

2016 Regular Session

SENATE BILL NO. 116

BY SENATOR APPEL

POSTSECONDARY ED. Provides relative to the regional distribution of postsecondary institutions and educational services. (gov sig)

AN ACT

To amend and reenact R.S. 17:3126, relative to postsecondary education; to provide relative to the regional distribution of postsecondary educational institutions within the state; to provide relative to the evaluation and use of instructional and physical resources within each region; to provide for a report of findings and recommendations; to make technical changes; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3126 is hereby amended and reenacted to read as follows:

§3126. Power to disapprove; approve; or modify; service regions, establishment;

**evaluation**

A. The Board of Regents shall have the power to approve, disapprove, or modify a proposed degree program, department of instruction, division, or similar subdivision.

B. No ~~college or university~~ **postsecondary educational institution** may institute a new degree program or department of instruction, division, or similar subdivision without the final approval of the Board of Regents.

C.(1) In exercising its power pursuant to this Section regarding program

1 approval of institutions under the ~~jurisdiction~~ **management** of the Board of  
2 Supervisors of Community and Technical Colleges, the Board of Regents shall  
3 include in any such consideration the need for broad ~~citizen~~ **student** access to the  
4 education and training services provided by such institutions and shall endeavor to  
5 expand such access through use of all available resources, including programs which  
6 are provided ~~through electronic transmission~~ **online**.

7 (2) The Board of Supervisors of Community and Technical Colleges shall  
8 determine the feasibility of establishing a means of awarding associate degrees and  
9 certificates below the rank of baccalaureate ~~by~~ using the instructional resources of  
10 existing **postsecondary** institutions. The Board of Supervisors of Community and  
11 Technical Colleges may award such degrees, provided that the board and the Board  
12 of Regents agree that such awards are feasible and advantageous to the citizens of  
13 Louisiana and that sufficient appropriations are available for this purpose.

14 (3) The provision of any program ~~subject to the supervision and management~~  
15 ~~of and~~ offered at ~~any~~ **an** institution under the ~~jurisdiction~~ **management** of the Board  
16 of Supervisors of Community and Technical Colleges which is not a degree program  
17 shall require no approval beyond that of the Board of Community and Technical  
18 Colleges.

19 (4) The Board of Supervisors of Community and Technical Colleges, with  
20 the approval of the Board of Regents, may enter into agreements or contract with the  
21 **management** board having supervision and management of any public institution  
22 of ~~higher~~ **postsecondary** education for the provision ~~by any such institution~~  
23 courses and services leading to an associate degree offered by the Board of  
24 Supervisors of Community and Technical Colleges.

25 D.(1) The Board of Regents shall formulate and establish geographic regions  
26 of the state in order to maximize the use of the instructional and physical resources  
27 of existing ~~state~~ **public** postsecondary educational institutions and regionally  
28 accredited independent postsecondary educational institutions and to provide broad  
29 ~~citizen~~ **student** access to the education and training services provided by such

1 institutions. ~~The board shall establish the regions such~~ **In establishing the regions,**  
2 **the board shall ensure** that at least one public institution of ~~higher~~ **postsecondary**  
3 education which awards baccalaureate degrees ~~shall be~~ **is located** within the  
4 geographic boundaries of, or ~~shall be~~ **is** assigned by the Board of Regents to, each  
5 region.

6 (2)(a) The Board of Regents shall evaluate the instructional and physical  
7 resources of ~~such~~ **the** existing **postsecondary educational** institutions within each  
8 region, including the resources of existing higher education institutions, and shall  
9 ~~assure maximum use thereof before~~ **ensure the optimal use of resources within**  
10 **and outside of a region prior to** recommending the creation of any new  
11 postsecondary institution within ~~the~~ **a** region. ~~The Board of Regents may provide for~~  
12 ~~the use within a region of existing resources from outside the region before~~  
13 ~~recommending the creation of any new postsecondary institution within the region.~~

14 (b) ~~Such~~ **This** evaluation shall ~~also~~ be used by the board to create  
15 efficiencies, increase student access, enhance academic quality, further the goals  
16 established by the master plan for postsecondary education, and for any other  
17 purpose that will serve to advance postsecondary education in each region and the  
18 state as a whole.

19 (c) **The board shall determine if a region is over-served or under-served**  
20 **by the postsecondary educational institutions within the region and shall**  
21 **consider whether any of the following would increase the efficiency and**  
22 **effectiveness of the delivery of public postsecondary educational services within**  
23 **a region:**

24 (i) **The merger of two or more existing postsecondary institutions.**

25 (ii) **Converting a nondegree granting postsecondary institution to an**  
26 **institution which grants degrees.**

27 (iii) **Converting a college or university which is limited to offering**  
28 **degrees of a lower rank than baccalaureate to a college or university that offers**  
29 **baccalaureate degrees.**

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

**(v) Transferring a college or university from one postsecondary management board to another.**

**(vi) Closure of a postsecondary educational institution.**

**(d)** With the exception of those matters enumerated in Article VIII, Section 5 of the Constitution of Louisiana that require legislative approval, the Board of Regents shall adopt such policies and take such actions deemed appropriate and necessary to maximize the use of all resources available to support and promote postsecondary education in the state.

**E. The Board of Regents shall submit a written report of its findings and recommendations to the Senate Committee on Education and the House Committee on Education not later than January 30, 2017.**

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

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Margaret M. Corley.

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	DIGEST	
SB 116 Original	2016 Regular Session	Appel

Proposed law makes technical changes to present law.

Present law requires the Board of Regents (board) to formulate and establish geographic regions of the state in order to maximize the use of the instructional and physical resources of existing state postsecondary educational institutions and regionally accredited independent postsecondary educational institutions. Further requires the board to establish the regions such that at least one public institution of higher education which awards baccalaureate degrees shall be within the geographic boundaries of, or shall be assigned by the board to, each region.

Proposed law retains these provisions.

Present law requires the board to evaluate the instructional and physical resources of existing

postsecondary institutions within each region of the state, including the resources of existing higher education institutions, and assure the maximum use of these resources before recommending the creation of any new postsecondary institution within the region. Provides that the board may provide for the use within a region of existing resources from outside the region before recommending the creation of any new postsecondary institution within the region. Further provides that the evaluation be used to create efficiencies, increase student access, enhance academic quality, further the goals of the master plan for postsecondary education, and any other purpose that advances postsecondary education in each region or the state as a whole.

Proposed law retains present law.

Proposed law requires the board to determine if a region is over-served or under-served by the postsecondary educational institutions within the region and consider whether any of the following would increase the efficiency and effectiveness of the delivery of public postsecondary educational services within a region:

- (1) The merger of two or more existing postsecondary institutions.
- (2) Converting a nondegree granting postsecondary institution to an institution which grants degrees.
- (3) Converting a college or university which is limited to offering degrees of a lower rank than baccalaureate to a college or university that offers baccalaureate degrees.
- (4) Converting a college or university which offers baccalaureate degrees to a college or university that is limited to offering degrees of a lower rank.
- (5) Transferring a college or university from one postsecondary management board to another.
- (6) Closure of a postsecondary educational institution.

Present law requires the board to adopt such policies and take such actions deemed appropriate and necessary to maximize the use of all resources available to support and promote postsecondary education in the state, with the exception of those matters enumerated in Article VIII, Section 5 of the Constitution of Louisiana that require legislative approval.

Proposed law retains present law.

Proposed law requires the board to submit a written report of its findings and recommendations to the Senate and House committees on education not later than January 30, 2017.

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

(Amends R.S. 17:3126)