

This response was prepared for Geoff Coltrane, Senior Education Advisor, North Carolina Office of the Governor

Your Question:

You inquired about the following information:

- State approaches for selecting members of statewide and major postsecondary systemwide coordinating and governing boards.
- A summary of board member appointing processes for the University of Minnesota System and the University of North Carolina System.
- State policy examples that encourage or require diversity among postsecondary board members.
- Postsecondary governance structures for Georgia, North Carolina, South Carolina, Tennessee and Virginia.

Additional Resources

State Postsecondary Governance Structures. The resources include a [50-State Comparison](#) and individual [state profiles](#). (Education Commission of the States, November 2020)

Our Response:

Education Commission of the States provided responses to and state examples for the four issues listed above based on various resources. The highlighted states include Connecticut, Florida, Georgia, Indiana, Kansas, Kentucky, Louisiana, Minnesota, Missouri, Nevada, North Carolina, Pennsylvania, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, West Virginia and Wisconsin.

State Approaches to Selecting Postsecondary Board Members

In general, states use four approaches for selecting members of statewide and major postsecondary system governing and coordinating boards. These processes include governor appointed, legislature appointed, hybrid models and voter elected. The approaches and variations reflect the complexities of postsecondary governance across the states.

In 2020, Education Commission of the States reviewed information for 60 statewide and major postsecondary system governing and coordinating boards and found the following:

- Governors appoint most board members, and legislatures and designated organizations also may appoint some members. The governors' board appointments typically require confirmation by the state senate or both legislative chambers.
- The state legislature selects members of the University of Minnesota Board of Regents and University of North Carolina Board of Governors.
- Members of the Nevada Board of Regents are selected by voters through a general election.
- In addition, board members in several states serve in an ex officio capacity based on their professional roles or affiliation with education organizations, including faculty and student associations.

Governor Appointed Board Members

State University System of **Florida** Board of Governors: The [board](#) includes 17 members with 14 appointed by the governor and subject to senate confirmation. The commissioner of education, the Advisory Council of Faculty Senates chair and the Florida Student Association president serve as ex officio members.

Indiana Commission on Higher Education: The 14 [commission](#) members are appointed by the governor, with nine representing congressional districts, three at-large members, one faculty member and one student member.

Texas Higher Education Coordinating Board: The [board](#) comprises 10 members, including one non-voting student, appointed by the governor with the senate's advice and consent.

Utah Board of Higher Education: The 18 [board](#) members are appointed by the governor with the senate's advice and consent. Sixteen of the members are appointed from candidates presented to the governor by a nominating committee. The two appointed student members are enrolled at a technical college and a degree-granting institution and do not serve as student body presidents.

Board of Regents of the University of **Wisconsin** System: The [board](#) consists of 18 members, 16 of whom are appointed by the governor, subject to confirmation by the senate. Two of the appointed members are students, one of whom must be a non-traditional student. The state superintendent of public instruction and the Wisconsin Technical College System Board president or a designee serve as ex officio members.

Legislature Appointed Board Members

University of **Minnesota** System Board of Regents: The 12 [board](#) members are elected by the legislature with one board member from each of the eight congressional districts and four from the state at large, one of whom must be a student.

University of **North Carolina** System Board of Governors: The 24 [board](#) members are elected by the legislature and the UNC Association of Student Governments president or a designee serves as an ex officio member.

Hybrid Models for Board Member Appointments

The following examples include states in which the selection processes for coordinating and governing board members may involve the governor, legislators, the board or student associations. As with other states, some boards include ex officio members.

Connecticut Board of Regents for Higher Education: The [board](#) comprises 21 members, including nine appointed by the governor. Legislative leadership appoints four members, including a K-12 education specialist and three alumni of the community colleges, Connecticut State Universities and/or Charter Oak State College. The Student Advisory Committee chair and vice-chair serve as voting ex officio members. The non-voting ex officio members include the commissioners of education, economic and community development, labor, and public health, and the Faculty Advisory Committee chair and vice chair.

Louisiana Board of Regents: The governor appoints 15 of the 16 [board](#) members with the senate's consent. Two of these members must be from each congressional district and the remaining members from the state at large. The Louisiana Council of Student Body Presidents appoints one student member as its representative.

North Carolina State Board of Community Colleges: The [board](#) comprises 21 members, including four appointed by the governor from the state at large and one from each of the six Trustee Association Regions. The legislature elects eight members. The lieutenant governor and state treasurer, or their designees, serve as voting ex officio members. The community college student government association president serves as a non-voting ex officio member.

