

ACT No. 98

2015 Regular Session

HOUSE BILL NO. 129

BY REPRESENTATIVE JEFFERSON

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AN ACT

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

Be it enacted by the Legislature of Louisiana:

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

§3139.2. Performance agreements; objectives

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

* * *

(4) Institutional efficiency and accountability.

* * *

(c)(i) Upon entering the initial performance agreement, adhere to a schedule established by the institution's management board to increase nonresident tuition amounts that are not less than the average tuition amount charged to Louisiana

1 residents attending peer institutions in other Southern Regional Education Board
 2 states and monitor the impact of such increases on the institution. However, for each
 3 public historically black college or university, the nonresident tuition amounts shall
 4 not be less than the average tuition amount charged to Louisiana residents attending
 5 public historically black colleges and universities in other Southern Regional
 6 Education Board states.

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

12 * * *

13 §3351. General powers, duties, and functions of postsecondary education
 14 management boards

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

21 * * *

22 (5)

23 * * *

24 (b)(i)(aa) In accordance with Article VII, Section 2.1 of the Constitution of
 25 Louisiana, each management board also shall have authority to establish tuition and
 26 mandatory attendance fee amounts applicable to nonresident students at an
 27 institution under its supervision and management that at least equal the average
 28 amount of annual tuition and mandatory attendance fees for the ensuing fiscal year
 29 applicable to nonresident students, at institutions in states comprising the Southern
 30 Regional Education Board, excluding Louisiana, which are in the same category as

1 established by the Southern Regional Education Board. Such amounts shall be based
2 on the latest available information that is obtainable by the Board of Regents from
3 the regional education board.

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

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____