
DIGEST

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HB 470 Original

2019 Regular Session

Glover

Abstract: Provides for the transfer of LSU at Shreveport (LSU-S) from the LSU System to the Univ. of La. System and the merger of LSU-S with La. Tech University.

Proposed law provides for the transfer of Louisiana State University at Shreveport (LSU-S) from the LSU System to the University of Louisiana System (UL System) as follows:

- (1) Requires the chancellor of LSU-S to submit a letter to the president of the Southern Assoc. for Colleges and Schools, Commission on Colleges (SACS), by Aug. 1, 2019, stating his intent for a change in governance from the Bd. of Supervisors of the LSU System (LSU System board) to the Bd. of Supervisors for the UL System (UL System board).
- (2) Requires the chancellor, faculty, and administration of LSU-S to comply with all SACS timelines, requirements, and procedures to ensure that the requested change of governance is effected upon receipt of SACS approval.
- (3) Transfers LSU-S to the UL System, effective upon SACS approval.
- (4) Requires the UL System board to develop policies and procedures to resolve issues related to the status and tenure of LSU-S employees that may arise from the transfer.

Provides for the merger of La. Tech University (La. Tech) and LSU-S as follows:

- (1) Requires the president of La. Tech and the chancellor of LSU-S to submit jointly a letter to the SACS president, by July 1, 2020, stating their intent to merge under the management and supervision of the UL System board.
- (2) Requires the administration and faculty of each institution and the UL System board to comply with SACS requirements and procedures to ensure that the merger is effected upon SACS approval and final approval by the UL System board.
- (3) Provides that LSU-S shall cease to exist as a separately accredited institution and shall be merged with La. Tech upon receipt of SACS approval and final approval from the UL System board.

Requires the UL System board to:

- (1) Develop policies and procedures to resolve issues related to the status and tenure of LSU-S employees that may arise from the transfer to the UL System.
- (2) Assist the administrative staff of La. Tech and LSU-S in developing and implementing a comprehensive academic and operational plan to facilitate the merger.
- (3). Assist La. Tech and LSU-S to prepare and submit their joint prospectus for consolidation to SACS.

Requires the LSU System board to:

- (1) Continue to exercise its authority to supervise and manage LSU-S until SACS approval of the change in governance and transfer of the institution to the UL System.
- (2) Work with the UL System board to ensure that the transfer is effected upon receipt of SACS approval.
- (3) Enter into agreements to transfer as many LSU-S administrative and supervisory functions to the UL System, prior to receipt of SACS approval, as possible without adversely impacting its accreditation status.
- (4) Transfer all assets, funds, facilities, property, obligations, liabilities, programs, and functions relative to LSU-S to the UL System upon SACS approval.

Provides that the LSU System board shall not:

- (1) Interfere with or impede the processes to transfer LSU-S to the UL System.
- (2) Sell, transfer, or otherwise remove any asset or thing of value attributable to or owned by LSU-S or owned, leased, or operated by any foundation related it. Provides that access to any asset leased to any such foundation shall not be restricted or denied.
- (3) Incur, transfer, or assign any debt or other responsibility or obligation to LSU-S that is not attributable to it.
- (4) Disproportionately reduce or reallocate the level of funding that would otherwise be allocated to LSU-S pursuant to the postsecondary education funding formula. Provides that until LSU-S is transferred to the UL System, no budget reductions or changes in funding allocations for the institution shall be imposed without prior review and approval by the Jt. Legislative Committee on the Budget.
- (5) Take any personnel action with regard to any instructional or administrative employee of LSU-S without the prior approval of the UL System board.

Requires the Bd. of Regents to provide oversight, guidance, and support to all postsecondary

management boards, systems, and institutions throughout the proposed law transfer and merger processes.

Provides the following relative to LSU-S students at the time of transfer or merger:

- (1) A student enrolled in and in good standing with LSU-S at the time of the transfer or merger shall be allowed to continue enrollment and complete his prescribed course of study if in good standing with the institution in which he is enrolled.
- (2) A student who completes degree requirements and graduates prior to the merger shall receive an LSU-S diploma.
- (3) A student who completes degree requirements and graduates after the merger shall receive a La. Tech diploma.

With respect to funding, proposed law provides as follows:

- (1) Beginning with FY19-20, any and all funds previously paid by LSU-S to the LSU System board shall be paid instead to the UL System board; the total amount of such payments shall not be less than that paid during FY18-19.
- (2) Requires the commissioner of administration to ensure that sufficient funds and resources are available to effect the transfer of LSU-S to the UL System. Provides that such funding and resources shall not impact the Bd. of Regents' postsecondary education funding formula.

Proposed law provides that proposed law is not intended nor shall it be construed to impair any contractual or other obligations of a state entity and obligations of the LSU System board related to LSU-S are obligations of the UL System board as if originally incurred by it.

Proposed law provides that all funds and revenues previously dedicated to repay bonds related to LSU-S shall continue to be collected and dedicated to such payments. Provides that acts related to such bonds by the LSU System board related to LSU-S shall be deemed to be acts of the UL System board as if originally so done.

Proposed law provides that it does not preclude a memorandum of understanding (MOU) between the boards under which existing debt of the LSU System board would remain in force after an agreement that the UL System board would be responsible for all payments, costs, and other covenants associated with the debt. Requires the LSU System board to make every effort to maintain such debt under an MOU if it is advantageous to the state.

Present law places LSU-S in the LSU System. Proposed law repeals present law.

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

(Adds R.S. 17:3233.1-3233.7; Repeals R.S. 17:3215(5))