

Regular Session, 2011

HOUSE BILL NO. 562

BY REPRESENTATIVE TIM BURNS

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

HIGHER EDUCATION: Requires members of public postsecondary education boards to receive certain training and instruction

1 AN ACT

2 To enact R.S. 17:3208; to require certain training and instruction for members of public  
3 postsecondary education management boards and members of the Board of Regents;  
4 to provide relative to such instruction and training; to provide relative to the duties  
5 of the Board of Regents regarding such instruction and training; to provide relative  
6 to costs; to provide relative to compliance; to provide for effectiveness; to provide  
7 an effective date; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 17:3208 is hereby enacted to read as follows:

10 §3208. Postsecondary education board members; required training

11 A.(1) Effective beginning January 1, 2011, and continuing thereafter, each  
12 member of a public postsecondary education management board and each member  
13 of the Board of Regents shall receive within one year after his appointment to the  
14 board and annually thereafter a minimum of eight hours of training and instruction  
15 as provided by this Section.

16 (2) The training and instruction required by Paragraph (1) of this Subsection  
17 shall include an overview of all provisions in the state constitution, state statutes, and  
18 applicable state agency rules, regulations, and policies relative to the powers, duties,  
19 authority, functions, and responsibilities of public postsecondary education  
20 management boards and the Board of Regents. Such training and instruction also

1 shall include but need not be limited to applicable provisions of the Open Meetings  
2 Law, R.S. 42:11 et seq.; the Public Bid Law, Chapter 10 of Title 38 of the Louisiana  
3 Revised Statutes of 1950; and postsecondary education policy issues, both in  
4 Louisiana and throughout the nation, relative to governance, supervision, and  
5 management of public postsecondary education institutions.

6 B.(1) Except as otherwise provided by this Section, it shall be the  
7 responsibility of the Board of Regents to provide the training and instruction required  
8 by this Section. The board shall consult with and seek the advice of the respective  
9 chairmen of the public postsecondary education management boards relative to such  
10 training and instruction.

11 (2)(a) The Board of Regents, in consultation with the public postsecondary  
12 education management boards, shall provide opportunities on at least two separate  
13 dates during any one year for board members to comply with the requirements of this  
14 Section.

15 (b) If a member of a public postsecondary education management board or  
16 the Board of Regents is unable to attend the required training and instruction on dates  
17 established by the Board of Regents, such person may receive equivalent training  
18 and instruction provided by appropriate others if such other provider is approved by  
19 the Board of Regents for this purpose and documentation, as determined necessary  
20 by the Board of Regents, of the person's successful completion of the training shall  
21 be provided by the board member to the Board of Regents. However, the first  
22 training and instruction session attended by a member of a public postsecondary  
23 education management board or the Board of Regents and at least one such session  
24 every third year thereafter shall be provided by the Board of Regents.

25 (3) The costs of the training and instruction required by this Section and  
26 provided by the Board of Regents shall be born equally by the Board of Regents and  
27 the public postsecondary education management boards.

28 (4) The Board of Regents shall report in writing annually to the House  
29 Committee on Education, the Senate Committee on Education, and the office of the

1 governor on the compliance by members of public postsecondary education  
 2 management boards and members of the Board of Regents with the provisions of this  
 3 Section.

4 C. The Board of Regents or a public postsecondary education management  
 5 board, or both, shall have the authority to request from any public postsecondary  
 6 education institution information necessary for the Board of Regents to comply with  
 7 the provisions of this Section.

8 D. In addition to the requirements of this Section, each public postsecondary  
 9 education management board and the Board of Regents, as deemed necessary, shall  
 10 provide to members of such boards training and instruction on issues specific to or  
 11 of special interest to the respective boards.

12 Section 2. This Act shall become effective upon signature by the governor or, if not  
 13 signed by the governor, upon expiration of the time for bills to become law without signature  
 14 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 15 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 16 effective on the day following such approval.

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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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Tim Burns

HB No. 562

**Abstract:** Requires certain training and instruction for members of public postsecondary education management boards and members of the Board of Regents.

Proposed law requires (effective beginning Jan. 1, 2011, and continuing thereafter) each member of a public postsecondary education management board and each member of the Board of Regents to receive within one year after his appointment to the board and annually thereafter a minimum of eight hours of training and instruction as provided by proposed law.

Provides that the training and instruction shall include an overview of all provisions in the state constitution, state statutes, and applicable state agency rules, regulations, and policies relative to the powers, duties, authority, functions, and responsibilities of public postsecondary education management boards and the Board of Regents. Specifies that such training and instruction also shall include but need not be limited to applicable provisions of the state's Open Meetings Law and Public Bid Law and postsecondary education policy issues, both in La. and throughout the nation, relative to governance, supervision, and management of public postsecondary education institutions.

Except as otherwise permitted by proposed law, specifies that it is the responsibility of the Board of Regents to provide the training and instruction required by proposed law. States that the board shall consult with and seek the advice of the respective chairmen of the public postsecondary education management boards relative to such training and instruction.

Requires the Board of Regents, in consultation with the public postsecondary education management boards, to provide opportunities on at least two separate dates during any one year for board members to comply with the requirements of proposed law.

Provides that if a member of a public postsecondary education management board or the Board of Regents is unable to attend the required training and instruction on dates established by the Board of Regents, such person may receive equivalent training and instruction provided by appropriate others if such other provider is approved by the Board of Regents for this purpose. Requires that documentation, as determined necessary by the Board of Regents, of the person's successful completion of the training be provided by the board member to the Board of Regents. Specifies, however, that the first training and instruction session attended by a member of a public postsecondary education management board or the Board of Regents and at least one such session every third year thereafter shall be provided by the Board of Regents.

Provides that the costs of the training and instruction required by proposed law and provided by the Board of Regents shall be born equally by the Board of Regents and the public postsecondary education management boards.

Requires the Board of Regents to report in writing annually to the House and Senate education committees and the office of the governor on the compliance by members of public postsecondary education management boards and members of the Board of Regents with the provisions of proposed law.

Provides that the Board of Regents or a public postsecondary education management board, or both, shall have the authority to request from any public postsecondary education institution information necessary for the Board of Regents to comply with the provisions of proposed law.

Provides (in addition to proposed law requirements) that each public postsecondary education management board and the Board of Regents, as deemed necessary, shall provide to members of such boards training and instruction on issues specific to or of special interest to the respective boards.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 17:3208)

#### Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Education to the original bill.

1. Changes proposed law to refer to eight hours of training and instruction rather than eight clock hours of such training and instruction.