

SECTION II: Statutory and Regulatory Powers and Duties of State College/University Trustees

The State College Autonomy Laws of 1986

By enacting the State College Autonomy Laws (P.L.1986, c.42, 43), the legislature emphasized that it is in the best interest of the state for state colleges/universities to be given a high degree of self-governance. The legislature found that the decentralization of authority and decision-making — from state government to state college/university boards of trustees and administrators — would enhance the concept of accountability and ensure that the conduct of the institutions would remain free of political partisanship.

Accordingly, the implementation of autonomy signaled a significant shift of operational and administrative authorities, previously under state purview, to local trustee boards. By law, the complete transfer of these authorities to local boards occurred over a three-year (1986-1989) transitional phase.

The autonomy statutes gave significant and meaningful fiscal freedom from state rules and regulations. Provided that actions were consistent with the state's appropriations law and applicable Board of Higher Education regulation and policy, the state colleges/universities could administer their own budgets and funds. Institutions could also accept grants and contributions, manage their own property, invest institutional funds, and retain unexpended balances at fiscal year's end for use in subsequent years. Further, the law accentuated each institution's degree of autonomy in establishing academic programs and departments, fixing tuition and fees, and naming the institution.

The nine state colleges and universities are affected by many state statutes; however, NJSA Title18A provides for specific trustee authorities for governing the institutions.

The Higher Education Restructuring Act of 1994

The Higher Education Restructuring Act (P.L.1994, c.48) represents a further shift in New Jersey higher education coordination away from a centralized, bureaucratic model of decision-making towards a more decentralized, collaborative approach. The effective date of the Act (July 1, 1994) saw the elimination of the state Department and Board of Higher Education, along with the creation of a less-regulatory Commission on Higher Education and Presidents' Council. As significantly, the Act increased the authority and responsibilities of institutional trustee governing boards.

Trustees should become familiar with the new and ongoing laws which govern board organizational matters, including the composition of board membership, structure and meeting requirements. The following summary provides trustees with an overview of statutory matters

relating to membership and board structure. The statutes can be accessed online through the New Jersey legislature's website: <http://www.njleg.state.nj.us>, under "Laws and Constitution."

Statutory Requirements for Board Membership and Structure

1. Membership Generally

A state college/university trustee board shall consist of the following members: seven to fifteen lay citizens (the exact number to be determined by each board), two students from the institution, and the college/university president. [NJSА 18A:64-3 and NJSА 18A:64-3.1.]

Lay Member Representation

Lay members must be citizens of the state, except for up to three alumni who are not New Jersey citizens. Appointments shall be made by the governor with the advice and consent of the state Senate. Each board of trustees shall recommend potential new members to the governor. [NJSА 18A:64-3.] Recommendations shall be made with regard to the mission of the institution and the diversity of the community served. [NJSА 18A:3B-6.e.]

Student Representation

Each state college/university trustee board has two student members (one voting and one non-voting). The student trustees must be full-time, regularly enrolled students in good academic standing, and serve for two consecutive one-year terms. [NJSА 18A:64-3.1.]

College/University President Representation

The state college/university president is an *ex officio* member of the board of trustees without a vote. [NJSА 18A:64-6.g.]

2. Organization

Trustee boards meet and organize annually at a regular meeting held during the second week in September. At this meeting, a chair, vice chair and any other officers deemed necessary by the board are elected. [NJSА 18A:64-4.]

3. Meetings

A state college/university trustee board is constituted as a public body organized under New Jersey law and collectively empowered as a voting body to perform a public governmental function affecting citizen rights and to expend public funds. As such, trustee meetings are governed by the Open Public Meetings Act. [NJSА 10:4-6 *et seq.*]

4. Oath of Allegiance

All members appointed to state college/university trustee boards are required to take an oath of allegiance to the United States and New Jersey constitutions and the governments of the United States and New Jersey. [NJSА 41:1-1 *et seq.*]

5. Term of Office

Duly appointed lay board members serve for six-year terms beginning on July 1 and ending on June 30. There are no statutory limitations on the number of terms a trustee may serve. Each member serves until a qualified successor is appointed, and vacancies are filled for the remainder of any unexpired term. Any trustee board member may be removed by the governor "for cause upon notice and opportunity to be heard." [NJSА 18A:64-3.]

