

Regular Session, 2011

SENATE BILL NO. 183

BY SENATOR APPEL

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

POSTSECONDARY ED. Provides for a comprehensive, integrated postsecondary education delivery system for the New Orleans region. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 17:3217 and to enact Part III-A of Chapter 26 of Title 17 of the
3 Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3241 through 3251,
4 relative to postsecondary education; to provide for the creation of a comprehensive,
5 integrated postsecondary education delivery system for the New Orleans region; to
6 provide for the transfer of Southern University at New Orleans and the University
7 of New Orleans to the University of Louisiana System; to provide relative to the
8 transfer of facilities, resources, funds, obligations and functions of these institutions;
9 to provide for the consolidation of Southern University at New Orleans and the
10 University of New Orleans into a newly created postsecondary institution; to provide
11 for the creation of such new postsecondary educational institution; to provide for the
12 transition responsibilities of the individual institutions and the postsecondary
13 education boards; to provide for cooperative agreements; to provide for the creation
14 of a branch campus of Delgado Community College; to provide relative to
15 accreditation issues; to provide relative to student enrollment, program completion,
16 and the awarding of diplomas; to provide for an advisory committee; to provide for
17 reporting; to provide for effectiveness; and to provide for related matters.

1 Be it enacted by the Legislature of Louisiana:

2 Section 1. R.S. 17:3217 is hereby amended and reenacted and Part III-A of Chapter
3 26 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3241
4 through 3251 is hereby enacted to read as follows:

5 §3217. University of Louisiana system

6 The University of Louisiana system is composed of the institutions under the
7 supervision and management of the ~~Board of Trustees for State Colleges and~~
8 ~~Universities~~ **Board of Supervisors for the University of Louisiana System** as
9 follows:

- 10 (1) Grambling State University at Grambling.
- 11 (2) Louisiana Tech University at Ruston.
- 12 (3) McNeese State University at Lake Charles.
- 13 (4) Nicholls State University at Thibodaux.
- 14 ~~(5) Northeast Louisiana University of Louisiana at Monroe.~~
- 15 ~~(6)~~**(5)** Northwestern State University of Louisiana at Natchitoches.
- 16 ~~(7)~~**(6)** Southeastern Louisiana University at Hammond.
- 17 ~~(8) University of Southwestern Louisiana at Lafayette.~~
- 18 **(7) The University of Louisiana at Lafayette.**
- 19 **(8) The University of Louisiana at Monroe.**
- 20 **(9) The University of Louisiana at New Orleans.**
- 21 ~~(9)~~**(10)** Any other college, university, school, institution or program now or
22 hereafter under the supervision and management of the ~~Board of Trustees for State~~
23 ~~Colleges and Universities~~ **Board of Supervisors for the Louisiana University**
24 **System.**

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26 **PART III-A. POSTSECONDARY EDUCATION DELIVERY**

27 **SYSTEM FOR THE NEW ORLEANS REGION**

28 **§3241. Legislative intent; goals**

29 **A. It is the intent of the legislature that a comprehensive, integrated**

1 regional delivery system be created for the provision of postsecondary education
2 in the New Orleans region that will:

3 (1) Provide a world class educational environment that will meet the
4 academic needs and interests of every student, while providing each student
5 with the support, assistance, and guidance necessary to attain his or her
6 educational goals and aspirations.

7 (2) Ensure that students who are academically unprepared are provided
8 the educational resources they need to have a reasonable chance for success in
9 their academic pursuits.

10 (3) Raise the educational attainment of the population, improve the
11 quality of life, and contribute to the economic well being of the New Orleans
12 region.

13 (4) Make optimal use of facilities, faculties, and other academic and
14 fiscal resources associated with the public postsecondary institutions in the
15 region.

16 B. The legislature finds that these goals will best be accomplished
17 through the following actions:

18 (1) The transfer of Southern University at New Orleans and the
19 University of New Orleans from their current respective management boards
20 to the University of Louisiana System.

