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The Authorities Budget Office Issues Follow Up Report on Board Member Training Compliance and Recommends Removal of Non-Compliant Board Members

The ABO issued a report that follows up on the status of public authority board members that had been previously identified as failing to comply with the legally required completion of board member fiduciary duty training. Public Authorities Law Section 2824(2) requires all board members of public authorities to participate in a state approved training regarding their legal, fiduciary, financial and ethical responsibilities within one year of appointment to a board. In April 2017 the Authorities Budget Office (ABO) issued compliance report GR-2001-01 - Board Member Training Compliance.

This report identifies 29 board members who, despite repeated notice and warnings of the consequences for non-compliance evaded the requirements of Public Authorities Law by not attending the legally required training. The ABO recommended to the respective appointing authorities that 23 of the board members be removed from their respective authority board for their continued non-compliance. The other 6 board members serve as ex-officio and are exempt from being removed from an authority because they serve by virtue of their public office but have also violated their legal obligations.

"Understanding your role as a fiduciary when serving on a public authority is essential", said ABO Director Jeff Pearlman. The law mandates that appointees take this training within a reasonable amount of time and there is no excuse for those listed in this Report, who, despite repeated reminders and warnings, have failed to sign up and participate in this regularly offered course."

Board member training is an integral part of this responsibility, educating all public authority board members on fiduciary duty, ethics, and risk management. Members that do not participate in the training are out of compliance and, thus are not fulfilling their fiduciary duty to the authority and the public that they serve. The ABO will continue to take action to censure and recommend the removal of board members that evade the law and do not participate in the required training.

A copy of the full report is available at www.abo.ny.gov.