6. Trustee Member Compensation

Board members serve without compensation but are entitled to reimbursement for all reasonable and necessary expenses. [NJSA 18A:64-5.]

7. Trustee Defense and Indemnification

Traditionally, the state's Attorney General (AG) has served as counsel to the state colleges and universities. However, provisions in the restructuring legislation allowed campus trustee boards to hire outside counsel, with the stipulation that boards electing not to utilize the Attorney General's office for tort claims cases must so decided by mid-September 1994 [NJSA 18A:3B-6.h.]. In a prior legal opinion, the AG declared that state college/university trustees are entitled to representation and indemnification from the state's Tort Claims Fund for money judgments entered against them for actions taken in the "course of performance" of their statutory responsibilities. [NJSA 59:1-1 *et seq.*, NJSA 59:12-1 *et seq.*]

8. Financial Disclosure Requirements

Executive Order Nos. 1 and 9 (Governor Florio), Governor Whitman's Executive Order No. 2, and Governor Corzine's Executive Order No. 1 require state college/university presidents, among other "public employees" and "public officers," to file financial disclosure statements with both the governor's office and the State Ethics Commission.

9. Conflicts of Interest

State college/university trustees must annually file a conflicts of interest form, under Executive Order No. 14 (Governor Corzine). The executive order prohibits trustees and members of their immediate families from doing business with, or receiving any benefit from, the institution. The executive order also prohibits board members from owning more than one percent of the profits or assets of an entity that does business with their institution.

Institutional Organization and Planning

Significant authority is vested in state college/university trustee boards by statute and regulation. The board delegates much of its authority to the president and staff for implementation. Such authority can be categorized into four major areas: organization and planning, budget and finance, personnel matters, and academic and student-related matters.

1. Naming the College/University

The name of the state college/university may be designated by the board of trustees subject to regulations of the Commission on Higher Education regarding university status. [NJSA 18A:64-1.]

2. Corporate Seal

The trustee board may adopt and use a corporate seal. [NJSA 18A:64-6.a.]

- 3. Institutional Organization**
The trustee board determines policies for the organization, administration and development of the college/university. [NJSA 18A:64-6.c.]
- 4. Institutional Bylaws**
After consultation with the president and faculty, the trustee board may adopt bylaws with appropriate rules, regulations and guidelines necessary for the administration and operation of the college/university. [NJSA 18A:64-6.m.]
- 5. Institutional Plan**
Upon recommendation of the president, the trustee board formulates the college/university's institutional plan. [NJSA 18A:3B-6.a.]
- 6. Accountability**
Generally, the trustee board is accountable to the public for fulfilling the institution's mission and statewide goals, and for effective management of the institution. [NJSA 18A:3B-6.i.]

Budget and Financial Matters

Each state college/university trustee board studies the educational and financial needs of the institution. More importantly, the trustee board reviews the institution's operating budget, and endorses the institution's annual budget request to the State Treasury.

The following discussion summarizes specific powers and duties associated with budget and fiscal responsibilities of state college/university trustees.

- 1. Budget Preparation**
The trustee board reviews and approves the institution's operating budget and presents its annual budget request to the state Treasury Department's Division of Budget and Accounting. In addition, requests are shared with the Commission on Higher Education for its review in order to recommend a coordinated budget policy statement for all of higher education. [NJSA 18A:3B-6.j and NJSA 18A:64-6.d.]
- 2. Expenditure of Funds**
In accordance with the provisions of the state's budget and Appropriations Act, the trustee board controls the disbursement of funds appropriated to the institution by the legislature and funds received from tuition, fees, auxiliary services and other sources. [NJSA 18A:64-6.e.]
- 3. Financial Statements and Audits**
Trustee boards must make available to the public an annual financial statement, setting forth moneys expended for government relations, public relations, and legal costs. [NJSA 18A:3B-6.k] In addition, trustee boards must have annual financial audits available for public review, along with any related management letters. [NJSA 18A:3B-6.l.]

4. Transfer of Budget Funds

Consistent with the provisions of the state's budget and Appropriations Act, the trustee board may direct and control expenditures and transfers of state appropriations and tuition revenue. The board reports the transfer of specific funds to the Department of the Treasury. The trustee board directs and controls expenditures of funds received from other sources in accordance with the terms of any applicable trust, gift or bequest. [NJSA 18A:64-6.f.]

