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#### **American Council of Trustees and Alumni (ACTA)**

#### **Proponent Testimony on South Carolina House Bills 4736 and 4737 South Carolina House Education and Public Works Committee January 29, 2026**

The American Council of Trustees and Alumni, or ACTA, enthusiastically supports South Carolina’s efforts to ensure that new trustees and commissioners receive proper instruction and training on their duties to the state and to its public colleges and universities. We strongly believe that informed, engaged governance is essential to the health of public higher education, and we are grateful that Representatives Timothy McGinnis and Sarita Edgerton have brought House Bills 4736 and 4737 before the committee.

For over 30 years, ACTA has worked with a network of over 23,000 governing board members, alumni, and policymakers to advance effective governance practices that safeguard institutional missions and the public trust. In the past year alone, we have worked with boards in 15 states on issues including academic freedom, shared governance, affordability, and fiduciary duties. This has given us a national perspective on the state of higher education and has revealed a concerning truth: Now more than ever, trustees need help.

Members of governing and coordinating boards occupy a unique role in higher education. Because their members are lay volunteers rather than employees or beneficiaries of the institutions they serve, they assume legal and fiduciary obligations that cannot be taken up by any other part of the campus community. In addition, because their members often come from a range of different professional and intellectual backgrounds, boards can act, in the words of former Harvard University president Derek Bok, as “a mediating agent between the interests of the institution and the needs of the surrounding society.”

Though the lay nature of these boards is essential to their fiduciary duty, it can also be a vulnerability. Because most new board members have limited experience with the unique requirements of academic and shared university governance, it is all too easy for board members to find themselves adrift in a sea of slide decks, industry jargon, and rushed presentations seeking a rubber stamp of approval instead of board input and oversight.

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As public higher education has increased in scope, scale, and complexity, this tendency has only increased. Without formal onboarding and training processes, boards are more exposed to internal pressures than ever before. Combine this with growing external pressures—including demographic changes that threaten enrollment,<sup>1</sup> affordability and funding issues,<sup>2</sup> and waning consumer confidence<sup>3</sup>—and it is no wonder that turnover among college presidents has soared over the past 20 years.<sup>4</sup>

To address these profound shifts in higher education governance, in 2014 ACTA convened a summit of national education leaders, including academics, business leaders, college presidents, and policymakers. This diverse, bipartisan group unanimously agreed that regular and independent board training is essential for thoughtful policymaking and that effective board members must “have an in-depth understanding of the role of the board, of higher education issues, and of the particular challenges in their states and on their campuses.”<sup>5</sup>

House Bills 4736 and 4737 provide the support needed to ensure that board members fulfill their roles as effective stewards of their institutions and have the skills to partner with faculty and administrative leadership. These measures will align South Carolina with best practices already adopted in many other states: Similar initiatives have passed unanimously in Virginia and Connecticut, demonstrating that informed trusteeship is a nonpartisan issue.<sup>6</sup>

These bills also promote sound fiscal policy. South Carolinians invest significant resources in public colleges and universities, and they rightly expect those funds to be managed prudently and in accordance with statewide priorities. These trainings will help board members serve as careful guardians of public dollars, capable of overseeing budgets, managing capital projects, and safeguarding their institutions’ long-term financial sustainability. This is especially important at a time when colleges and universities face mounting fiscal pressures and heightened public scrutiny.

ACTA commends the sponsors of these bills for their leadership and foresight. We respectfully urge members of the South Carolina General Assembly to support House Bills 4736 and 4737 and to continue advancing policies that strengthen higher education governance and accountability. Thank you all for the vital work you do to support American higher education.

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<sup>1</sup> Patrick Lane, Colleen Falkenstern, and Peace Bransberger, *Knocking at the College Door: Projections of High School Graduates* (Boulder, CO: Western Interstate Commission for Higher Education, 2024), <https://www.wiche.edu/resources/knocking-at-the-college-door-11th-edition/>.

<sup>2</sup> *The Cost of Excess: Why Colleges and Universities Must Control Runaway Spending* (Washington, DC: American Council of Trustees and Alumni, 2021), <https://www.goacta.org/resource/cost-of-excess/>.

<sup>3</sup> Jeffrey M. Jones, “U.S. Confidence in Higher Education Now Closely Divided,” Gallup, July 8, 2024, <https://news.gallup.com/poll/646880/confidence-higher-education-closely-divided.aspx>.

<sup>4</sup> Danielle Melidona et al., *The American College President: 2023 Edition* (Washington, DC: American Council on Education, 2023), <https://www.acenet.edu/Documents/American-College-President-IX-2023.pdf>.

<sup>5</sup> *Governance for a New Era: A Blueprint for Higher Education Trustees* (Washington, DC: American Council of Trustees and Alumni, 2014), [https://www.goacta.org/resource/governance\\_for\\_a\\_new\\_era/](https://www.goacta.org/resource/governance_for_a_new_era/).

<sup>6</sup> See Virginia [House Bill 2620](#) (2019) and Connecticut Substitute [Senate Bill No. 18](#) (2022).