21 (2) The consolidation of Southern University at New Orleans and the
22 University of New Orleans into a newly formed university, the University of
23 Louisiana at New Orleans, which shall contain at least two colleges with
24 differentiated admissions criteria, academic focus, and course and program
25 offerings.

26 (3) The establishment of a branch campus of Delgado Community
27 College, located on the campus of the University of Louisiana at New Orleans,
28 to provide developmental education courses, general education courses, and
29 college transfer degree programs.

1 **(4) The creation of a shared admissions and student academic and**
2 **financial aid counseling center, housed on the Delgado Community College**
3 **branch campus located on the University of Louisiana at New Orleans campus,**
4 **that will serve both institutions and facilitate student access and the ability to**
5 **seamlessly transfer from the two-year institution to the four-year institution.**

6 **§3242. Southern University at New Orleans; University of New Orleans;**
7 **transfer to the University of Louisiana System**

8 **A. (1) Not later than August 1, 2011, the chancellor of Southern**
9 **University at New Orleans and the chancellor of the University of New Orleans**
10 **shall individually submit a letter to the president of the Southern Association**
11 **for Colleges and Schools, Commission on Colleges, stating their intent for a**
12 **change in governance from their current respective management board to the**
13 **Board of Supervisors of the University of Louisiana System.**

14 **(2) The chancellor, faculty, and administration of each institution shall**
15 **take every action necessary to efficiently and expeditiously comply with all**
16 **established timelines, requirements, and procedures to ensure that the**
17 **requested change of governance may be effected immediately upon receipt of**
18 **commission approval.**

19 **B.(1) Pursuant to the authority granted to the legislature by Article**
20 **VIII, Section 5(D)(3) of the Constitution of Louisiana to transfer an institution**
21 **from one board to another by law enacted by two-thirds of the elected members**
22 **of each house, Southern University at New Orleans and the University of New**
23 **Orleans, and the assets, funds, obligations, liabilities, programs, and functions**
24 **related individually thereto, are hereby transferred to the University of**
25 **Louisiana System, and shall be under the management and supervision of the**
26 **Board of Supervisors for the University of Louisiana System.**

27 **(2) The provisions of this Subsection shall become effective immediately**
28 **upon receipt of approval for such change in governance from the Southern**
29 **Association for Colleges and Schools, Commission on Colleges.**

1 shall be under the management and supervision of the Board of Supervisors for
2 the University of Louisiana System.

3 (2)(a) The university shall consist of at least two colleges with
4 differentiated admission criteria and programs of study designed to serve the
5 needs of all students. There shall be a research-centered college that will offer
6 degree programs critical to the needs of the region, including graduate
7 programs in the fields of science, engineering, and technology, and a college that
8 will primarily offer undergraduate degree programs and courses of study.

9 (b) Students shall be allowed to transfer from one college to another
10 within the university, provided they meet the initial or transfer admissions
11 criteria for the college in which they wish to enroll.

12 (c) The admissions criteria established for each college within the
13 university shall not be less than the minimum admission criteria established in
14 Board of Regents' policy for institutions of like role, scope, and mission.

15 B. The University of Louisiana at New Orleans will enter into an
16 agreement with Delgado Community College to provide developmental
17 education courses, general education courses, and associate transfer degrees
18 through a branch campus located on the campus of the university.

19 C. The University of Louisiana at New Orleans and the Delgado
20 Community College branch campus located on the university's campus shall
21 create a shared admissions and student academic and financial aid counseling
22 and referral center that will serve both institutions and facilitate student access
23 and the ability to seamlessly transfer courses and enrollment from the two-year
24 institution to the four-year institution.

25 §3245. University of Louisiana System; transition responsibilities

26 The Board of Supervisors of the University of Louisiana System shall:

27 (1) Immediately initiate a search for an academic head, create an
28 administrative structure, and employ key administrative staff for the University
29 of Louisiana at New Orleans.

