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LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS
57th Legislature, 1st Session, 2025

Bill Number	<u>SB19/SECS/aSF1#1</u>	Sponsor	<u>SEC</u>
Tracking Number	<u>.230143.1</u>	Committee Referrals	<u>SEC/SRC;HEC/HGEIC</u>
Short Title	<u>Boards of Regents Training Requirements</u>		
Analyst	<u>Montoya</u>	Original Date	<u>2/11/2025</u>
		Last Updated	<u>2/26/2025</u>

BILL SUMMARY

Synopsis of Senate Floor Amendment

The Senate Floor Amendment to Senate Bill 19 (SB19/SECS/aSF1#1) would require the Higher Education Department (HED) to provide 10 hours of training to all regents and governing body members. HED would also be required to maintain and monitor a record of each member's compliance with the proposed training requirements.

Synopsis of SEC Substitute

The Senate Education Substitute for Senate Bill 19 (SB19/SECS) would add a new section to Chapter 21 NMSA 1978 to establish training requirements for all members appointed to the Boards of Regents of state educational institutions cited in Article XII, Section 11 of the New Mexico Constitution and governing boards of other public post-secondary educational institutions.

SB19/SECS would require all applicable regents to complete 10 hours of training during the first six months of their term. Current members of applicable boards with at least one year remaining in their term would also be required to complete the training outlined by SB19/SECS.

The Higher Education Department (HED) would be responsible for developing and providing the training outlined in SB19/SECS. This bill would require applicable members to complete training in the five following areas:

- Two hours covering the provisions of the Constitution of New Mexico and state law pertaining to state educational institutions and related postsecondary education matters;
- Two hours covering financial management, budgeting, and fiduciary duties;
- Two hours covering student success and student support services;
- Two hours covering institutional governance, innovation, best practices, and available federal, state, and nongovernmental resources to assist the boards of regents and members of the boards; and

- Two hours covering ethics and state law regarding ethics oversight and public accountability, including the Procurement Code, the Open Meetings Act, the Gift Act and the Inspection of Public Records Act.

SB19/SECS would require all current board members subject to SB19/SECS to complete the required training by December 31, 2025.

FISCAL IMPACT

SB19/SECS/aSFI#1 does not carry an appropriation.

SUBSTANTIVE ISSUES

Importance of Training. SB19/SECS/aSFI#1 establishes essential training requirements for regents of New Mexico universities and governing board members of other public postsecondary institutions, focusing on financial management, student success, and institutional governance. As noted by the bill analysis provided by the University of New Mexico (UNM), training in good governance practices, including fiduciary duties of loyalty and care, as well as the responsibility to act with diligence and prudence is “fundamental to high performing governance bodies.” While many institutions already provide training and legal counsel for regents and governing board members, SB19/SECS/aSFI#1 would establish a universal baseline, ensuring there is consistent understanding of responsibilities, particularly in financial management and student success.

Training and Monitoring Requirements for School Board and Charter Council Members. SB19/SECS/aSFI#1 is similar in nature to [Laws 2024, Chapter 43 \(SB137\)](#), enacted during the 2024 legislative session, to address training requirements for local school boards and charter school governing councils for students in public schools. These training requirements addressed the need for improved transparency in campaign finances, decision-making processes, and varying levels of access and participation in training by members. Laws 2024, Chapter 43 required the Public Education Department (PED) develop a mandatory training course for local school boards and charter school governing councils that incorporates the following topics: explanation of department rules, policies and procedures, statutory powers and duties of local school boards and charter school governing councils, legal concepts pertaining to public schools, finance, budget, and other subjects deemed appropriate by PED. Additionally, Laws 2024, Chapter 43 stipulated minimum training requirements for new and incumbent school board and governing council members. LESC staff provided a [background and implementation update](#) to LESC members during the 2024 interim. Also similar to Laws 2024, Chapter 43, SB19/SECS/aSFI#1 would require HED to maintain a record of each member’s compliance with training requirements. One difference between SB19/SECS/aSFI#1 and Laws 2024, Chapter 43, is the requirement for HED to monitor training compliance, as opposed to Laws 2024, Chapter 43, which requires PED to make training records available on their data platform, NM Vistas.

ADMINISTRATIVE IMPLICATIONS

HED reports that it anticipates the need to develop eLearning modules in collaboration with subject matter experts and instructional designers, and the need to organize in-person training retreats for boards of regents statewide. This effort will likely involve a one-time cost for creating the training curriculum and ongoing expenses for delivering the training. HED also reports it may face increased costs related to full-time employees, software, and additional workload to meet these

new requirements. SB19/SECS/aSFI#1 does not include funding to cover these expenses. Any new costs would likely be absorbed by HED's existing operating budget.

Currently, HED reports it provides training on fiduciary and legal responsibilities, including compliance with state and federal laws, as well as oversight of tuition, fees, and programs, and the role of HED. These training courses are offered periodically or upon request. Since HED already provides some training, this may help ease additional costs, though it is difficult to quantify the increased expense at this time. HED may need to review its existing training programs to ensure they meet the time and completion requirements specified in SB19/SECS/aSFI#1.

Applicability. SB19/SECS would apply to the higher education institutions enumerated in the New Mexico Constitution and governing boards of other public postsecondary educational institutions. These include: UNM, New Mexico State University, New Mexico Highlands University, Western New Mexico University, Eastern New Mexico University, New Mexico Institute of Mining and Technology, New Mexico Military Institute, New Mexico School for the Blind and Visually Impaired, New Mexico School for the Deaf, and Northern New Mexico College, Central New Mexico Community College, Clovis Community College, Mesalands Community College, New Mexico Junior College, San Juan College, Santa Fe Community College, Luna Community College, and New Mexico Military Institute.

Higher education institutions may experience increased training, per diem, and travel expenses for their regents attending training sessions.

SOURCES OF INFORMATION

- LESC Files
- New Mexico Higher Education Department (HED)
- University of New Mexico (UNM)
- New Mexico Highlands University (NMHU)
- New Mexico Independent Colleges (NMICC)

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