5. Contractual Agreements

Under the State College Contract Law [NJSA 18A:64-52 *et seq.*], the trustee board may enter into contracts and agreements for the purchase of lands, buildings, equipment, and services deemed necessary for the effective operation of the college/university. The law establishes procedures by which state colleges/universities may purchase or contract for any work, materials or supplies. [NJSA 18A:64-6.k.]

The State Colleges Contracts Law allows boards of trustees to enter contracts without public advertising for bids for contracts that fall below a specified threshold (\$26,200 in 2006), which is adjusted for inflation every two years. Contracts exceeding the threshold must be publicly bid, or awarded without public bid by resolution of the board, if the contract is for particular goods or services specified in the State Contracts Law.

Under the State College Contract Law, the trustee board may award contracts and agreements for construction work or materials or supplies to the lowest bidder whose bid will be most advantageous to the institution. [NJSA 18A:64-6.w.]

The trustee board may employ architects and secure bids for the construction of buildings and equipment, make contracts for construction and supervise the work. [NJSA 18A:64-6.r.]

6. Eminent Domain

As necessary and appropriate, the trustee board may take and condemn land and other property for a public purpose, as provided by the Eminent Domain Act of 1971 [NJSA 20:3-1 *et seq.*], whenever authorized by law to purchase land or other property. [NJSA 18A:64-6.l.]

7. Room and Board Fees

The trustee board may establish fees for room and board sufficient for the operation, maintenance, and rental of student housing and food service facilities. [NJSA 18A:64-6.n.]

8. Tuition and Other Fees

Upon recommendation of the president and following a required public hearing on the topic, the trustee board may fix and determine tuition rates and other fees to be paid by students. [NJSA 18A:64-6.o and NJSA 18A:3B-6.c.]

9. Grants and Contributions

The trustee board may accept from any government or governmental department, agency or other public or private body, or from any other source, grants or contributions of money or property which the board may use as necessary for the effective operation of the institution. [NJSA 18A:64-6.p.]

10. College/University Property

The trustee board may acquire by gift, purchase, condemnation or otherwise, and may own, lease, dispose of, use or operate real or personal property, as necessary for the effective operation of the institution [NJSA 18A:64-6.q.]

11. Property Management and Maintenance

The trustee board may set policy to manage, maintain and provide for the payment of all charges and expenses of college/university property. [NJSA 18A:64-6.s.]

12. Borrow Money

The trustee board may borrow money for the institution's needs as necessary. Money borrowed is not considered a debt or liability of the state. [NJSA 18A:64-6.t.]

13. Out-of-State Tuition and Tuition Waivers

The trustee board is authorized to charge higher tuition to students from out of state. The trustee board may waive student tuition payments to accomplish mission-related or institutional policy goals. [NJSA 18A:64-13.]

14. Retention of All Fees

The trustee board must retain in a separate account all revenues derived by the institution from housing, food service, student union, parking and other fees, and expend such moneys as necessary for the operation, maintenance and rental of such facilities. [NJSA 18A:64-18.a.]

15. Transfer of State Funds to the College/University

All funds appropriated by the state for the operation of the institution must be paid to the college/university in twelve equal installments on the first day of each month. Funds appropriated to Thomas Edison State College must be paid on a quarterly installment basis. The trustee board may retain any unexpended balance at fiscal year's end, and may expend these funds in subsequent fiscal years. [NJSA 18A:64-18.1.]

16. Investments

The trustee board may invest or reinvest institutional funds, subject to the provisions of the state law. The purchase, sale or exchange of any investments or securities must be performed by the director of the Division of Investment unless an annual waiver is requested and obtained from the state Treasurer. Before the Division of Investment may invest, reinvest, sell or exchange institutional funds, the board of trustees must review and approve the investment proposal.

[NJSA 18A:64-18.2 *et seq.*, and NJSA 18A:3B-6.g.]

Personnel Matters

State college/university trustee boards act on institutional personnel matters. State law removes the faculty, non-teaching professional staff and unclassified managerial staff from the authority once vested with the Department of Personnel (formerly Department of Civil Service).