1 (2) Assist the administrative staff of the University of the Louisiana at
2 New Orleans to develop and implement a comprehensive academic and
3 operational plan to facilitate the consolidation of Southern University at New
4 Orleans and the University of New Orleans.

5 (3) Assist Southern University at New Orleans and the University of
6 New Orleans to prepare and submit their joint prospectus for consolidation to
7 the Southern Association for Colleges and Schools, Commission on Colleges.

8 §3246. Louisiana State University System; Southern University System;
9 transition responsibilities; restrictions

10 A. The Board of Supervisors of Louisiana State University and
11 Agricultural and Mechanical College and the Board of Supervisors of Southern
12 University and Agricultural and Mechanical College shall:

13 (1) Continue to exercise their authority to supervise and manage their
14 respective institutions until such time as the Southern Association for Colleges
15 and Schools, Commission on Colleges, grants approval for the requested change
16 in governance and transfer of Southern University at New Orleans and the
17 University of New Orleans to the University of Louisiana System.

18 (2)(a) Work cooperatively and collaboratively with the Board of
19 Supervisors of the University of Louisiana System to ensure that the requested
20 transfer may be effected immediately upon receipt of commission approval for
21 the change in governance.

22 (b) Prior to receipt of such approval, enter into agreements to transfer
23 as many administrative and supervisory functions as possible with respect to
24 Southern University at New Orleans and the University of New Orleans to the
25 University of Louisiana System and the University of Louisiana at New Orleans,
26 without adversely impacting the current accreditation status of Southern
27 University at New Orleans and the University of New Orleans.

28 (3) Upon receipt of such approval, immediately transfer all assets, funds,
29 facilities, property, obligations, liabilities, programs, and functions relative to

1 Southern University at New Orleans and the University of New Orleans to the
2 University of Louisiana System.

3 B. The Board of Supervisors of Louisiana State University and
4 Agricultural and Mechanical College and the Board of Supervisors of Southern
5 University and Agricultural and Mechanical College shall not:

6 (1) Interfere with, or impede in any way, the processes to transfer
7 Southern University at New Orleans and the University of New Orleans to the
8 University of Louisiana System and for the ultimate consolidation of the two
9 institutions into the University of Louisiana at New Orleans.

10 (2) Sell, transfer, or otherwise remove any asset or thing of value,
11 moveable or immoveable, tangible or intangible, attributable to or owned by
12 Southern University at New Orleans or the University of New Orleans on the
13 effective date of this Part.

14 (3) Incur, transfer or assign any debt or other responsibility or
15 obligation to Southern University at New Orleans or the University of New
16 Orleans that is not properly attributable to either institution on the effective
17 date of this Part.

18 (4) Disproportionately reduce or reallocate the level of funding that
19 would otherwise be allocated to Southern University at New Orleans or the
20 University of New Orleans pursuant to the postsecondary education funding
21 formula.

22 §3247. Louisiana Community and Technical College System; responsibilities

23 The Board of Supervisors for Community and Technical Colleges shall:

24 (1) Work cooperatively and collaboratively with the Board of Regents
25 and the Board of Supervisors for the University of Louisiana System to establish
26 a branch campus of Delgado Community College, located on the campus of the
27 University of Louisiana at New Orleans, to provide developmental education
28 courses, general education courses, and college transfer degree programs.

29 (2) Secure all necessary approval from the Board of Regents and the

1 Southern Association of Colleges and Schools, Commission on Colleges, to
2 establish and attain the proper accreditation status for such branch campus.

3 (3) Enter into an agreement with the University of Louisiana at New
4 Orleans to establish and operate a shared admissions and student academic and
5 financial aid counseling and referral center that will serve students enrolled in
6 both institutions.

7 §3248. Board of Regents; transition responsibilities

8 The Board of Regents shall:

9 (1) Provide oversight, guidance, and support to all postsecondary
10 management boards, systems, and institutions throughout the processes to
11 transfer Southern University at New Orleans and the University of New Orleans
12 to the University of Louisiana System and the ultimate consolidation of these
13 two institutions into the University of Louisiana at New Orleans.