Pennsylvania State System of Higher Education Board of Governors: The [board](#) includes 20 members, with 14 appointed by the governor and confirmed by the senate. Six appointed members must be citizens, three are students selected from universities' student government association presidents, and five must be board trustees of constituent institutions. Four members are legislators selected by the senate and house majority and minority leaders. The governor and state secretary of education, or their designees, serve as ex officio members.

Vermont State Colleges Board of Trustees: The [board](#) comprises 15 members, including five appointed by the governor with the senate's advice and consent. Four members are elected by the board and four members are legislators elected by the general assembly. The VSCS Student Government Association also selects a student member. The governor serves as an ex officio member.

Voter Elected Board Members

The **Nevada** Board of Regents is a single, statewide governing [board](#), and the 13 members are selected by voters through a general election based on geographical districts.

Ex Officio Board Members

In addition to the selection processes, individuals in several states serve as voting or non-voting ex officio board members based on their professional role or affiliation with education organizations. These roles may include the lieutenant governor, legislative leaders, postsecondary system and institutional leaders, the state superintendent of public education, state agency leaders, and designated positions from faculty and student organizations.

Board Appointments for the University of Minnesota University System and the University of North Carolina System

The University of Minnesota and University of North Carolina are the two major postsecondary systems for which the state legislature selects the governing board members. As noted, the UNC system board also includes a student ex officio member. The following section provides a summary of the board member composition and selection process for the two systems.

University of Minnesota System

The [University of Minnesota System](#) includes five campuses and serves nearly 68,000 students.

The 12 members of the system's [board of regents](#) serve six-year terms. Every two years, one-third of the board seats are up for election. A joint convention of the Minnesota Legislature elects one regent from each of the state's eight congressional districts and four from the state at large. One of the at-large regents must be a University of Minnesota student. (Minn. Stat. Ann. [§ 137.0246](#)) See these additional resources for more information: [Board of Regents Elections](#) and [Election of University of Minnesota Regents](#).

The [Regent Candidate Advisory Council](#) advises the legislature in the election of regents. The council develops a description of the regents' duties; outlines criteria to be applied in recommending candidates; and recruits, screens and recommends at least two, and not more than four, qualified candidates to the joint legislative committee for each opening on the board. The council consists of 24 members appointed to staggered six-year terms. Twelve members are appointed by the Senate Subcommittee on Committees of the Committee on Rules and Administration. Twelve members are appointed by the speaker of the house. Each appointing authority must appoint one member who is a University of Minnesota student. (Minn. Stat. Ann. [§ 137.0245](#))

The Joint Legislative Regent Nomination Committee recommends candidates to the full legislature and consists of the higher education finance and policy division members in the senate and house. The joint committee may recommend individuals recommended by the Regent Candidate Advisory Council and the other candidates nominated by the committee. In recommending nominees, the joint committee must consider the needs of the board of regents and the balance of the membership with respect to gender, racial and ethnic composition. (Minn. Stat. Ann. [§ 137.0246](#))

University of North Carolina System

The [University of North Carolina System](#) comprises 16 universities and the North Carolina School of Science and Mathematics and serves nearly 245,000 students.

The 24 members of the system's [board of governors](#) are elected by the North Carolina Senate and House of Representatives. Twelve members are elected at the regular legislative session every two years. The senate and house each elect half of the people necessary to fill the vacancies on the board.

In electing members to the board of governors, the senate and house must select from a slate of candidates made in each house by resolution. The list candidates must include at least twice the number of candidates for the total seats open. All terms must begin on July 1 of odd-numbered years and members serve for four-year overlapping terms. No person may be elected to more than three full four-year terms.

An individual who has served at least one full term as chair of the board must be a non-voting member emeritus for one four-year term. A person already serving as an emeritus member may serve an additional four-year term. A person who has served at least one term as a member of the board after having served as governor must be a member emeritus. (N.C. Gen. Stat. [§ 116-6](#))

In addition, the president of the University of North Carolina Association of Student Governments or their designee serves as a non-voting ex officio member of the board. (N.C. Gen. Stat. [§ 116-6.1](#))

State Policies on Board Member Diversity

In some states, polices encourage or require governors or other leaders to appoint a diverse membership for postsecondary coordinating and governing boards, based on various criteria. This section provides policy examples for Kansas, Kentucky, Minnesota, Missouri, Virginia and West Virginia.

