

2016 Regular Session

SENATE BILL NO. 446

BY SENATOR HEWITT

POSTSECONDARY ED. Requires the Board of Regents to conduct a comprehensive review of the postsecondary needs of the state and each of its regions. (gov sig)

1 AN ACT

2 To enact R.S. 17:3140, relative to postsecondary education; to provide relative to a
3 comprehensive review of the educational demands of the state and its regions; to
4 provide for an evaluation of the state's postsecondary education assets, needs, gaps
5 and barriers; to provide for a report of the findings and recommendations; and to
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:3140 is hereby enacted to read as follows:

9 **§3140. Evaluation of the state's delivery of public postsecondary education**
10 **delivery system**

11 **A. The Board of Regents shall conduct a comprehensive review and**
12 **evaluation of the educational demands of the state and its workforce**
13 **development areas as provided in R.S. 23:2192. The board shall review all**
14 **aspects of the state's public postsecondary education enterprise in order to**
15 **ensure it is operating in a comprehensive, efficient, cost-effective, and integrated**
16 **manner that best meets the academic needs of the state's citizenry, and meets**
17 **the state's short-term and long-term workforce and economic development**

1 needs as forecasted through the Comprehensive Labor Market Information
2 System as provided in R.S. 23:71, et seq. and that considers the needs of
3 targeted cluster industries as provided in R.S. 23:76. Every public
4 postsecondary educational asset, including credit and noncredit academic
5 programs, facilities and properties, faculties, and fiscal resources shall be
6 reviewed in light of the state's current and forecasted educational needs. The
7 board shall identify all gaps and barriers to achieving a comprehensive,
8 efficient, cost-effective and integrated postsecondary education system that
9 produces an educated citizenry that is capable of fulfilling the state's workforce
10 and economic development needs, by region.

11 B. The board shall submit a written report detailing its findings and
12 recommendations relative to the assets, needs, gaps and barriers to the Senate
13 and House committees on education by no later than forty-five days before the
14 2017 Legislative Session. The report shall include the following:

15 (1) A description of assets, including:

16 (a) The role, scope and mission of each institution of public
17 postsecondary education in the state.

18 (b) Academic and non-academic programs, including those below the
19 certificate level and non-credit technical skills courses, offered at each public
20 postsecondary education institution and enrollment and completion data for
21 each program for the last five years. The average program cost per student for
22 the current year at each institution shall also be reported.

23 (c) Current centers of excellence, as defined by the Board of Regents, in
24 each institution, with explanation of how each center fits into the institution's
25 role, scope and mission and aids in meeting the workforce and economic
26 development needs of the region or the state as a whole.

27 (d) A list of all immovable property owned or leased by the state's public
28 postsecondary institutions. The list shall also include a description of each
29 facility as follows:

- 1 **(i) Age of the facility.**
- 2 **(ii) Square footage.**
- 3 **(iii) Usage purpose.**
- 4 **(iv) Space utilization and the methodology utilized to determine space**
- 5 **utilization.**
- 6 **(v) Condition of the facility.**
- 7 **(vi) Fitness for prescribed use.**
- 8 **(vii) Building defect data, including code violations for the most recent**
- 9 **twelve-month period.**
- 10 **(viii) Bonded indebtedness and contractual obligations.**
- 11 **(ix) Prioritized list of capital outlay needs for both new construction and**
- 12 **deferred maintenance, with costs estimates where available.**
- 13 **(e) Institutional data as provided pursuant to R.S. 17:3139.2(5), and the**
- 14 **following:**
- 15 **(i) Amount of institutional financial aid provided to students.**
- 16 **(ii) Faculty information including total faculty and percent by full-time**
- 17 **and part-time status; student-to-faculty ratios; percentage distribution of**
- 18 **full-time instructional faculty by rank; full-time instructional average salary by**
- 19 **rank; part-time faculty and assistants as a percent of total instructional faculty;**
- 20 **number of full-time administrators; and number of full-time staff.**
- 21 **(iii) Percentage of lower-level classes taught by teaching and research**
- 22 **assistants.**
- 23 **(iv) Percentage of students enrolled in remedial courses.**
- 24 **(v) Percentage of students admitted by exception to admission standards.**
- 25 **(vi) Job placement or rates by program.**
- 26 **(2) Description of needs, including:**
- 27 **(a) Current and forecasted educational demands by each region and the**
- 28 **state as a whole. Educational demand shall take into account, the forecasted**
- 29 **occupational demand for current, emerging, and targeted cluster industries.**

1 The report shall also include any issues related to accurately forecasting
2 educational demand.

3 (3) Description of gaps, which for the purpose of this Section, are defined
4 as either needs that exceed assets, or assets that exceed needs.

