

2015 Regular Session

HOUSE BILL NO. 129

BY REPRESENTATIVE JEFFERSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

STUDENT/TUITION: Provides relative to nonresident tuition and fees for certain public institutions of higher education

1 AN ACT

2 To amend and reenact R.S. 17:3139.2(4)(c) and 3351(A)(5)(b)(i), relative to nonresident  
3 tuition and fees charged at certain institutions of higher education; to authorize the  
4 management boards of historically black public colleges and universities to reduce  
5 nonresident tuition and fees for undergraduate students; to provide that such tuition  
6 meets institutional efficiencies and accountability under the GRAD Act; and to  
7 provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 17:3139.2(4)(c) and 3351(A)(5)(b)(i) are hereby amended and  
10 reenacted to read as follows:

11 §3139.2. Performance agreements; objectives

12 Effective beginning with the 2011 Fiscal Year, any public postsecondary  
13 education institution, including professional schools, may enter into an initial  
14 performance agreement with the Board of Regents in order to be granted limited  
15 operational autonomy and flexibility as provided in R.S. 17:3139.5 in exchange for  
16 committing to meet established targets for the following performance objectives as  
17 applicable to the institution as determined by the Board of Regents:

18 \* \* \*

19 (4) Institutional efficiency and accountability.

20 \* \* \*

1 (c)(i) Upon entering the initial performance agreement, adhere to a schedule  
 2 established by the institution's management board to increase nonresident tuition  
 3 amounts that are not less than the average tuition amount charged to Louisiana  
 4 residents attending peer institutions in other Southern Regional Education Board  
 5 states and monitor the impact of such increases on the institution. However, for each  
 6 public historically black college or university, the nonresident tuition amounts shall  
 7 not be less than the average tuition amount charged to Louisiana residents attending  
 8 public historically black colleges and universities in other Southern Regional  
 9 Education Board states.

10 (ii) The provisions of Item (i) of this Subparagraph are not applicable to a  
 11 performance agreement entered into by a historically black college or university after  
 12 August 1, 2015; the amount of nonresident tuition and fees for undergraduate  
 13 programs at each such institution shall not be less than the average tuition and fee  
 14 amounts charged to undergraduate resident students at the same institution.

15 \* \* \*

16 §3351. General powers, duties, and functions of postsecondary education  
 17 management boards

18 A. Subject only to the powers of the Board of Regents specifically  
 19 enumerated in Article VIII, Section 5 of the Constitution of Louisiana, and as  
 20 otherwise provided by law, each postsecondary system management board as a body  
 21 corporate shall have authority to exercise power necessary to supervise and manage  
 22 the day-to-day operations of institutions of postsecondary education under its  
 23 control, including but not limited to the following:

24 \* \* \*

25 (5)

26 \* \* \*

27 (b)(i)(aa) In accordance with Article VII, Section 2.1 of the Constitution of  
 28 Louisiana, each management board also shall have authority to establish tuition and  
 29 mandatory attendance fee amounts applicable to nonresident students at an

1 institution under its supervision and management that at least equal the average  
2 amount of annual tuition and mandatory attendance fees for the ensuing fiscal year  
3 applicable to nonresident students, at institutions in states comprising the Southern  
4 Regional Education Board, excluding Louisiana, which are in the same category as  
5 established by the Southern Regional Education Board. Such amounts shall be based  
6 on the latest available information that is obtainable by the Board of Regents from  
7 the regional education board.

8 (bb) Notwithstanding the provisions of Subitem (aa) of this Item, the Board  
9 of Supervisors of Southern University and Agricultural and Mechanical College and  
10 the Board of Trustees for State Colleges and Universities may reduce tuition and  
11 mandatory attendance fee amounts applicable to nonresident undergraduate students  
12 at historically black colleges and universities under the supervision and management  
13 of the respective board to an amount not less than the average amount of annual  
14 tuition and mandatory attendance fees applicable to resident undergraduate students  
15 at the same institution. This authority includes the authority to impose proportional  
16 amounts for part-time students and for summer and intersession terms.

17 \* \* \*

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 129 Original

2015 Regular Session

Jefferson

**Abstract:** Authorizes the reduction of undergraduate tuition and fees at the state's historically black colleges and universities and recognizes this reduction for purposes of meeting certain requirements under the GRAD Act.

Present law grants to each management board the authority to establish tuition and mandatory attendance fee amounts applicable to nonresident students provided that the amount is at least equal to the average amount of tuition and fees applicable to nonresident students at Southern Regional Education Board (SREB) schools. Proposed law makes an exception to present law for public historically black colleges and universities, providing, instead that the amount of tuition and fees applicable to nonresident undergraduate students must be at least equal to the amount paid by resident undergraduate students at the same institution.

Present law, the Louisiana Granting Resources and Autonomy for Diplomas (GRAD) Act, establishes certain targets which, if met by an institution of higher education, results in the

granting of some operational autonomy and flexibility for that institution. One such target under present law for historically black colleges and universities is adherence to a schedule of increases in tuition for nonresident students to an amount not less than the average tuition charged to La. residents attending public historically black colleges and universities in other SREB states. Proposed law changes present law tuition and fee targets for undergraduate programs at public historically black colleges and universities to an amount not less than the average tuition and fees charged to resident undergraduate students at the same institution.

(Amends R.S. 17:3139.2(4)(c) and 3351(A)(5)(b)(i))