The governor's appointments to the **Kansas** Board of Regents include one member from each congressional district with the remaining members appointed at large. No more than five members may be of same the political party and no two members may reside in the same county at the time of appointment. (Kan. Stat. Ann. [§ 3202a](#))

Kentucky's state policy specifies that the governor should ensure geographical, political and demographic representation with appointments to the Council on Postsecondary Education, a statewide coordinating board. (Ky. Rev. Stat. Ann. [§ 164.011](#))

In making appointments to the **Minnesota** State Colleges and Universities Board of Trustees, the governor must consider balancing membership with respect to labor and business representation and racial, gender, geographic and ethnic composition. (Minn. Stat. Ann. [§ 136F.02](#))

In **Missouri**, the governor's appointments to the statewide Coordinating Board for Higher Education must include no more than five members of the same political party. In addition, at least one but not more than two members must be appointed from each congressional district. (Mo. Ann. Stat. [§ 173.005](#))

In making appointments to the State Council of Higher Education for **Virginia**, the governor should consider geographical representation. At least one member must have served as chief executive officer of a public higher education institution and at least one member must be a district superintendent or the state superintendent. The Economic Development Partnership Authority president serves as an ex-officio member. (Va. Code Ann. [§ 23.1-200](#))

West Virginia Higher Education Policy Commission: The board comprises nine members, including seven appointed by the governor and with the senate’s advice and consent. Four appointed at-large members are citizens and three at-large members are designated as higher education representatives. Of the appointed members, no more than four may belong to the same political party and at least three must represent each congressional district. The state superintendent of schools and the Council for Community and Technical Education chair serve as ex officio members. (W. Va. Code Ann. [§ 18B-1B-2](#))

Postsecondary Governance Structures for Southeastern States

As requested, Education Commission of the States summarized information from the 50-State Comparison on State Postsecondary Governance Structures for selected states. The highlighted states include **Georgia, North Carolina, South Carolina, Tennessee and Virginia**.

The following table summarizes information related to governance models, board names and function, type of institutions that the board oversees or serves, executive officer appointment authority, and board member appointment authority.

In Georgia and South Carolina, the governor’s appointments are confirmed by and made with the advice and consent of the senate. Boards members in Georgia, North Carolina (the community college system) and South Carolina represent congressional districts, geographical regions, postsecondary sectors, various organizations or industries. In addition, ex officio members serve on governing and coordinating boards in North Carolina, Tennessee and Virginia.

For additional information, please see the [individual state profiles](#) that are included in the 50-State Comparison on postsecondary governance structures, which was published in 2020.

State	Governance Model	Board Name	Board Function	Institutions Overseen or Served	Executive Officer Appointment Authority	Board Member Appointment Authority	Policy Citations
Georgia	One or More Systemwide Coordinating or Governing Board	Board of Regents of the University System of Georgia	Systemwide Governing Board	Public four-year and two-year	Governing Board	Governor	Ga. Code Ann. § 20-3-21
		State Board of the Technical College System of Georgia	Systemwide Governing Board	Public two-year	Governing Board	Governor	Ga. Code Ann. § 20-4-10
North Carolina	One or More Systemwide Coordinating or Governing Board	University of North Carolina Board of Governors	Systemwide Governing Board	Public four-year	Governing Board	Legislature	N.C. Gen. Stat. Ann. § 116-6

		North Carolina State Board of Community Colleges	Systemwide Governing Board	Public two-year	Governing Board	Governor and Legislature	N.C. Gen. Stat. Ann. § 115D-2.2
South Carolina	Statewide Coordinating Board/Agency	South Carolina Commission on Higher Education	Single, Statewide Coordinating Board	Public four-year, Public two-year and Independent	Coordinating Board	Governor	S.C. Code Ann. § 59-103-10
Tennessee	Statewide Coordinating Board/Agency	Tennessee Higher Education Commission	Single, Statewide Coordinating Board	Public four-year, Public two-year and Independent	Coordinating Board	Governor and Legislature	Tenn. Code Ann. § 49-7-204
Virginia	Statewide Coordinating Board/Agency	State Council of Higher Education for Virginia	Single, Statewide Coordinating Board	Public four-year, Public two-year and Independent	Coordinating Board	Governor	Va. Code Ann. § 23.1-200