



THE SECRETARY OF EDUCATION  
WASHINGTON, DC 20202

CHARTER

**President's Board of Advisors on Historically Black Colleges and  
Universities**

AUTHORITY

The President's Board of Advisors on Historically Black Colleges and Universities (the Board) is established by Public Law (P.L.) 116-270 (20 U.S.C. § 1063e.) (HBCU PARTNERS Act), Executive Order 14041 (September 3, 2021), and Executive Order 14048 (September 30, 2021). The Board is also governed by the provisions of the Federal Advisory Committee Act (FACA) (P.L. 92-463, as amended; 5 U.S.C. § App. 2 *et. seq.*).

OBJECTIVES AND SCOPE OF ACTIVITIES

The purpose of the Board is to advise the President, through the White House Initiative on Advancing Educational Equity, Excellence, and Economic Opportunity through Historically Black Colleges and Universities (Initiative), on all matters pertaining to strengthening the educational capacity of Historically Black Colleges and Universities (HBCUs).

DESCRIPTION OF DUTIES

The Board shall advise the President, through the Initiative, on all matters pertaining to strengthening the educational capacity of HBCUs, which shall include the following:

- (i) improving the identity, visibility, distinctive capabilities, and overall competitiveness of HBCUs;
- (ii) engaging the philanthropic, business, government, military, homeland security, and education communities in a national dialogue regarding new HBCU programs and initiatives;
- (iii) improving the ability of HBCUs to remain fiscally secure institutions that can assist the Nation in achieving its educational goals and in advancing the interests of all Americans;
- (iv) elevating the public awareness of, and fostering appreciation of, HBCUs;
- (v) encouraging public-private investments in HBCUs; and

- (vi) improving government-wide strategic planning related to HBCU competitiveness to align Federal resources and provide the context for decisions about HBCU partnerships, investments, performance goals, priorities, human capital development and budget planning.

#### AGENCY OFFICIAL TO WHOM THE BOARD REPORTS

The Board shall report annually to the President on its progress in carrying out its duties.

The President is responsible for ensuring the reporting requirements of section 6(b) of FACA are fulfilled.

#### SUPPORT

The Board is established within the U.S. Department of Education (Department). The Department shall provide funding and administrative support for the Board, consistent with applicable laws and subject to the availability of appropriations.

#### ESTIMATED ANNUAL OPERATING COSTS AND STAFF YEARS

The estimated annual cost of operating the Board, including travel, per diem, and other operating expenses for members, is \$57,000. The estimated annual person-years of staff support is one-tenth full-time equivalent (FTE).

#### DESIGNATED FEDERAL OFFICER (DFO)

The Secretary of Education (Secretary) shall designate a full-time or permanent part-time employee to serve as the Designated Federal Official (DFO) for the Board. The DFO shall:

- call or approve Board meetings;
- attend Board meetings;
- adjourn Board meetings when he or she determines it to be in the public interest;
- maintain required Federal records on costs and membership;
- ensure efficient operations;
- maintain records for availability to the public;
- chair Board meetings when directed by the Secretary; and
- provide copies of Board reports to the Department's Committee Management Officer (CMO) for forwarding to the Library of Congress.

## ESTIMATED NUMBER AND FREQUENCY OF MEETINGS

The Chair shall consult with the Executive Director through the DFO regarding the time and location of the Board meetings, which shall take place at least once every six months. Meetings are open to the public except as may be determined otherwise by the General Counsel of the Department in accordance with 41 C.F.R. § 102-3.155.

A majority of the members of the Board shall constitute a quorum.

## DURATION

Continuing.

## TERMINATION

Unless otherwise continued by appropriate action by the President, the charter for the Board will expire two years from the date it is filed.

## MEMBERSHIP AND DESIGNATION

The Board shall consist of not more than 21 members appointed by the President. The Secretary and the Executive Director of the Initiative or their designees shall serve as ex officio members. In addition, the Board shall include sitting HBCU presidents as well as leaders from a variety of sectors, including education, philanthropy, business, finance, entrepreneurship, innovation, science and technology, and private foundations.

Members of the Board shall serve without compensation, but may receive travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in the Government service (5 U.S.C. §§ 5701–5707).

The President shall designate one member of the Board to serve as its Chair, who shall help direct the Board's work in consultation with the Secretary and in consultation with the Executive Director of the Initiative. The President may designate another member of the Board to serve as Vice Chair.

The members of the Board appointed by the President, including sitting HBCU presidents, shall serve as representatives. As representatives, the members speak for the groups of persons they represent. The members do not provide their own personal and independent advice based on their own individual expertise and experience but rather, gather and synthesize information and the views of the stakeholders they represent.

Any functions of the President under FACA, except that of reporting to the Congress, shall be performed by the Chair, in accordance with guidelines issued by the Administrator of General Services.

Consistent with 5 U.S.C. § App. 2 § 5(b)(2) and 41 C.F.R. § 102-3.30(c), membership of the Board must be fairly balanced.

### SUBCOMMITTEES

The Board, with Department approval, may establish such subcommittees as it deems necessary to carry out its duties. Subcommittees must report their recommendations and advice to the full Board for full deliberation and discussion. The DFO will keep the Committee Management Officer informed of the subcommittee's structure, including membership, functions, and estimated frequency of meetings.

### RECORD KEEPING

Federal records, as defined in 44 U.S.C. § 3301(a)(1), created or received by the Board shall be preserved in accordance with the National Archives and Records Administration's General Records Schedule 6.2, *Federal Advisory Committee Records*. The records shall be made available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. § 552.



Secretary

04/07/2022

Date

Establishment Date: September 3, 2021

Filing Date: April 8, 2022