

## LEGISLATIVE HISTORY CHECKLIST

**NJSA:** 18A:64-3.1 (State colleges--Boards of Trustees--provide for youth representation)

**LAWS OF:** 1986 **CHAPTER** 136

**BILL NO:** A1803

**Sponsor(s):** Baer

**Date Introduced:** January 30, 1986

**Committee: Assembly:** Higher Education and Regulated Professions  
**Senate:** Education

**Amended during passage:** Yes Amendments during passage denoted by asterisks.

**Date of Passage:** **Assembly:** June 16, 1986  
**Senate:** September 18, 1986

**Date of Approval:** October 21, 1986

**Following statements are attached if available:**

**Sponsor statement:** Yes

**Committee statement:** **Assembly** Yes  
**Senate** Yes

**Fiscal Note:** No

**Veto Message:** No

**Message on Signing:** No

**Following were printed:**

**Reports:** No

**Hearings:** No

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ASSEMBLY, No. 1803

STATE OF NEW JERSEY

INTRODUCED JANUARY 30, 1986

By Assemblyman BAER

AN ACT concerning youth representation on the boards of trustees of certain institutions of higher education and supplementing chapter 64 of Title 18A of the New Jersey Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*

1 1. The board of trustees of any State college established pursuant  
2 to chapter 64 of Title 18A of the New Jersey Statutes shall provide  
3 for the election of two student representatives as provided herein,  
4 who shall be full-time, regularly matriculated students in good  
5 academic standing, and who shall be 18 years of age or older and  
6 citizens of the United States, to be elected by the students in the  
7 manner provided herein to serve on the board of trustees of that  
8 college for terms of two years commencing at the next organization  
9 of the board.

10 a. In order to implement the provisions of this section, each board  
11 of trustees shall schedule a public hearing on the question of the  
12 student election. After the public hearing, the board, at its regularly  
13 scheduled meeting in March following the effective date of this act,  
14 shall determine whether the students are to be elected by the  
15 student body at large or by the members of the student government  
16 association. Except that, for Thomas A. Edison State College, the  
17 method of the selection of the student representatives shall be  
18 determined by the board of that college in consultation with the  
19 State Board of Higher Education.

20 b. For the first election held pursuant to this section, one student  
21 shall be elected for a one year term as a full voting member, and one  
22 student shall be elected for two years, but shall serve as an alternate

**Matter printed in italics thus is new matter.**

**Matter enclosed in asterisks or stars has been adopted as follows:**

**\*—Assembly committee amendment adopted May 5, 1986.**

23 member during the first year and as a voting member during the  
24 second year.

25 At each subsequent election, one student shall be elected for two  
26 years, but shall serve during the first year as an alternate member,  
27 and as a voting member during the second year.

28 Any vacancies which occur shall be filled by the student governing  
29 body for the unexpired term only.

30 c. The standards for eligibility for student representatives on  
31 the board of trustees shall be the same as those required for other  
32 student government officers.

33 d. The student members shall be entitled to full participation in  
34 all activities of the board except that they shall not participate in:

35 (1) Any matter involving the employment, appointment, termi-  
36 nation of employment, terms and conditions of employment, evalua-  
37 tion of the performance of, promotion or disciplining of any specific  
38 prospective officer or employee or current officer or employee  
39 employed or appointed by the board, unless all the individual em-  
40 ployees or appointees whose rights could be adversely affected  
41 request in writing that the matter or matters be discussed at a  
42 public meeting.

43 (2) Any matter involving the purchase, lease acquisition or sale  
44 of real property with public funds, the setting of banking rates or  
45 investment of public funds, where it could adversely affect the  
46 public interest if discussion of these matters were disclosed.

47 (3) Any pending or anticipated litigation in which the board is,  
48 or may become a party, where it could adversely affect the public  
49 interest if discussion of these matters were disclosed, or any matters  
50 falling within the attorney-client privilege, to the extent that con-  
51 fidentiality is required in order for the attorney to exercise his  
52 ethical duties as a lawyer.

