

2019 Regular Session

SENATE BILL NO. 183

BY SENATOR CLAITOR

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

COLLEGES/UNIVERSITIES. Provides relative to the Tulane legislative scholarships.
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AN ACT

To amend and reenact Chapter 6 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1891, relative to Tulane University; to provide relative to the Tulane Legislative Scholarship Program established pursuant to Act No. 43 of the 1884 Regular Session of the Legislature of Louisiana, as amended; to enact the "Legislative Scholarship Fairness Act"; to provide certain terms, procedures, conditions, and requirements; to provide relative to eligibility criteria and other program requirements; to provide for exclusions from eligibility; to provide relative to the scholarship selection and award process; to provide relative to public notice and disclosure of certain program information; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Chapter 6 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:1891 is hereby amended and reenacted to read as follows:

CHAPTER 6. TULANE UNIVERSITY

§1891. Tulane Legislative Scholarships; Legislative Scholarship Fairness Act
A. This Section shall be known and may be cited as the "Legislative Scholarship Fairness Act".

1 B.(1) Pursuant to Act No. 43 of the 1884 Regular Session of the
2 Legislature of Louisiana, as amended, each state legislator has the right as
3 provided in this Section to appoint one student from among the citizens of the
4 state to receive free tuition from Tulane University, provided the student meets
5 the admission requirements established by the university.

6 (2) Effective for the 2020-2021 academic year and thereafter, all free
7 tuition granted by Tulane University through the Tulane University Legislative
8 Scholarship Program established pursuant to Act No. 43 of the 1884 Regular
9 Session of the Legislature of Louisiana, as amended, shall be awarded as
10 provided in this Section.

11 C.(1) Each scholarship awarded through the Tulane University
12 Legislative Scholarship Program shall provide one year of full undergraduate
13 tuition for Louisiana residents who meet the eligibility criteria and other
14 program requirements established by Tulane University and as otherwise
15 provided in this Section.

16 (2) Nominations for a scholarship for a period of less than one year may
17 be made if the student will be graduating before the end of the academic year.

18 D.(1) No person who is a member of the immediate family of a Louisiana
19 legislator shall be eligible to receive a Tulane Legislative Scholarship.

20 (2) No elected official in Louisiana shall be eligible to receive a Tulane
21 Legislative Scholarship.

22 (3) No person who is a member of the immediate family of an elected
23 official who is subject to the provisions of R.S. 42:1124(A)(1), or who is elected
24 to represent Louisiana in the Congress of the United States, shall be eligible to
25 receive a Tulane Scholarship.

26 E.(1) Each scholarship recipient shall be selected on behalf of the
27 legislator by the office of student financial assistance through an open
28 competition in accordance with eligibility criteria established by Tulane
29 University which shall include the following:

1 (a) A legislator may submit a student for consideration to receive the
2 scholarship to the office of student financial assistance.

3 (b) If at all possible, the scholarship shall be awarded to a student who
4 resides in the legislator's district.

5 (c) If there is no qualified student available from a legislator's district,
6 an otherwise qualified student shall be selected, on the basis of demonstrated
7 need, from a statewide pool of Louisiana residents who have been accepted for
8 admission to Tulane University.

9 (d) Each applicant for the scholarship shall provide certain personal
10 information to ensure persons prohibited by this Act are not awarded the
11 scholarship.

12 (2) The office of student financial assistance shall:

13 (a) Promulgate rules to administer this Section in accordance with the
14 Administrative Procedure Act.

15 (b) Notify university of each student selected for the scholarship.

16 (c) Notify each legislator regarding the student selected to receive his
17 legislative scholarship.

18 (3) The Tulane Legislative Scholarship may be provided to the same
19 student every year until the student graduates, becomes otherwise ineligible for
20 the award, or until the legislator's term ends or he otherwise leaves office.

21 F. Information regarding the existence of the Tulane Legislative
22 Scholarship Program shall be published on the legislature's website which shall
23 include a link to the Tulane University website where potential recipients can
24 obtain an application form and detailed information on scholarship eligibility
25 criteria, guidelines, deadlines, and other program requirements.

26 G.(1) Tulane University shall publish annually on the Tulane University
27 website the following information relative to the Tulane Legislative Scholarship
28 Program:

29 (a) The name and city of residence of each scholarship recipient.

