacted by the 86th Texas Legislature, specifies that at least once each year, each elected or appointed officer of a state agency<sup>2</sup> shall complete a cybersecurity training program certified under TGC, Section 2054.519 or offered under TGC, Section 2054.519(f). The governing body of a local government<sup>3</sup> may select the most appropriate cybersecurity training program certified under TGC, Section 2054.519 or offered under TGC, Section 2054.519(f) and must: (1) verify and report to the Department of Information Resources on the completion of the selected program by the local government's employees; and (2) require periodic audits to ensure compliance.

To be certified, a cybersecurity training program must: (1) focus on forming information security habits and procedures that protect information resources; and (2) teach best practices for detecting, assessing, reporting, and addressing information security threats. A local government that employs a dedicated information resources cybersecurity officer may offer to its employees a cybersecurity training program that satisfies the requirements described.

#### Satisfied by:

The Department of Information Resources (DIR) offers an online video training course at [Statewide Cybersecurity Awareness Training](#), that satisfies this legal requirement. The video is offered free of charge to anyone who needs to meet the training requirements as noted above. 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 DIR at 1-855-ASK-DIR1 (1-855-275- 3471).

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<sup>2</sup> Texas Government Code (TGC) Section 2054.003 provides, in part, as follows: "State agency" means a department, commission, board, office, council, authority, or other agency in the executive or judicial branch of state government that is created by the constitution or a statute of this state, including a university system or institution of higher education as defined by Texas Education Code Section 61.003.

<sup>3</sup> Texas Section 2054.003 provides, in part, as follows: "Local government" means a county, municipality, special district, school district, junior college district, or other political subdivision of the state.

## Additional Sources of Information for Members of Governing Boards

Office of the Attorney General

- [Public Information Act \(PIA\) and Open Meetings Act \(OMA\) Training Resources](#)

Texas Ethics Commission

- [State Officer Publications and Guides](#)

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

- [Reports & Statements](#)

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

- [Programs & Events](#)