

**ACT No. 100**

2015 Regular Session

HOUSE BILL NO. 171

BY REPRESENTATIVES JEFFERSON, WESLEY BISHOP, HALL, AND PRICE AND  
SENATOR THOMPSON

1 AN ACT

2 To amend and reenact R.S. 17:3139.2(2)(a) and (4)(a) and 3139.6(1), relative to  
3 performance agreements between the Board of Regents and certain public  
4 postsecondary education institutions; to provide relative to the terms of such  
5 agreements with respect to remedial courses and developmental study programs  
6 offered at certain historically black colleges and universities; to provide relative to  
7 required reporting by the Board of Regents; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 17:3139.2(2)(a) and (4)(a) and 3139.6(1) are hereby amended and  
10 reenacted to read as follows:

11 §3139.2. Performance agreements; objectives

12 Effective beginning with the 2011 Fiscal Year, any public postsecondary  
13 education institution, including professional schools, may enter into an initial  
14 performance agreement with the Board of Regents in order to be granted limited  
15 operational autonomy and flexibility as provided in R.S. 17:3139.5 in exchange for  
16 committing to meet established targets for the following performance objectives as  
17 applicable to the institution as determined by the Board of Regents:

18 \* \* \*

19 (2) Articulation and transfer. (a) Phase in increased admission standards  
20 and other necessary policies by the end of the 2012 Fiscal Year in order to increase  
21 student retention and graduation rates. This Subparagraph does not require and the  
22 Board of Regents shall not require as an element of a performance agreement the  
23 adoption of admission standards at Grambling State University, Southern University  
24 and Agricultural and Mechanical College, or Southern University at New Orleans

1 that would prevent those institutions from admitting students who require a single  
2 remedial course.

3 \* \* \*

4 (4) Institutional efficiency and accountability. (a) Eliminate, except as  
5 otherwise provided in this Subparagraph, remedial education course offerings and  
6 developmental study programs unless such courses or programs cannot be offered  
7 at a community college in the same geographic area. Grambling State University,  
8 Southern University and Agricultural and Mechanical College, and Southern  
9 University at New Orleans shall be deemed to have met this target if no student takes  
10 more than one remedial course. However, the Board of Regents postsecondary  
11 education funding formula shall fund all remedial courses offered at these  
12 institutions at the rate established for such courses offered by community and  
13 technical colleges.

14 \* \* \*

15 §3139.6. Monitoring; reporting; renewal

16 (1) The Board of Regents annually shall monitor and report to the legislature  
17 and the governor on each participating institution's progress in meeting the  
18 established targets for performance objectives as specified in R.S. 17:3139.2 and the  
19 effect of the exemptions as provided in R.S. 17:3139.2(2)(a) and (4)(a) relative to the  
20 adoption of admission standards and the limited remedial education course offerings  
21 and developmental study programs at certain institutions. At the end of the first six  
22 years and each subsequent six-year period, the Board of Regents shall determine  
23 whether to recommend renewal of an institution's performance agreement subject to  
24 the approval of the Joint Legislative Committee on the Budget. Such determination  
25 shall be based on the recommendations of a review panel established by the Board  
26 of Regents to conduct a comprehensive review and evaluation of the institution's  
27 progress in meeting the performance objectives. The composition of the review  
28 panel shall be ~~the same as is~~ similar to that provided in R.S. 17:3138(C) as repealed  
29 by Act No.251 of the 2012 Regular Session of the Legislature with the addition of  
30 two representatives from the business community, who each possess a postsecondary

1 degree, one recommended by the speaker of the House of Representatives and one  
2 recommended by the president of the Senate.

3 \* \* \*

4 Section 2. The provisions of this Act are applicable to agreements entered into after  
5 the effective date of this Act. The exceptions added by this Act to R.S. 17:3139.2(2)(a) and  
6 (4)(a) shall not apply to agreements entered into for the 2018-2019 academic year and  
7 thereafter.

8 Section 3. This Act shall become effective upon signature by the governor or, if not  
9 signed by the governor, upon expiration of the time for bills to become law without signature  
10 by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If  
11 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
12 effective on the day following such approval.

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_