1 **(b) The name and district number of the legislator for which the**
2 **scholarship was awarded.**

3 **(c) If the scholarship recipient is related to an elected official, the name**
4 **of the elected official to whom the recipient is related.**

5 **(2) No information shall be published pursuant to this Section in**
6 **violation of any state or federal law, including the Family Education Rights and**
7 **Privacy Act.**

8 **H. For purposes of this Section, "immediate family" shall be defined as**
9 **provided in R.S. 42:1102(13).**

10 Section 2. This Act shall become effective upon signature by the governor or, if not
11 signed by the governor, upon expiration of the time for bills to become law without signature
12 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
13 vetoed by the governor and subsequently approved by the legislature, this Act shall become
14 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 Cheryl Serrett.

DIGEST

SB 183 Original 2019 Regular Session Claitor

Present law (Act No. 43 of 1884 RS) provides for an agreement between the administrators of the Tulane Education Fund and the state. Provides that, in consideration of the vesting of the administration of the University of Louisiana in the administrators, of the transfer of the rights, powers, privileges, franchises, and immunities of the university to the administrators, and of the exemption from all taxation, the administrators will develop, foster, and maintain the University of La., to be known as the "Tulane University of Louisiana", and use their powers to create and maintain in New Orleans a great university. Also provides that the administrators waive all legal claim upon the state for any appropriation in favor of the university.

Proposed law retains these provisions.

Present law (§6 of Act No. 43 of 1884 RS, as amended) further provides that the administrators agree to give continuously, in the academic department, free tuition to students nominated by members of the legislature. Provides that each legislator has the right to nominate one student from among the state's citizens and that each nominee shall comply with the admission requirements established by the administrators. Further provides that the free tuition shall continue for a period not to exceed the time remaining in the term of the nominating legislator from the time such appointment begins, unless his scholarship has ceased from other causes. Provides that the same student may be appointed in successive years and that when a scholarship becomes vacant, from any cause, the legislator who appointed the previous student, or his successor, shall, in the manner prescribed by these provisions, immediately name a successor.

Proposed law retains these provisions.

Proposed law (R.S. 17:1891) provides that, effective for the 2020-2021 academic year and thereafter, all free tuition granted by Tulane University through the Tulane Legislative Scholarship Program established pursuant to Act No. 43 of 1884 RS, as amended, shall be awarded as follows:

- (1) Provides that proposed law shall be known and may be cited as the "Legislative Scholarship Fairness Act".
- (2) Each Tulane Legislative Scholarship shall provide one year of full undergraduate tuition for La. residents who meet the eligibility criteria requirements established by Tulane University and the provisions of proposed law.
- (3) Nominations for a scholarship period of less than one year may be made if the student will be graduating before the end of the academic year.
- (4) No person who is a member of the immediate family of a La. legislator shall be eligible to receive the scholarship.
- (5) No La. elected official shall be eligible to receive the scholarship.
- (6) No person who is a member of the immediate family of a statewide elected official or who is elected to represent Louisiana in the Congress of the United States shall be eligible to receive the scholarship.
- (7) Authorizes the office of student financial assistance (OSFA) to select the recipient of each scholarship on behalf of the legislator through an open competition in accordance with eligibility criteria established by the university.
- (8) Provides that a legislator may submit a student for consideration to receive the scholarship to OSFA.
- (9) Provides that, if possible, the scholarship shall be awarded to a student who resides in the legislator's district.
- (10) Provides that if there is no qualified student available from a legislator's district, an otherwise qualified student shall be selected, on the basis of demonstrated need, from a statewide pool of Louisiana residents who have been accepted for admission to Tulane University.
- (11) Requires each applicant for the scholarship to provide certain personal information to ensure persons prohibited from receiving the scholarship are not awarded the scholarship.
- (12) Requires OSFA to promulgate rules in accordance with the APA and notify the university and the legislator of the student selected for the scholarship.
- (13) Provides the scholarship may be provided to the same student every year until the student graduates, becomes otherwise ineligible, or until the legislator's term ends or he otherwise leaves office.
- (14) Requires information regarding the existence of the scholarship to be published on the legislature's website which shall include a link to the Tulane University website where potential recipients can obtain an application form and detailed information on scholarship eligibility criteria, guidelines, deadlines, and other program requirements.

- (15) Requires Tulane University to publish annually on its website, Tulane Legislative Scholarship Program information including: (1) the name and city of residence of each scholarship recipient, (2) the name and district number of the legislator for which the scholarship is awarded, and (3) if related to an elected official, the name of the elected official to whom the recipient is related.
- (16) Prohibits publication of scholarship information in violation of state or federal law, including the Federal Education Rights Privacy Act (FERPA).
- (17) Defines immediate family of a legislator, as provided by R.S. 42:1102(13), which is his children, spouses of his children, his brothers and their spouses, his sisters and their spouses, his parents, his spouse, and the parents of his spouse.

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

(Adds R.S. 17:1891)