5 (4) Recommendations regarding how to efficiently and cost-effectively
6 close the gaps to deliver postsecondary education by each region in order to
7 meet the forecasted educational demand. The recommendations shall include
8 whether any of the following are needed:

9 (a) Merging of two or more existing postsecondary institutions.

10 (b) Converting a non-degree granting postsecondary institution to an
11 institution which grants degrees.

12 (c) Converting a college or university which is limited to offering degrees
13 of a lower rank than baccalaureate to a college or university that offers
14 baccalaureate degrees.

15 (d) Converting a college or university which offers baccalaureate degrees
16 to a college or university that is limited to offering degrees of a lower rank.

17 (e) Transferring a college or university from one postsecondary
18 management board to another.

19 (f) Closing a postsecondary educational institution.

20 (g) Donating a college or university to a private entity or creating a
21 private entity to receive such donation.

22 (h) Closing or consolidating any program at an institution or
23 coordinating any program across certain institutions.

24 (i) Adding a center of excellence to an institution, shifting a center of
25 excellence to a different institution, or coordinating resources between
26 institutions to develop a joint center of excellence.

27 (j) Maximizing utilization of all facilities in each region, including
28 sharing facilities between institutions in a region, closing or demolishing certain
29 facilities.

1 **(k) Centralizing administrative services.**

2 **(5) Description of barriers, including:**

3 **(a) Bonded indebtedness, contractual obligations, and fitness of facilities.**

4 **(b) Accreditation issues.**

5 **(c) Compatibility of administrative services.**

6 **(d) Funding.**

7 **(e) Staffing.**

8 **(f) Regional economic impacts.**

9 **(g) Financial impact on the institutions.**

10 **(h) Culture and tradition.**

11 **(6) An executive summary of recommendations to ensure that the state's**

12 **public postsecondary education enterprise is operating in a comprehensive,**

13 **efficient, cost-effective, and integrated manner that best meets the academic**

14 **needs of the state's citizenry and meets the state's short-term and long-term**

15 **workforce and economic development needs.**

16 **C. The Department of Economic Development, the Louisiana Workforce**

17 **Commission, and each public postsecondary institution, management board,**

18 **and system shall fully cooperate with the Board of Regents and shall provide**

19 **such data and assistance as the board may request.**

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

The original instrument was prepared by Cheryl M. Serrett. The following digest, which does not constitute a part of the legislative instrument, was prepared by Ann S. Brown.

Proposed law requires the Board of Regents to conduct a comprehensive review and evaluation of the educational demand of the state and its regions and provide a report to the

Senate and House committees on education prior to the start of the 2017 Regular Session.

Proposed law requires that the report shall include the following:

- (1) A description of the state's educational assets.
- (2) A description of the educational demands.
- (3) A description of the gaps.
- (4) Recommendations on how to efficiently and cost-effectively close the gaps.
- (5) A discussion of the barriers to developing an integrated public postsecondary education enterprise.
- (6) An executive summary of recommendations to ensure the state's public postsecondary education system is operating in a comprehensive, efficient, cost-effective and integrated manner.

Proposed law provides that the Department of Economic Development, the Louisiana Workforce Commission, and each public postsecondary institution, management board, and system must fully cooperate with the Board of Regents and provide data and assistance as requested.

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

(Adds R.S. 17:3140)

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Changes the provision from requiring the Department of Economic Development and the Louisiana Workforce Commission to conduct the study to providing data and assistance to the Board of Regents in producing the report.
2. Requires the Board of Regents to include in its report the following information relative to a description of the state's educational assets:
 - (a) Information on programs offered including those below the certificate level and noncredit technical skills courses.
 - (b) Reduces from 10 years to five years the amount of information to be included in the report about each academic and nonacademic program including the enrollment and completion data for each. Provides that the average program cost per student for the current year at each institution must be included in the report.
 - (c) Specifies that the building defect data, including code violations, will be only for the most recent twelve-month period.
 - (d) Adds the requirement that a prioritized list of capital outlay needs for both new construction and deferred maintenance, with costs estimates where available be included in the report.
 - (e) Changes the information to be included in the report regarding the

percentage of lower-level classes taught by full-time faculty to classes taught by teaching and research assistants.

3. Requires the Board of Regents to include in its recommendation on closing the gaps an option for privatizing higher education.
4. Requires the Board of Regents to include data on the financial impact of institutions in the description of barriers in the report.
5. Technical corrections.