

2025 Regular Session

SENATE BILL NO. 202

BY SENATOR HARRIS

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

POSTSECONDARY ED. Transfers the University of New Orleans to the Louisiana State University System. (2/3 - CA8s5(D)(3)(b)) (gov sig)

AN ACT

To amend and reenact R.S. 17:3215(9) and 3241(B)(2), to enact R.S. 17:3215(10) and 3230.1, and to repeal R.S. 17:3217(A)(9) and 3230, relative to postsecondary education; to provide for the transfer of the University of New Orleans to the Louisiana State University System; to provide relative to the transfer of the facilities, resources, funds, obligations, and functions of the institution and related foundations; to provide for the transition responsibilities of the impacted institution and management boards and the division of administration; to provide for cooperative agreements; to provide relative to accreditation issues; to provide relative to funding; to provide relative to employees; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3215(9) and 3241(B)(2) are hereby amended and reenacted and R.S. 17:3215(10) and 3230.1 are hereby enacted to read as follows:

§3215. Louisiana State University system

The Louisiana State University system is composed of the institutions under the supervision and management of the Board of Supervisors of Louisiana State

University and Agricultural and Mechanical College as follows:

* * *

(9) The University of New Orleans.

~~(9)~~ **(10)** Any other college, university, school, institution or program now or hereafter under the supervision and management of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College.

* * *

§3230.1. The University of New Orleans; transfer to the Louisiana State University System

A. (1) Not later than August 1, 2025, the president of the University of New Orleans shall submit a letter to the president of the Southern Association for Colleges and Schools, Commission on Colleges, stating her intent for a change in governance for the institution from the Board of Supervisors for the University of Louisiana System to the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College.

(2) The president, faculty, and administration of the University of New Orleans shall take every action necessary to efficiently and expeditiously comply with all established timelines, requirements, and procedures to ensure that the requested change of governance may be effected immediately upon receipt of commission approval.

B.(1) Pursuant to the authority granted to the legislature by Article VIII, Section 5(D)(3) of the Constitution of Louisiana to transfer an institution from one board to another by law enacted by two-thirds of the elected members of each house, the University of New Orleans, and the assets, funds, obligations, liabilities, programs, and functions related thereto, are hereby transferred to the Louisiana State University System, and shall be under the management and supervision of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College.

(2) The provisions of this Subsection shall become effective immediately

1 upon receipt of approval from the Southern Association for Colleges and
2 Schools, Commission on Colleges, for the requested change in governance.

3 C. The Board of Supervisors of Louisiana State University and
4 Agricultural and Mechanical College shall develop policies and procedures to
5 resolve issues related to the status and tenure of employees of the University of
6 New Orleans which may arise from the transfer of the institution to the
7 Louisiana State University System.

8 D. The Board of Supervisors for the University of Louisiana System
9 shall:

10 (1) Continue to exercise its authority to supervise and manage the
11 University of New Orleans until such time as the Southern Association for
12 Colleges and Schools, Commission on Colleges, grants approval for the
13 requested change in governance and transfer of the University of New Orleans
14 to the Louisiana State University System.

15 (2)(a) Work cooperatively and collaboratively with the Board of
16 Supervisors of Louisiana State University and Agricultural and Mechanical
17 College to ensure that the requested transfer may be effected immediately upon
18 receipt of commission approval for the change in governance.

19 (b) Prior to receipt of such approval, enter into agreements to transfer
20 as many administrative and supervisory functions as possible with respect to the
21 University of New Orleans to the Louisiana State University System, without
22 adversely impacting the accreditation status of the institution.

23 (3) Upon receipt of such approval, immediately transfer all assets, funds,
24 facilities, property, obligations, liabilities, programs, and functions relative to
25 the University of New Orleans to the Louisiana State University System.

26 E. The Board of Supervisors for the University of Louisiana System shall
27 not:

28 (1) Interfere with, or impede in any way, the processes to transfer the
29 University of New Orleans to the Louisiana State University System.