The governor, through the Office of Employee Relations (OER), serves as the “public employer” with respect to all matters of collective bargaining and labor negotiations. (See also **Section III.**)

The following section provides a brief summary of powers and duties of trustees related to personnel matters.

1. Presidential Appointment

In accordance with the provisions of the state's budget and Appropriations Act, the trustee board may appoint and set the compensation level of the college/university president. [NJSA 18A:64-6.g.] Language in recent appropriations acts specifically exempts the presidents of the state colleges/universities, Rutgers University, the University of Medicine and Dentistry (UMDNJ), and the New Jersey Institute of Technology (NJIT) from state salary directives established by the State Treasurer, the Personnel Commissioner, and the Director of the Division of Budget and Accounting. It is anticipated that this exemption will continue in future fiscal years.

2. Appointments of Faculty and Campus Administrative Staff

Upon the nomination of the president, the board may appoint a treasurer, deans, and other professional members of the academic, administrative and teaching staffs of the institution. [NJSA 18A:64-6.h.]

3. Appointment of Other Officers and Employees

Upon the nomination of the president, the trustee board may appoint, remove, promote and transfer such other institutional officers, agents or employees as may be required to implement the institution’s purpose. Furthermore, upon recommendation by the president, the trustee board may assign duties, determine salaries and prescribe qualifications for all positions, in accordance with prevailing civil service statute and regulations. As a practical matter, however, the board often delegates these statutory functions to the president. [NJSA 18A:64-6.i.]

4. Labor Negotiations

Regarding labor negotiations matters, the governor serves as the “public employer” under the New Jersey Employer-Employee Relations Act [NJSA 34:13A-1 *et seq.*] and, through the Office of Employee Relations, serves as the chief spokesperson for matters under negotiation. The 1994 Restructuring Act placed a representative of the state college/university sector, upon designation by the governor and upon recommendation by the state colleges/universities, on the state’s negotiating team. [NJSA 18A:64-21.1]

5. Grievance Procedures

Campus trustee boards have the final authority to determine controversies and disputes concerning tenure, personnel matters for nonclassified employees, and other matters arising under Title 18A of the New Jersey statutes. Cases involving the dismissal of tenured employees shall first be assigned to the Office of Administrative Law for a hearing and initial decision; final decisions shall be made by the full trustee board. Decisions of governing boards may be appealed to the Appellate Division. [NJSA 18A:3B-6.f.]

Academic and Student Life Matters

Important authority relating to academic and student life matters is vested in the boards of trustees of the state colleges/universities. These powers and duties include the authority to establish admission standards, determine educational curriculum, and grant diplomas and degrees. Additionally, the trustee board may authorize any new program, educational department or school as deemed necessary to the institution's mission. Typically, such actions are taken only after thoughtful consideration by faculty and academic administrators, and upon the president's recommendation. The following summary outlines these powers and duties.

1. Admissions

The trustee board has the authority to establish admission standards and requirements. [NJSA 18A:3B-6.d.]

2. Educational Curriculum

The trustee board may determine the institution's educational curriculum and program consistent with the programmatic mission (*i.e.*, degree-granting authority) of the institution or approved by the Commission on Higher Education. [NJSA 18A:64-6.b.]

3. Degrees

The board may establish standards for and grant diplomas, certificates and degrees. [NJSA 18A:3B-6.d and NJSA 18A:64-6.j.]

4. New Programs

Trustee boards have the final authority to approve new academic programs, educational departments or schools which are consistent with the institution's programmatic mission, or which are approved by the Commission on Higher Education. [NJSA 18A:64-6.u.]

If an institution wishes to offer programs beyond its current programmatic mission, requests will be considered by the Presidents' Council and the Commission. [NJSA 18A:3B-8.b and NJSA 18A:3B-14.f.] For proposed programs which are within an institution's programmatic mission, but considered to be unduly expensive or duplicative by the Council, the Commission has 60 days to disapprove the proposal. [NJSA 18A:3B-8.c.]

5. Student Life Policies

Statutes governing the state colleges/universities do not establish student life policies. However, the trustee board typically reviews and approves policies governing rights and responsibilities of resident students and administrators.