14 (2) Provide oversight, guidance, and support in the establishment of a
15 branch campus of Delgado Community College to be located on the campus of
16 the University of Louisiana at New Orleans.

17 §3249. Students; continuation of enrollment; courses of study; diplomas

18 A. Every student enrolled in, and in good standing with, Southern
19 University at New Orleans or the University of New Orleans at the time of the
20 transfer of these institutions to the University of Louisiana System and at the
21 time of consolidation of these institutions into the University of Louisiana at
22 New Orleans, shall be allowed to continue their enrollment and complete their
23 prescribed course of study, provided they remain in good standing with the
24 institution in which they are enrolled.

25 B. Students who complete their degree requirements and graduate prior
26 to the consolidation of Southern University at New Orleans and the University
27 of New Orleans shall receive a diploma awarded by and in the name of the
28 institution from which they graduate. Students who complete their degree
29 requirements and graduate subsequent to the consolidation of the two

1 institutions shall receive a diploma awarded by and in the name of the
2 University of Louisiana at New Orleans.

3 §3250. New Orleans Postsecondary Education Advisory Committee

4 A. The Board of Supervisors for the University of Louisiana System
5 shall appoint an advisory committee to provide advice and input relative to the
6 creation of a comprehensive postsecondary education delivery system for the
7 New Orleans region pursuant to this Part.

8 B. The committee shall meet only as directed by the Board of
9 Supervisors for the University of Louisiana System and shall have no power or
10 authority other than to serve in an advisory capacity as established by the
11 board.

12 C. The committee shall be composed of representatives of Southern
13 University at New Orleans, the University of New Orleans, the Louisiana State
14 University System and the Southern University System, the mayor of New
15 Orleans or his designee, the parish presidents of the parishes of Jefferson,
16 Orleans, Plaquemines, St. Bernard, St. Charles, and St. Tammany or their
17 designees, the governor, or his designee, and representatives of the regional
18 business community and other community stakeholders, as determined by the
19 Board of Supervisors for the University of Louisiana System.

20 D. Members shall serve without compensation.

21 E. The committee shall terminate on the date the consolidation of
22 Southern University at New Orleans and University of New Orleans into the
23 University of Louisiana at New Orleans is effected.

24 §3251. Reporting requirements

25 The Board of Regents shall submit written reports to the Senate
26 Committee on Education and the House Committee on Education regarding the
27 implementation of this Part on the following dates:

28 (1) December 1, 2011.

29 (2) July 1, 2012.

1 **(3) December 1, 2012**

2 **(4) July 1, 2013.**

3 **(5) At such other times as specified by the committees.**

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

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Jeanne C. Johnston.

DIGEST

Proposed law provides for the creation of a comprehensive, integrated postsecondary education delivery system for the New Orleans region.

States legislative intent that such postsecondary education delivery system will:

1. Provide a world class educational environment that will meet the academic needs and interests of every student, while providing each student with the support, assistance, and guidance necessary to attain his or her educational goals and aspirations.
2. Ensure that academically unprepared students receive the educational resources they need to succeed academically.
3. Raise the educational attainment of the population, improve the quality of life, and contribute to the economic well being of the New Orleans region.
4. Make optimal use of facilities, faculties, and other academic and fiscal resources associated with the public postsecondary institutions in the region.

States legislative finding that these goals shall be best accomplished through:

1. The transfer of Southern University at New Orleans (SUNO) and the University of New Orleans (UNO) from their current respective management boards to the University of Louisiana System.
2. The consolidation of SUNO and UNO into a newly formed university, the University of Louisiana at New Orleans (ULNO), which shall contain at least two colleges with differentiated admissions criteria, academic focus, and course and program offerings.
3. The establishment of a branch campus of Delgado Community College (Delgado), located on the ULNO campus to provide developmental education courses, general education courses, and college transfer degree programs.
4. The creation of a shared admissions and student academic and financial aid counseling center, housed on the Delgado branch campus on the ULNO campus, that will serve both institutions and facilitate student access and transfer from the 2-year to the 4-year institution.

