

Overview: Public Education Nominating Council

The Public Education Nominating Council advises the Governor on appointments to the higher education governing boards in the Commonwealth of Massachusetts, including the board of higher education, and the boards of trustees of the fifteen community colleges, nine state colleges and universities, and the University of Massachusetts. The PENC consists of twelve to fifteen members appointed by the Governor. All PENC members share a deep commitment to public higher education in Massachusetts. Having themselves served as trustees or worked closely with trustees, they understand the role and responsibility of higher education governing boards and recognize the importance of ensuring that the best possible people are named to the Commonwealth's higher education boards.

The PENC consults regularly with the Secretary of Education and the board chairs and presidents of the Massachusetts colleges and universities to anticipate board vacancies and determine board needs. Candidates for trustees come from the colleges and from the Governor's office; they are nominated by others and some are self-nominated. In each case, the candidate is assessed in terms of that individual's ability to provide important expertise, skills, and talents to the governance of the institution and with regard to the overall composition of the board.

According to the statute that established the PENC:

Whenever a vacancy occurs or is expected to occur on the board of education, the board of higher education or on a board of trustees, the governor shall notify the council. The council shall submit to the governor a list of persons who, in the judgment of the council, are qualified and willing to serve as members or trustees. Said list shall include at least twice as many names as there are vacant positions. The governor may appoint any person whose name is forwarded to him by the council. If the governor declines to appoint a person from any such list, the council shall submit additional names for that vacancy.

In considering candidates, the council shall seek persons of the highest quality who, by experience, temperament, ability and integrity will provide policy direction and oversight for the commonwealth's educational system and its community colleges, state colleges, and the University of Massachusetts.

The PENC meets four times during each year and may have additional meetings as needed to conduct its work. In between meetings, PENC members serve as liaisons to the colleges and universities, ensuring that PENC is knowledgeable about each institution's board membership and keeping the institutions informed about the PENC nomination process. PENC deliberations are confidential and decisions are made by a vote of the majority of PENC members. According to state statute, "The council shall adopt and make public by-laws for the conduct of its affairs. All records and deliberations with respect to persons under consideration as nominees or prospective nominees shall be

held in confidence by the council but shall be available to the governor and the governor's representatives.”

Since the PENC members were named in 2007, the Council has developed operating principles and processes for identifying and evaluating trustee candidates. Discovering great unevenness in trustees' understanding of the roles and responsibilities of boards, the PENC drafted two statements in consultation with the presidents and board chairs that explain the criteria for trusteeship and describe what is expected of board members. PENC wants to ensure that the state higher education institutions have trustees with the knowledge, skills, and dedication necessary for the increasingly complex decisions they are being called upon to make.