

Regular Session, 2014

HOUSE BILL NO. 433

BY REPRESENTATIVES CARTER, BROADWATER, CHAMPAGNE, HOLLIS, IVEY,  
JEFFERSON, REYNOLDS, RICHARD, SHADOIN, AND SMITH

HIGHER ED/BD REGENTS: Authorizes the Board of Regents to enter into interstate  
reciprocity agreements relative to online instruction

1 AN ACT

2 To amend and reenact R.S. 17:1808(J)(1) and (K) and 3141.15(G) and to enact R.S.  
3 17:1808(L) and 3141.15(H), relative to reciprocity agreements that provide for  
4 interstate, online, postsecondary education; to authorize the Board of Regents to  
5 enter into and administer such agreements; to provide for participation by institutions  
6 in interstate, online education; to provide for application fees; and to provide for  
7 related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 17:1808(J)(1) and (K) and 3141.15(G) are hereby amended and  
10 reenacted and R.S. 17:1808(L) and 3141.15(H) are hereby enacted to read as follows:

11 §1808. Registration and licensure of postsecondary, academic degree-granting  
12 institutions

13 \* \* \*

14 J.(1) Each public and independent institution of higher education funded in  
15 whole or in part through general appropriations of the state of Louisiana in Fiscal  
16 Year 1992 or which is specifically eligible for funding under the provisions of R.S.  
17 17:2053(D) or which was a member of the Louisiana Association of Independent  
18 Colleges and Universities on January 1, 2001, shall be exempt from the provisions  
19 of this Section except as provided in Subsection K of this Section.

20 \* \* \*

1           K.(1) The Board of Regents may, if it deems such agreements to be  
2           consistent with the purposes of this Chapter, negotiate and enter into state  
3           authorization reciprocity agreements that allow accredited postsecondary academic  
4           degree-granting institutions located in one state to offer online instruction in other  
5           states pursuant to the terms of the reciprocity agreement. The Board of Regents shall  
6           administer such agreements.

7           (2) If the Board of Regents enters into such an agreement, any accredited  
8           postsecondary academic degree-granting institution located in Louisiana may apply  
9           to the Board of Regents for authorization to offer online instruction in other states  
10           pursuant to the terms of the reciprocity agreement. The Board of Regents may  
11           approve or disapprove any such application. If the Board of Regents approves an  
12           application, the period of approval shall not be longer than one year. The Board of  
13           Regents shall assess an application fee not to exceed one thousand five hundred  
14           dollars for an initial and each annual application to defray the costs of reviewing and  
15           evaluating such applications.

16           (3) Any accredited postsecondary academic degree-granting institution  
17           approved by another state and offering online instruction to Louisiana residents shall  
18           be exempt from the provisions of this Section, subject to the terms of such  
19           agreements.

20           L. The provisions of the Administrative Procedure Act shall be applicable  
21           to any rule or regulation adopted by the Board of Regents pursuant to this Section.

22   \*       \*       \*

23           §3141.15. Degree granting status

24   \*       \*       \*

25           G.(1) The Board of Regents may, if it deems such agreements to be  
26           consistent with the purposes of this Chapter, negotiate and enter into state  
27           authorization reciprocity agreements that allow accredited degree-granting  
28           proprietary schools located in one state to offer online instruction in other states

1 pursuant to the terms of the reciprocity agreement. The Board of Regents shall  
2 administer such agreements.

3 (2) If the Board of Regents enters into such an agreement, any accredited  
4 degree-granting proprietary schools located in Louisiana and licensed by the Board  
5 of Regents pursuant to this Chapter may apply to the Board of Regents for  
6 authorization to offer online instruction in other states pursuant to the terms of the  
7 reciprocity agreement. The Board of Regents may approve or disapprove any such  
8 application. If the Board of Regents approves an application, the period of approval  
9 shall not be longer than one year. The Board of Regents shall assess an application  
10 fee not to exceed one thousand five hundred dollars for an initial and each annual  
11 application to defray the costs of reviewing and evaluating such applications.

12 (3) Any accredited, degree-granting proprietary school approved by another  
13 state and offering online instruction to Louisiana residents shall be exempt from the  
14 provisions of this Chapter, subject to the terms of such agreements.

15 H. Nothing herein shall impair the right of private colleges to award degrees.

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

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, 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)]

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Carter

HB No. 433

**Abstract:** Authorizes the Board of Regents to enter interstate agreements that would provide for interstate, online, postsecondary education; provides for application and application fee for La. institutions wishing to offer such instruction in other states pursuant to the agreement.

Present law provides for licensure by the Board of Regents of postsecondary, academic degree-granting institutions in order to ensure that the instruction at such institutions meets minimal academic and physical plant standards. Provides for licensure of proprietary

schools, which are schools that are operated as a business enterprise. Provides details with respect to such licensure.

Proposed law authorizes the Board of Regents to enter into state authorization reciprocity agreements that allow proprietary schools and accredited academic degree-granting institutions located in one state to offer online instruction in other states pursuant to the terms of the reciprocity agreement. Provides that if the Board of Regents enters into such an agreement, such institutions or proprietary schools located in La. may apply to the Board of Regents for authorization to offer online instruction in other states pursuant to the terms of the reciprocity agreement. Requires annual reapplication and authorizes the Board of Regents to assess an application fee of up to \$1,500. Provides that institutions and proprietary schools in other states offering online instruction to La. residents are exempt from present law licensure requirements, subject to the terms of such agreements.

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

(Amends R.S. 17:1808(J)(1) and (K) and 3141.15(G); Adds R.S. 17:1808(L) and 3141.15(H))

#### Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Education to the original bill.

1. Makes technical changes.