

2015 Regular Session

SENATE BILL NO. 65

BY SENATOR BUFFINGTON

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

COLLEGES/UNIVERSITIES. Provides relative to postsecondary education management boards. (8/1/15)

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AN ACT

To amend and reenact R.S. 17:3201, 3202, 3215, the introductory paragraph of R.S. 17:3217, and 3218, and to enact R.S. 17:3207.1, relative to postsecondary education; to provide relative to colleges and universities and their management boards; to provide terms, conditions, procedures, requirements and effects relative to certain board actions concerning contracts and agreements; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3201, 3202, 3215, the introductory paragraph of R.S. 17:3217, and 3218 are hereby amended and reenacted and R.S. 17:3207.1 is hereby enacted to read as follows:

§3201. Application of Chapter

A. Except as otherwise specifically provided in this Chapter, ~~the provisions of~~ this Chapter shall apply in the same manner and to the same extent to the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, the Board of Supervisors of Southern University and Agricultural and Mechanical College, the Board of Supervisors for the University of Louisiana

1 System, the Board of Supervisors of Community and Technical Colleges, and any
2 other board vested with the supervision and management of institutions of
3 postsecondary education hereafter created.

4 B.(1) Except as otherwise provided by law for employees of public
5 institutions predominantly or exclusively providing vocational-technical educational
6 programs, ~~the provisions of this Chapter~~ shall apply in the same manner and to the
7 same extent to the institutions and the employees thereof that are under the
8 management of the Board of Supervisors of Community and Technical Colleges as
9 such provisions apply to those institutions and the employees thereof under the
10 management of the Board of Supervisors of Louisiana State University and
11 Agricultural and Mechanical College, the Board of Supervisors of Southern
12 University and Agricultural and Mechanical College, and the Board of Supervisors
13 for the University of Louisiana System.

14 (2) A student, faculty member, or other employee of an institution of higher
15 education transferred from another management board to the Board of Supervisors
16 of Community and Technical Colleges shall retain all previously earned benefits
17 provided by law, rule, or regulation and shall continue to earn such benefits as
18 provided by law, rule, or regulation prior to the transfer and, if otherwise qualified,
19 shall be eligible for any additional benefits as may be provided for ~~such~~ **the** student,
20 faculty member, or other employee by law, rule, or regulation.

21 §3202. Definitions

22 Unless the context otherwise clearly indicates, the following words **and**
23 **phrases** shall have the meaning hereinafter ascribed to each:

24 (1) "Board" or "boards" ~~means~~ **shall mean** the Board of Supervisors of
25 Louisiana State University and Agricultural and Mechanical College, the Board of
26 Supervisors of Southern University and Agricultural and Mechanical College, the
27 Board of Supervisors for the University of Louisiana System, and the Board of
28 Supervisors of Community and Technical Colleges, or any of these boards.

29 (2) "Community college" ~~means~~ **shall mean** any postsecondary institution

1 which offers an associate academic degree as well as vocational-technical and other
2 educational programs, but which is not approved to offer a baccalaureate degree.

3 (3) "Postsecondary education system" or "system" ~~means and refers~~ **shall**
4 **mean and refer** to the programs and institutions under the jurisdiction of the
5 respective management boards for postsecondary education created by or under
6 authority of the Constitution of Louisiana.

7 * * *

8 **§3207.1. Contracts and agreements; approval by postsecondary management**
9 **board; procedures**

10 **A. Notwithstanding any provision of law to the contrary, a postsecondary**
11 **management board shall not enter into any contract or agreement unless the**
12 **contract or agreement is substantially complete, reduced to writing, and**
13 **approved by a record vote of the majority of the board in a public meeting held**
14 **in accordance with the Open Meetings Law.**

15 **B. Nothing in this Section shall affect or limit:**

16 **(1) The authority of a postsecondary management board to perform its**
17 **constitutional responsibilities during a declared emergency in accordance with**
18 **law, rules, and regulations applicable to the emergency.**

19 **(2) The authority of a private nonprofit corporation acting in support of**
20 **a postsecondary institution pursuant to R.S. 17:3390.**

21 * * *

22 §3215. Louisiana State University system

23 The Louisiana State University system is **shall be** composed of the
24 institutions under the supervision and management of the Board of Supervisors of
25 Louisiana State University and Agricultural and Mechanical College as follows:

26 (1) Louisiana State University and Agricultural and Mechanical College,
27 located at Baton Rouge and designated as the premier flagship university for the
28 state.

29 ~~(3)~~**(2)** Louisiana State University at Alexandria, located at Chambers.

1 ~~(4)~~**(3)** Louisiana State University at Eunice.

2 ~~(5)~~**(4)** Louisiana State University at Shreveport.

3 ~~(6)~~**(5)** Louisiana State University Health Sciences Center at New Orleans,
4 which shall include medical and related health schools and programs located in New
5 Orleans ~~including those state's medical centers transferred to the Board of~~
6 ~~Supervisors of Louisiana State University and Agricultural and Mechanical College~~
7 ~~as provided in Subpart C-2 of Part II of Chapter 4 of this Title, subject to provisions~~
8 ~~of R.S. 17:1519 et seq.~~

9 ~~(7)~~**(6)** Louisiana State University Health Sciences Center at Shreveport,
10 which shall include the medical school and related schools at Shreveport, ~~Louisiana~~
11 ~~State University Hospital at Shreveport, E. A. Conway Medical Center at Monroe,~~
12 ~~and Huey P. Long Medical Center in Pineville.~~

13 ~~(8)~~**(7)** The Center for Agricultural Sciences and Rural Development which
14 administers the agricultural extension and research of the board throughout the state.
15 The center shall also be responsible for conducting river water research.