Provides relative to the transfer of SUNO and UNO to the UL System as follows:

1. Requires the chancellors of SUNO and UNO to submit a letter to the president of the Southern Association for Colleges and Schools, Commission on Colleges (SACS), not later than August 1, 2011, stating their intent for a change in governance from their current management board to the Bd. of Supervisors of the UL System.
2. Requires the chancellor, faculty, and administration of both institutions to take every action necessary to efficiently and expeditiously comply with all SACS timelines, requirements, and procedures to ensure that the requested change of governance may be effected immediately upon receipt of commission approval.
3. Transfers SUNO and UNO to the UL System, pursuant to the authority granted to the legislature by the La. constitution to transfer an institution from one board to another by law enacted by two-thirds of the elected members of each house. Also transfers the assets, funds, obligations, liabilities, programs, and functions related to each school. Provides that such transfer will become effective immediately upon receipt of SACS approval for the change in governance.

Provides for the consolidation of SUNO and UNO as follows:

1. Requires the chancellors of SUNO and UNO to jointly submit a letter to the SACS president, not later than July 1, 2012, stating their intent to consolidate and become the University of Louisiana at New Orleans, under the management and supervision of the UL System board.
2. Requires the chancellor, faculty, and administration of each institution and the UL System board to take every action necessary to efficiently and expeditiously comply with all SACS requirements and procedures to ensure that the requested consolidation may be effected immediately upon receipt of approval from the commission and final approval from the UL System board.
3. Provides that SUNO and UNO will cease to exist as separately accredited institutions and will be consolidated, along with their assets, funds, obligations, liabilities, programs, and functions, into the newly created and properly accredited University of Louisiana at New Orleans immediately upon receipt of SACS approval and final approval from the UL System board.

Creates the University of Louisiana at New Orleans (ULNO) as follows:

1. Creates the University of Louisiana at New Orleans under the management and supervision of the UL System board, pursuant to the authority granted to the legislature by the La. constitution to create a new institution of postsecondary education by law enacted by two-thirds of the elected members of each house.
2. Provides that ULNO will consist of at least two colleges with differentiated admission criteria and programs of study designed to serve the needs of all students. Provides that there will be a research-centered college that will offer degree programs that are critical to the needs of the region, including graduate programs in the fields of science, engineering, and technology, and a college that will primarily offer undergraduate degree programs and courses of study.
3. Requires that the admissions criteria established for each college within the university shall not be less than the minimum admission criteria established in Board of Regents' policy for institutions of like role, scope, and mission.
4. Requires ULNO to enter into an agreement with Delgado for the provision of developmental education courses, general education courses, and associate transfer

degrees through a branch campus located on the ULNO campus.

5. Requires ULNO and Delgado to create a shared admissions and student counseling and referral center that will serve both institutions and facilitate student access and the ability to transfer courses and enrollment from the 2-year to the 4-year institution.

Provides for the responsibilities for the UL System and requires the UL System board to:

1. Immediately initiate a search for an academic head, create an administrative structure, and employ key administrative staff for ULNO.
2. Assist the administrative staff of ULNO to develop and implement a comprehensive academic and operational plan to facilitate the consolidation of SUNO and UNO.
3. Assist SUNO and UNO to prepare and submit their joint prospectus for consolidation to SACS.

Provides for the responsibilities of the LSU and SU System boards. Requires the boards to:

1. Continue to exercise their authority to supervise and manage their respective institutions until such time as SACS grants approval for the requested change in governance and transfer of SUNO and UNO to the UL System.
2. Work cooperatively and collaboratively with the UL System board to ensure that the transfer may be effected immediately upon receipt of SACS approval.
3. Enter into agreements to transfer as many SUNO and UNO administrative and supervisory functions as possible to the UL System and ULNO, prior to receipt of SACS approval, without adversely impacting the current accreditation status of SUNO and UNO.
4. Immediately transfer all assets, funds, facilities, property, obligations, liabilities, programs, and functions relative to SUNO and UNO to the UL System, upon receipt of SACS approval for the transfer.

