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

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| Bill Number | <u>SB19</u> | Sponsor | <u>Steinborn</u> |
| Tracking Number | <u>.228592.5</u> | Committee Referrals | <u>SEC/SRC</u> |
| Short Title | <u>Boards of Regents Training Requirements</u> | | |
| Analyst | <u>Montoya</u> | Original Date | <u>1/28/2025</u> |
| | | Last Updated | <u></u> |

BILL SUMMARY

Synopsis of Bill

Senate Bill 19 (SB19) would add a new section to Chapter 21 NMSA 1978, which governs state and private education institutions. SB19 would 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.

SB19 would require all applicable regents to complete 10 hours of training during the first year 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.

The Higher Education Department (HED) would be responsible for developing and providing the training outlined in SB19. 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 and the Inspection of Public Records Act.

SB19 would require all current board members subject to SB19 to complete the required training by December 31, 2025. SB19 does not contain an effective date and, as a result, would go into effect 90 days after the Legislature adjourns if enacted (June 20, 2025).

FISCAL IMPACT

SB19 does not carry an appropriation.

SUBSTANTIVE ISSUES

Importance of Training. Representatives from higher education administrative management stress the importance of training in good governance practices, with a focus on regents' fiduciary duties of loyalty and care, as well as their responsibility to act with reasonable diligence and prudence in their service capacity. Many institutions already offer training for regents and provide legal counsel to ensure ongoing guidance and support.

Training Requirements for School Board and Charter Council Members. SB19 is similar in nature to [Laws 2024, Chapter 43 \(SB137\)](#), enacted during the 2024 legislative session, to address issues that pertain to local school boards and charter school governing councils for students in grades kindergarten through grade 12. 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 mandated 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.

Applicability. SB19 addresses only the higher education institutions enumerated in the New Mexico Constitution. These include: University of New Mexico, 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. It omits New Mexico Junior College, Central New Mexico Vocational Technical College, and all the other independent (non-branch) community colleges.

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 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.

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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