53 e. Upon assuming office, the students shall agree to adhere to such  
54 standards of responsibility and confidentiality as are established  
55 by the State Board of Higher Education.

1 2. The State Board of Higher Education shall develop such  
2 rules and regulations in accordance with the "Administrative Pro-  
3 cedure Act," P. L. 1968, c. 410 (C. 52:14B-1 et seq.) as are  
4 necessary to implement this act.

1 3. This act shall take effect immediately *\*but shall remain in-*  
2 *operative until either Assembly Bill No. 1173 (OCR) and Assembly*  
3 *Bill No. 1177 (OCR) of 1986 (now pending before the Legislature)*  
4 *are enacted into law, or any legislation having a substantially simi-*  
5 *lar effect is enacted into law.\**

**HIGHER EDUCATION**

**Provides for the addition of two student representatives to the board of trustees of each State college.**

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**ASSEMBLY, No. 1803**

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**STATE OF NEW JERSEY**

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4 who shall be full-time, regularly matriculated students in good  
5 academic standing, and who shall be 18 years of age or older and  
6 citizens of the United States, to be elected by the students in the  
7 manner provided herein to serve on the board of trustees of that  
8 college for terms of two years commencing at the next organization  
9 of the board.

10 a. In order to implement the provisions of this section, each board  
11 of trustees shall schedule a public hearing on the question of the  
12 student election. After the public hearing, the board, at its regularly  
13 scheduled meeting in March following the effective date of this act,  
14 shall determine whether the students are to be elected by the  
15 student body at large or by the members of the student government  
16 association. Except that, for Thomas A. Edison State College, the  
17 method of the selection of the student representatives shall be  
18 determined by the board of that college in consultation with the  
19 State Board of Higher Education.

20 b. For the first election held pursuant to this section, one student  
21 shall be elected for a one year term as a full voting member, and one  
22 student shall be elected for two years, but shall serve as an alternate

23 member during the first year and as a voting member during the  
24 second year.

25 At each subsequent election, one student shall be elected for two  
26 years, but shall serve during the first year as an alternate member,  
27 and as a voting member during the second year.

28 Any vacancies which occur shall be filled by the student governing  
29 body for the unexpired term only.

30 c. The standards for eligibility for student representatives on  
31 the board of trustees shall be the same as those required for other  
32 student government officers.

33 d. The student members shall be entitled to full participation in  
34 all activities of the board except that they shall not participate in:

35 (1) Any matter involving the employment, appointment, termi-  
36 nation of employment, terms and conditions of employment, evalua-  
37 tion of the performance of, promotion or disciplining of any specific  
38 prospective officer or employee or current officer or employee  
39 employed or appointed by the board, unless all the individual em-  
40 ployees or appointees whose rights could be adversely affected  
41 request in writing that the matter or matters be discussed at a  
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43 (2) Any matter involving the purchase, lease acquisition or sale  
44 of real property with public funds, the setting of banking rates or  
45 investment of public funds, where it could adversely affect the  
46 public interest if discussion of these matters were disclosed.

47 (3) Any pending or anticipated litigation in which the board is,  
48 interest if discussion of these matters were disclosed, or any matters  
49 or may become a party, where it could adversely affect the public  
50 falling within the attorney-client privilege, to the extent that con-  
51 fidentiality is required in order for the attorney to exercise his  
52 ethical duties as a lawyer.

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54 standards of responsibility and confidentiality as are established  
55 by the State Board of Higher Education.

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2 rules and regulations in accordance with the "Administrative Pro-  
3 cedure Act," P. L. 1968, c. 410 (C. 52:14B-1 et seq.) as are  
4 necessary to implement this act.

1 3. This act shall take effect immediately.

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#### STATEMENT

This bill provides for the addition of two student representa-  
tives to the board of trustees of each State college. One of the  
two student representatives shall be a voting member.

