

SENATE, No. 2739

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED JULY 28, 2020

Sponsored by:

Senator M. TERESA RUIZ

District 29 (Essex)

SYNOPSIS

Eliminates US citizenship requirement for student representatives on boards of trustees of certain public institutions of higher education.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning student representatives on the boards of
2 trustees of certain public institutions of higher education and
3 amending various parts of the statutory law.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. Section 1 of P.L.1986, c.139 (C.18A:64-3.1) is amended to
9 read as follows:

10 1. The board of trustees of any State college established
11 pursuant to chapter 64 of Title 18A of the New Jersey Statutes shall
12 provide for the election of two student representatives as provided
13 herein, who shall be full-time, regularly matriculated students in
14 good academic standing, and who shall be 18 years of age or older
15 **[and citizens of the United States]**, to be elected by the students in
16 the manner provided herein to serve on the board of trustees of that
17 college for terms of two years commencing at the next organization
18 of the board.

19 a. In order to implement the provisions of this section, each
20 board of trustees shall schedule a public hearing on the question of
21 the student election. After the public hearing, the board, at its
22 regularly scheduled meeting in March following the effective date
23 of this act, shall determine whether the students are to be elected by
24 the student body at large or by the members of the student
25 government association. Except that, for Thomas **[A.]** Edison State
26 **[College]** University, the method of the selection and the
27 designation of eligible academic status of the student
28 representatives shall be determined by the board of that college.

29 b. For the first election held pursuant to this section, one
30 student shall be elected for a one year term as a full voting member,
31 and one student shall be elected for two years, but shall serve as an
32 alternate member during the first year and as a voting member
33 during the second year.

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

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

39 c. The standards for eligibility for student representatives on
40 the board of trustees shall be the same as those required for other
41 student government officers.

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

44 (1) Any matter involving the employment, appointment,
45 termination of employment, terms and conditions of employment,

EXPLANATION – Matter enclosed in bold-faced brackets **[thus] in the above bill is not enacted and is intended to be omitted in the law.**

Matter underlined thus is new matter.

1 evaluation of the performance of, promotion or disciplining of any
2 specific prospective officer or employee or current officer or
3 employee employed or appointed by the board, unless all the
4 individual employees or appointees whose rights could be adversely
5 affected request in writing that the matter or matters be discussed at
6 a public meeting.

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

11 (3) Any pending or anticipated litigation in which the board is,
12 or may become, a party, where it could adversely affect the public
13 interest if discussion of these matters were disclosed, or any matters
14 falling within the attorney-client privilege, to the extent that
15 confidentiality is required in order for the attorney to exercise his
16 ethical duties as a lawyer.

17 e. Upon assuming office, the students shall agree to adhere to
18 such standards of responsibility and confidentiality as are
19 established by the board of trustees.

20 (cf: P.L.1994, c.48, s.95)

21

22 2. Section 40 of P.L.2012, c.45 (C.18A:64M-8) is amended to
23 read as follows:

24 40. The board of trustees of the university shall provide for the
25 election of two student representatives, who shall be full-time,
26 regularly matriculated students in good academic standing, and who
27 shall be 18 years of age or older **and citizens of the United States**.
28 The student representatives shall be elected by the members of the
29 student government association to serve on the board of trustees for
30 terms of two years commencing at the next organization of the
31 board.

32 a. A student shall be elected for a two-year term, but shall
33 serve during the first year as an alternate member, and as a voting
34 member during the second year.

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

37 b. The standards for eligibility for student representatives on
38 the board of trustees shall be the same as those required for other
39 student government officers.

40 c. The student members shall be entitled to full participation in
41 all activities of the board except that they shall not participate in:

42 (1) Any matter involving the employment, appointment,
43 termination of employment, terms and conditions of employment,
44 evaluation of the performance of, promotion or disciplining of any
45 specific prospective officer or employee or current officer or
46 employee employed or appointed by the board, unless all the
47 individual employees or appointees whose rights could be adversely

1 affected request in writing that the matter or matters be discussed at
2 a public meeting;

3 (2) Any matter involving the purchase, lease, acquisition or sale
4 of real property with public funds, the setting of banking rates or
5 investment of public funds, where it could adversely affect the
6 public interest if discussion of these matters were disclosed; and

7 (3) Any pending or anticipated litigation in which the board is,
8 or may become, a party, where it could adversely affect the public
9 interest if discussion of these matters were disclosed, or any matters
10 falling within the attorney-client privilege, to the extent that
11 confidentiality is required in order for the attorney to exercise his
12 ethical duties as a lawyer.

13 d. Upon assuming office, the students shall agree to adhere to
14 such standards of responsibility and confidentiality as are
15 established by the board of trustees.

16 (cf: P.L.2012, c.45, s.40)

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18 3. Section 8 of P.L.2017, c.178 (C.18A:64N-8) is amended to
19 read as follows:

20 8. The board of trustees of the university shall provide for the
21 election of two student representatives, who shall be full-time,
22 regularly matriculated students in good academic standing, and who
23 shall be 18 years of age or older **and citizens of the United States**.
24 The student representatives shall be elected by the members of the
25 student government association to serve on the board of trustees for
26 terms of two years commencing at the next organization of the
27 board.

28 a. A student shall be elected for a two-year term, but shall
29 serve during the first year as an alternate member, and as a voting
30 member during the second year.

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

33 b. The standards for eligibility for student representatives on
34 the board of trustees shall be the same as those required for other
35 student government officers.

36 c. The student members shall be entitled to full participation in
37 all activities of the board except that they shall not participate in:

38 (1) Any matter involving the employment, appointment,
39 termination of employment, terms and conditions of employment,
40 evaluation of the performance of, promotion or disciplining of any
41 specific prospective officer or employee or current officer or
42 employee employed or appointed by the board, unless all the
43 individual employees or appointees whose rights could be adversely
44 affected request in writing that the matter or matters be discussed at
45 a public meeting;

46 (2) Any matter involving the purchase, lease, acquisition or sale
47 of real property with public funds, the setting of banking rates or

1 investment of public funds, where it could adversely affect the
2 public interest if discussion of these matters were disclosed; and

3 (3) Any pending or anticipated litigation in which the board is,
4 or may become, a party, where it could adversely affect the public
5 interest if discussion of these matters were disclosed, or any matters
6 falling within the attorney-client privilege, to the extent that
7 confidentiality is required in order for the attorney to exercise his
8 ethical duties as a lawyer.

9 d. Upon assuming office, the students shall agree to adhere to
10 such standards of responsibility and confidentiality as are
11 established by the board of trustees.

12 (cf: P.L.2017, c.178, s.8)

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14 4. This act shall take effect immediately.

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STATEMENT

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19 This bill eliminates the citizenship requirement for student
20 representatives on boards of trustees of certain public institution of
21 higher education.

22 Under current law, the boards of trustees of the State colleges
23 and two of the State's public research university, Rowan University
24 and Montclair State University, are required to include two student
25 representatives elected by the student body or student government
26 association, as applicable. Currently, the statutes governing these
27 public institutions of higher education require each student
28 representative to be a citizen of the United States. Under this bill, a
29 student representative would no longer be required to be a United
30 States citizen.