Provides that the LSU and SU system boards shall not:

1. Interfere with or impede the processes to transfer SUNO and UNO to the UL System and for the ultimate consolidation of the two institutions into ULNO.
2. Sell, transfer, or otherwise remove any asset or thing of value, moveable or immovable, tangible or intangible, attributable to or owned by SUNO or UNO on the effective date of proposed law.
3. Incur, transfer or assign any debt or other responsibility or obligation to SUNO or UNO that is not properly attributable to either institution on the effective date of this Part.
4. Disproportionately reduce or reallocate the level of funding that would otherwise be allocated to SUNO or UNO.

Provides for the responsibilities of the La. Community and Technical College System (LCTCS) and requires the LCTCS board to:

1. Work cooperatively and collaboratively with the Board of Regents (BOR) and the UL System board to establish a branch campus of Delgado on the ULNO campus to provide developmental education courses, general education courses, and college

transfer degree programs.

2. Secure all necessary approval from the BOR and SACS to establish and attain the proper accreditation status for such branch campus.
3. Enter into an agreement with ULNO to establish and operate a shared admissions and student academic and financial aid counseling and referral center that will serve students enrolled in both institutions.

Provides for the responsibilities of the Board of Regents and requires the board to:

1. Provide oversight, guidance, and support to all postsecondary management boards, systems, and institutions throughout the processes to transfer SUNO and UNO to the UL System and the ultimate consolidation of these two institutions into the University of Louisiana at New Orleans.
2. Provide oversight, guidance, and support in the establishment of a branch campus of Delgado on the ULNO campus.

Provides with respect to students enrolled in SUNO and UNO at the time of transfer to the UL System and at the time of consolidation of the two institutions into the University of Louisiana at New Orleans as follows:

1. Specifies that every student enrolled in, and in good standing with, SUNO or UNO at the time of the institutions' transfer to the UL System and at the time these institutions are consolidated into the University of Louisiana at New Orleans, be allowed to continue their enrollment and complete their prescribed course of study, provided they remain in good standing with the institution in which they are enrolled.
2. Specifies that students who complete their degree requirements and graduate prior to the consolidation of SUNO and UNO shall receive a diploma awarded by and in the name of the institution from which they graduate.
3. Specifies that students who complete their degree requirements and graduate subsequent to the consolidation of the two institutions shall receive a diploma awarded by and in the name of the University of Louisiana at New Orleans.

Provides for the creation of the New Orleans Postsecondary Education Advisory Committee as follows:

1. Requires the UL System board to appoint an advisory committee to provide advice and input relative to the creation of a comprehensive postsecondary education delivery system for the New Orleans region pursuant to proposed law.
2. Specifies that the committee shall meet only as directed by the UL System board and will have no power or authority other than to serve in an advisory capacity as established by the board.
3. Specifies that the committee be composed of representatives of SUNO, UNO, the LSU System, the SU System, the mayor of New Orleans or his designee, the parish presidents of the parishes of Jefferson, Orleans, Plaquemines, St. Bernard, St. Charles, and St. Tammany or their designees, the governor, or his designee, and representatives of the regional business community and other community stakeholders, as determined by the UL System board.
4. Members shall serve without compensation.
5. Terminates the committee on the date the consolidation of SUNO and UNO into the

University of Louisiana at New Orleans is effected.

Requires the Board of Regents to submit written reports to the Senate and House committees on education regarding the implementation of proposed law on the following dates:

1. December 1, 2011.
2. July 1, 2012.
3. December 1, 2012
4. July 1, 2013.
5. At such other times as specified by the committees.

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

(Amends R.S. 17:3217; adds R.S. 17:3241-3251)