1 (2) Sell, transfer, or otherwise remove any asset or thing of value,
2 movable or immovable, tangible or intangible, attributable to or owned by the
3 University of New Orleans, or owned, leased by, or operated by any foundation
4 related to such institution. In addition, access to any asset leased to any
5 foundation related to the University of New Orleans shall not be restricted or
6 denied.

7 (3) Incur, transfer or assign any debt or other responsibility or obligation
8 to the University of New Orleans that is not properly attributable to the
9 institution.

10 (4)(a) Disproportionately reduce or reallocate the level of funding that
11 would otherwise be allocated to the University of New Orleans pursuant to the
12 postsecondary education funding formula.

13 (b) Until such time as the University of New Orleans is transferred to the
14 Louisiana State University System, impose any budget reductions or changes in
15 funding allocations upon the institution without prior review and approval from
16 the Joint Legislative Committee on the Budget.

17 (5) Take any personnel action with regard to any instructional or
18 administrative employee of the University of New Orleans without the prior
19 approval of the Board of Supervisors of Louisiana State University and
20 Agricultural and Mechanical College.

21 F. The commissioner of administration shall ensure that sufficient funds
22 and resources are available to fully effect the transfer of the University of New
23 Orleans to the Louisiana State University System. Such funding and resources
24 shall not impact the Board of Regents' formula for the equitable distribution of
25 funds to institutions of postsecondary education.

26 G.(1) The University of New Orleans, pursuant to their agreement with
27 the University of New Orleans Foundation, shall reimburse the state for the
28 purchase of available insurance for indemnification and costs which may arise
29 from the transfer; provided however, that the state of Louisiana shall indemnify

and hold harmless the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College and the Board of Supervisors for the University of Louisiana System for any liability and costs which may result from the transfer of existing contracts, financing, or immovable property.

(2) Effective beginning with the 2025-2026 Fiscal Year, any and all funds previously paid by the University of New Orleans to the Board of Supervisors for the University of Louisiana System shall be paid instead to the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College; however, the total amount of such payments shall not be less than that paid during the 2024-2025 Fiscal Year.

H. The legislature shall appropriate sufficient funds to the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College and the Board of Supervisors for the University of Louisiana System to fully effect the transfer of the University of New Orleans to the Louisiana State University System.

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§3241. Legislative intent; goals

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

* * *

(2) The Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, The the Board of Supervisors of Southern University and Agricultural and Mechanical College, the Board of Supervisors for the University of Louisiana System, and the Board of Supervisors of Community and Technical Colleges each shall adopt by not later than February 1, 2012 2026, a written plan of action including timelines, deadlines, requirements, and procedures for achieving the goals specified in Subsection A of this Section as they relate to the powers, duties, functions, and responsibilities of the boards provided by Article VIII,

1 Section 5(E), of the Constitution of Louisiana and other applicable law. Each board
2 also shall submit copies of its adopted action plan to the House Committee on
3 Education and the Senate Committee on Education.

4 Section 2. R.S. 17:3217(A)(9) and 3230 are hereby repealed.

5 Section 3. (A) This Act is not intended to nor shall it be construed to impair the
6 contractual or other obligations of any agency, office, board, commission, department, or
7 political subdivision, or of the state as a result of the transfers of obligations in accordance
8 with this Act. Upon the effective date of the transfer of the University of New Orleans, all
9 such obligations of the Board of Supervisors for the University of Louisiana System related
10 to the University of New Orleans shall be deemed to be obligations of the Board of
11 Supervisors of Louisiana State University and Agricultural and Mechanical College to the
12 same extent as if originally incurred by it.

13 (B) All funds and revenues previously dedicated by authority of the constitution and
14 laws of this state to the payment of any bonds related to the University of New Orleans shall
15 continue to be collected and dedicated to such payments unless and until other provision is
16 made for such payments in accordance with law. Upon the effective date of the transfer of
17 the University of New Orleans, all acts relating to such bonds by the Board of Supervisors
18 for the University of Louisiana System shall be deemed to be the acts of the Board of
19 Supervisors of Louisiana State University and Agricultural and Mechanical College in the
20 same manner and to the same extent as if originally so done.