Each board shall hold a public hearing and then determine whether the student representatives to that board shall be elected by the student body at large or by the members of the student government association.

Student representatives shall be full-time, regularly matriculating students in good academic standing and shall be at least 18 years of age and citizens of the United States. In the initial election for each board, one representative shall be elected as a voting member for a one-year term and one representative shall be elected for a two-year term, serving as an alternate in the first year and voting member in the second year. In each subsequent election, one student shall be elected to each board for a two-year term, serving as an alternate in the first year and a voting member in the second.

Elected student representatives may participate in all activities of the board on which they serve, except for the following matters: personnel decisions involving specific prospective or current employees or officers; matters involving the purchase, lease or sale of real property; investment decisions; and pending or anticipated litigation which is of a confidential nature.

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#### HIGHER EDUCATION

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**ASSEMBLY HIGHER EDUCATION AND REGULATED  
PROFESSIONS COMMITTEE**

STATEMENT TO  
**ASSEMBLY, No. 1803**  
with Assembly committee amendments

**STATE OF NEW JERSEY**

DATED: MAY 5, 1986

The Assembly Higher Education and Regulated Professions Committee favorably reports Assembly Bill No. 1803.

This bill provides for the addition of two student representatives on the boards of trustees of each State college. One of the two students shall serve as a voting member of the board. Student representatives are to be full-time, regularly matriculated students in good academic standing, who are 18 years of age or older and citizens of the United States.

Under the bill's provisions, each board of trustees is to hold a public hearing and then determine whether the student representatives to that board are to be elected by the student body at large or by the members of the student government association. In the initial election, one student is to be elected as a voting member for a one year term and one student is to be elected for a two year term, serving as an alternate in the first year and a voting member in the second year. In each subsequent election, one student shall be elected to each board for a two year term, serving as an alternate in the first year and a voting member in the second.

Elected student representatives may participate in all of the activities of the board of trustees, except for the following matters: personnel decisions involving specific prospective or current employees or officers; matters involving the purchase, lease or sale of real property; investment decisions; and pending or anticipated litigation which is of a confidential nature.

The committee amended the bill to stipulate that it shall take effect upon the enactment of either Assembly Bill No. 1173 OCR and Assembly Bill No. 1177 OCR, the State college autonomy legislation, or any similar legislation.



SENATE EDUCATION COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 1803**

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**STATE OF NEW JERSEY**

DATED: SEPTEMBER 8, 1986

The Senate Education Committee favorably reports Assembly Bill No. 1803 OCR without amendment.

This bill provides for the addition of two student representatives on the boards of trustees of each State college. One of the two students shall serve as a voting member of the board. Student representatives are to be full-time, regularly matriculated students in good academic standing, who are 18 years of age or older and citizens of the United States.

Under the bill's provisions, each board of trustees is to hold a public hearing and then determine whether the student representatives to that board are to be elected by the student body at large or by the members of the student government association. In the case of Thomas A. Edison college, the method of selection of the student representatives shall be determined by the State Board of Higher Education. In the initial election, one student is to be elected as a voting member for a one year term and one student is to be elected for a two year term, serving as an alternate in the first year and a voting member in the second year. In each subsequent election, one student shall be elected to each board for a two year term, serving as an alternate in the first year and a voting member in the second.

Elected student representatives may participate in all of the activities of the board of trustees, except for the following matters: personnel decisions involving specific prospective or current employees or officers; matters involving the purchase, lease or sale of real property; investment decisions; and pending or anticipated litigation which is of a confidential nature. In addition, upon assuming office student representatives would have to agree to adhere to standards of responsibility and confidentiality as established by the State board.

This bill stipulates that it shall not go into effect until the enactment of either Assembly Bill No. 1173 OCR and Assembly Bill No. 1177 OCR, the State college autonomy legislation, or any similar legislation. These two bills were signed into law on July 9, 1986 as chapters 42 and 43 of the Laws of 1986.