The Appointment Process for State College/University Trustees

The cornerstone of any institution of higher education's governance structure is its board of trustees. These boards have policymaking authority over the institution's programs, operations, facilities, finances, faculty and students. Several public policy initiatives, including the State College Autonomy Law, with its concomitant transfer of significant fiscal and operational authority to campus trustees and administrators; the addition of student trustees to state

college/university boards; and the Higher Education Restructuring Act, have contributed directly to the overall improvement in the governance structure of New Jersey state colleges/universities.

The need to secure as state college/university trustees the very best citizens the state has to offer is more important today than ever before, if New Jersey state colleges/universities are to fulfill the challenge of becoming this nation's premier public undergraduate institutions.

Impact of the Higher Education Restructuring Act

Prior to July 1, 1994, state college/university trustees were appointed by the state Board of Higher Education, subject to the governor's approval. Consequently, past editions of this reference guide contained a detailed discussion of the trustee recruitment and appointment process, based on guidelines and practices developed over the years.

Enactment of the Higher Education Restructuring Act, however, ushered in a new era in the appointment of state college/university trustees. With the elimination of the Board of Higher Education, state college/university trustees are now appointed by the governor, with the advice and consent of the state Senate. Trustees are now also given an expanded role in the trustee appointment process, as state college/university boards are required by the Restructuring Act to make recommendations to the governor regarding potential appointees.

The governor's appointments counsel or director, who coordinates all of the governor's appointments on commissions, authorities and boards, is an important resource during a trustee's selection process.

Student Trustees

In 1986, New Jersey became one of the first states in the nation to enact legislation giving student representatives voting rights on state college/university boards of trustees. The original legislation, Assembly Bill No. 1803, was signed into law by Governor Kean (October 1986) as Chapter 136 of the Public Laws of 1986. [NJSA 18A:64-3.1]

The law provides for the inclusion of two student representatives on each state college/university trustee board, and specifies eligibility requirements and the manner of selection (see below) of student trustees at the traditional state colleges/universities. Also, the law allows the governing board at Thomas Edison State College to establish special eligibility requirements and selection procedures for student trustees at that institution.

Manner of Selection

According to statute, the board of trustees at each traditional state college/university schedules a public hearing on the question of student election to the trustee board. After the public hearing, the board meets to determine whether students should be elected by the student body at-large or by the members of the student government association. In the first elections held under the statute, one student was elected for a one-year term as a full voting member and one was elected for a two-year term, serving as a nonvoting alternate in the first year and a voting member in the second year. In each subsequent election, one student trustee is elected for a two-year term, serving as a non-voting alternate in the first year and a voting member in the second year.

Vacancies are filled by the student governing body for unexpired terms only.

Standards for Eligibility

Two students serve on each state college/university board of trustees: one as a voting member, the other as a nonvoting alternate. To qualify for service as a student representative on a state college/university board of trustees, the person must be:

- * a full-time regularly matriculated student;
- * in good academic standing;
- * 18 years of age or older; and
- * a U.S. citizen.

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

Participation on State College/University Boards

According to statute, elected student trustees participate fully in trustee board matters, with some exceptions. Student trustees may *not* participate in:

1. Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion or disciplining of any specific prospective or current officer or employee employed or appointed by the board, unless all the individual employees or appointees whose rights could be adversely affected request in writing that the matter or matters be discussed in a public meeting.
2. Any matter involving the purchase, lease, acquisition or sale of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of these matters were disclosed.
3. Any pending or anticipated litigation in which the board is, or may become, a party, where it could adversely affect the public interest if discussion of these matters were disclosed, or any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his/her ethical duties as a lawyer.

Upon assuming office, student trustees must adhere to standards of responsibility and confidentiality established by the board of trustees.

Immunity from Liability and Indemnification

The trustee board is responsible for guiding the institution, consistent with its mission, toward the goal of educational excellence that best serves the community. Consequently, trustees have wide-ranging responsibilities, including the selection and appointment of the president; the approval of long-range plans; and the approval of a budget to ensure fiscal solvency of the institution. Individual trustees have no legal standing to act on an institution's behalf. The majority vote of the board is the only official basis for trustee action. This basis for action can also be the basis for civil liability. Civil liability is based on the law of torts. A tort is a civil wrong for which a court of law will afford a remedy in the form of an action for damages.