21 (C) No provision of this Act shall preclude a Memorandum of Understanding (MOU)
22 under which a bonded indebtedness obligation of the Board of Supervisors for the University
23 of Louisiana System existing on the effective date of this Act would remain in force after
24 an agreement that the Board of Supervisors of Louisiana State University and Agricultural
25 and Mechanical College would be responsible for all payments, costs, and other covenants
26 contained in said bonded indebtedness. If the maintenance of bonded indebtedness by the
27 Board of Supervisors for the University of Louisiana System for properties or assets to be
28 transferred to the Board of Supervisors of Louisiana State University and Agricultural and
29 Mechanical College is advantageous to the state of Louisiana, then the Board of Supervisors

1 for the University of Louisiana System shall make every effort to maintain such bonded
2 indebtedness under a Memorandum of Understanding as described herein.

3 (D) The provisions of this Section shall have the full force and effect of law.

4 Section 4. 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 Senate Legislative Services.
The keyword, summary, and digest do not constitute part of the law or proof
or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

DIGEST

SB 202 Original

2025 Regular Session

Harris

Present law (R.S. 17:3215) provides a list of institutions included under the Louisiana State University System.

Proposed law retains present law and further adds the University of New Orleans to the list of institutions within the LSU System.

Present law (R.S. 17: 3217) provides a list of institutions included under the University of Louisiana System.

Proposed law removes the University of New Orleans from the list of institutions under the supervision and management of the Bd. of Supervisors of the UL System.

Proposed law (R.S. 17:3230.1) provides for the transfer of the UNO from the UL System to the LSU System as follows:

- (1) Requires the president of 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, 2025, stating her intent for a change in governance from the Bd. of Supervisors of the UL System to the Bd. of Supervisors for the LSU System.
- (2) Requires the president, faculty, and administration of UNO 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 UNO to the LSU 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 the institution. Provides that such transfer will become effective immediately upon receipt of SACS approval for the change in governance.
- (4) Requires the Bd. of Supervisors for the LSU System to develop policies and

procedures to resolve issues related to the status and tenure of UNO employees which may arise from the transfer. Requires the board to maintain tenure policies and procedures that are in place for UNO employees who have already been awarded tenure or are in a tenure-track position on the date the transfer becomes effective.

Provides that the UL Bd. of Supervisors shall:

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

Provides that the UL Bd. of Supervisors shall not:

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

Proposed law requires the commissioner of administration to ensure that sufficient funds and resources are available to fully effect the transfer of UNO to the LSU System. Further requires the legislature to appropriate sufficient funds to the Bd. of Supervisors of the UL System and the Bd. of Supervisors for the LSU System to fully effect the transfer.

Proposed law requires the Bd. of Regents and the state of Louisiana to indemnify and hold harmless the transferee and transferor management boards for any liability and costs which may directly result from the mandated transfer. Further provides that such funding and resources shall not impact the Bd. of Regents' formula for equitable distribution of funds to institutions of higher education.

Proposed law provides that for one year after the effective date of the transfer, fees

previously paid by UNO to the Bd. of Supervisors of the UL System and which become due after the transfer shall be paid to the Bd. of Regents, who will use the proceeds to defray transfer costs, including indemnification insurance.

Proposed law clarifies that the proposed law does not preclude a Memorandum of Understanding (MOU) between the boards under which an existing bonded indebtedness of the UL System. Board would remain in force after an agreement that the Bd. of Supervisors for the LSU System would be responsible for all payments, costs, and other covenants contained in the bonded indebtedness. Requires the Bd. of Supervisors of the UL System "to make every effort" to maintain such bonded indebtedness under an MOU if it is advantageous to the state.

Present law (R.S. 17:3230) provides that UNO is under the UL System.

Proposed law repeals this provision.

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

(Amends R.S. 17:3215(9) and 3241(B)(2); adds R.S. 17:3215(10) and 3230.1; repeals R.S. 17:3217(A)(9) and 3230)