16 ~~(9)~~**(8)** Any other college, university, school, institution or program now or
17 hereafter under the supervision and management of the Board of Supervisors of
18 Louisiana State University and Agricultural and Mechanical College.

19 * * *

20 §3217. University of Louisiana System

21 The University of Louisiana System ~~is~~ **shall be** composed of the institutions
22 under the supervision and management of the Board of Supervisors for the
23 University of Louisiana System as follows:

24 * * *

25 §3218. Authority of system boards

26 The corporate authority, internal and otherwise, vested in the Board of
27 Supervisors of Louisiana State University and Agricultural and Mechanical College,
28 the Board of Supervisors of Southern University and Agricultural and Mechanical
29 College, the Board of Supervisors of Community and Technical Colleges, and the

1 Board of Supervisors for the University of Louisiana System to supervise and
 2 manage the systems under the jurisdiction of each, ~~extends~~ **shall extend** to all the
 3 colleges and universities, branches, centers of learning, or extensions of such systems
 4 now existing or hereafter established.

The original instrument was prepared by Thomas L. Tyler. The following digest, which does not constitute a part of the legislative instrument, was prepared by Linda Nugent.

DIGEST

SB 65 Engrossed

2015 Regular Session

Buffington

Present law, relative to colleges and universities, provides that except as otherwise specifically provided in law, present law applies in the same manner and to the same extent to the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, the Board of Supervisors of Southern University and Agricultural and Mechanical College, the Board of Supervisors of the University of Louisiana System, the Board of Supervisors of Community and Technical Colleges, and any other board vested with the supervision and management of institutions of postsecondary education hereafter created.

Present law provides that a student, faculty member, or other employee of an institution of higher education transferred from another management board to the Board of Supervisors of Community and Technical Colleges retains all previously earned benefits provided by law, rule, or regulation and shall continue to earn such benefits as provided by law, rule, or regulation prior to the transfer and, if otherwise qualified, shall be eligible for any additional benefits as may be provided for such student, faculty member, or other employee by law, rule, or regulation.

Proposed law makes technical changes, but otherwise retains present law.

Present law provides for definitions as follows:

- (1) "Board" or "boards" means the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, the Board of Supervisors of Southern University and Agricultural and Mechanical College, and the Board of Supervisors of Community and Technical Colleges, or any of these boards.
- (2) "Community college" means any postsecondary institution which offers an associate academic degree as well as vocational-technical and other educational programs, but which is not approved to offer a baccalaureate degree.
- (3) "Postsecondary education system" or "system" means and refers to the programs and institutions under the jurisdiction of the respective management boards for postsecondary education created by or under authority of the Constitution of Louisiana.

Proposed law clarifies that the definitions includes words and phrases, but otherwise retains present law.

Proposed law prohibits a postsecondary management board from entering into any contract or agreement unless same is substantially complete, in writing, and approved by a record vote of a majority of the board in a public meeting held in accordance with the Open Meetings Law.

Proposed law shall not affect or limit the authority of a postsecondary management board to perform its constitutional responsibilities during a declared emergency nor does it limit or affect the authority of a private nonprofit corporation acting in support of a postsecondary institution.

Present law enumerates the institutions included in the L. S. U. system as:

- (1) Louisiana State University and Agricultural and Mechanical College, located at Baton Rouge and designated as the premier flagship university for the state.
- (2) Louisiana State University at Alexandria, located at Chambers.
- (3) Louisiana State University at Eunice.
- (4) Louisiana State University at Shreveport.
- (5) Louisiana State University Health Sciences Center at New Orleans, which shall include medical and related health schools and programs located in New Orleans including those state's medical centers transferred to the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College as provided in Subpart C-2 of Part II of Chapter 4 of this Title, subject to provisions of R.S. 17:1519 et seq.
- (6) The Center for Agricultural Sciences and Rural Development which administers the agricultural extension and research programs of the board throughout the state. The center shall also be responsible for conducting river water research.
- (7) Any other college, university, school, institution, or program now or hereafter under the supervision and management of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College board.

Proposed law makes technical changes and removes the listing of medical centers, but otherwise retains present law.

Present law provides that the institutions included in the L. S. U. system includes the Louisiana State University Health Sciences Center at Shreveport, which shall include the medical school and related schools at Shreveport, Louisiana State University Hospital at Shreveport, E. A. Conway Medical Center at Monroe, and Huey P. Long Medical Center in Pineville.

Proposed law retains this provision but provides that the system include the Louisiana State University Health Sciences Center at Shreveport, which shall include the medical school and related schools at Shreveport but excludes specific reference to the Louisiana State University Hospital at Shreveport, E. A. Conway Medical Center at Monroe, and Huey P. Long Medical Center in Pineville.

Present law enumerates the institutions within the University of Louisiana System.

Proposed law makes technical changes, but otherwise retains present law.

Present law provides that the corporate authority, internal and otherwise, vested in the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, the Board of Supervisors of Southern University and Agricultural and Mechanical College, the Board of Supervisors of Community and Technical Colleges, to supervise and manage the systems under the jurisdiction of each, extends to all the colleges and universities, branches, centers of learning, or extensions of such systems now existing or hereafter established.

Proposed law extends board authority to colleges and universities, branches, centers of

learning, or extensions which are transferred into the system, but otherwise retains present law.

Effective August 1, 2015.

(Amends R.S. 17:3201, 3202, 3215, 3217(intro para), and 3218; adds R.S. 17:3207.1)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Education to the original bill

1. Prohibits a postsecondary management board from entering into any contract or agreement unless same is substantially complete, in writing, and approved by a record vote of a majority of the board in a public meeting held in accordance with the Open Meetings Law. Specifies that such prohibition shall not affect the board's authority to perform responsibilities during a declared emergency nor limit the authority of a private nonprofit supporting a postsecondary institution.