Tort Liability and State College/University Trustees

Tort actions fall into two categories: intentional torts and negligence. An intentional tort occurs when an injurious, intentional action causes harm. The most frequent intentional torts occurring in the campus setting are assault, battery and defamation. Negligence occurs when an

unintentional, injurious action causes harm, which could have been prevented through the exercise of reasonable care and proper foresight. Negligence liability may also occur when a “special relationship” exists between two parties, and there is failure to exercise reasonable care.

Immunity is a defense to liability for tortious conduct. Immunity protects public institutions and their employees and officers from civil liability in certain instances.

The New Jersey Tort Claims Act

In New Jersey, state college/university trustees, as officers of public institutions, are immune from civil liability and, in certain instances, receive indemnification under the New Jersey Tort Claims Act and the New Jersey Tort Claims Fund. [NJSA 59:1-1 *et seq.*; NJSA 59:10-1 *et seq.*; NJSA 59:12-1 *et seq.*] The law provides immunity from civil liability when public employees act “within the scope of employment.” However, public entities and employees are liable for their tortious conduct when they act “outside the scope of employment,” commit a crime, or engage in actual fraud, actual malice or willful misconduct.

According to statute [59:10A-1 *et seq.*], the Attorney General is required to defend actions against current and former state employees for acts or omissions in the scope of employment. This includes state college/university trustees, officers and employees. (The Higher Education Restructuring Act did provide campus trustee boards with the option of employing outside counsel for cases of a tortious nature; however, a decision not to utilize the Attorney General’s office for such matters had to be made by mid-September 1994, and no state college/university chose this option.) Moreover, the Tort Claims Act requires the State Treasurer to pay any tort claim against or claim for indemnification by a state employee or entity, except for punitive or exemplary damages. [NJSA 59:10-1 *et seq.*] Indemnification is a general dispensation from punishment for protected acts.

Trustees and their institutions are further protected from liability by other laws. The New Jersey Contractual Liability Act [NJSA 59:13-1 *et seq.*] provides defenses for the state colleges/universities against claims of breach of contract. The Charitable Immunity Act [NJSA 2A:53A-7 *et seq.*] protects the institutions and their trustees from negligence claims brought by students and others who benefit from the works of the institution.

Ethics Compliance

In response to several high-profile ethics incidents in state government and higher education between 2004 and 2005, the governor and legislature took significant steps to strengthen New Jersey’s ethics laws pertaining to public employees and public officials. Under P.L. 2005, c.382, the Executive Commission on Ethical Standards was renamed the State Ethics Commission and was given broader authority to investigate and penalize violations of the state’s ethics laws. The commission must also develop a uniform ethics code for the Executive Branch, and prepare a plain-language ethics guide for Executive Branch employees, both of which would supplement the ethics code adopted by each state college and university. The uniform code, due in late 2006, will address issues such as nepotism, acceptance of gifts, and restrictions on employment after service in the Executive Branch.

The State Ethics Commission also has the authority to enforce executive orders. Executive Order No. 14 (Governor Corzine) prohibits state college/university trustees and members of their immediate families from doing business with their institution and from receiving

any benefit from the institution. The executive order also prohibits board members from owning more than one percent of the profits or assets of an entity that does business with their institution.

The executive order requires trustees to file a conflicts of interest form annually with the State Ethics Commission. The form asks, among other questions:

- Do you or any immediate family member do business with your university or college?
- Are you or any member of your immediate family employed by, or do you receive or derive any compensation or benefit, financial or otherwise, from any firm, association or partnership that does business with your university or college?
- Do you own or control more than one percent of the profits or assets of any firm, association or partnership that does business with your university or college?

The form defines “do business with” to mean providing or receiving any goods or services or otherwise engaging in a transaction involving the exchange of anything of value. The form defines “member of immediate family” to mean spouse, domestic partner, or child, parent, or sibling residing in your household.

Executive Order No. 14 requires each state college and university to complete a list of vendors and companies that do business with, or provide services to, the institution. The institution must submit the list to the State Ethics Commission and to all board members no later than February 15 of each calendar year. The vendor lists allow the State Ethics Commission to evaluate conflicts of interests, and they help board members identify and avoid conflicts and to prepare their conflicts of interests forms.

State colleges and universities must update their vendor lists quarterly and provide copies to the State Ethics Commission and to individual board members. The institutions must also provide newly appointed trustees with vendor lists when they join the board.