

MINUTES

BOARD OF REGENTS

October 23, 2013

The Board of Regents met in session at 12:50 p.m. on Wednesday, October 23, 2013, in the Louisiana Purchase Room, Claiborne Building, 1201 North Third Street, Baton Rouge, Louisiana. Chair W. Clinton Rasberry, Jr. called the meeting to order. Executive Assistant Carolyn Blanchard called the roll and a quorum was established.

Present for the meeting were:

W. Clinton Rasberry, Jr., Chair
Joseph Wiley, Vice Chair
Charlotte Bollinger, Secretary
Mark Abraham
Brooksie Bonvillain
Joel Dupré
Pamela Egan
Joseph Farr
William Fenstermaker
Chris Gorman
Robert Levy
Edward Markle
Roy Martin III
Albert Sam II

Absent from the meeting were:

Raymond Brandt
Richard Lipsey

PUBLIC COMMENTS

Chair Rasberry introduced Mr. Greg Smith, Vice Chancellor for Finance and Business Affairs, Louisiana State University Paul M. Hebert Law Center, who requested to speak on behalf of Chancellor Jack Weiss. He commented briefly on some of the now achieved aspirations of the Law Center – the Energy Center, highest passage rate of the Louisiana bar exam in the State, and designation as the third-best valued law school in the country. He next addressed concerns the Law Center had about an earlier Finance Committee agenda item regarding specialty campuses and the preliminary formula funding and budget request for fiscal

year 2014-2015. He noted that the LSU Law Center was not given an opportunity to provide input regarding the proposal prepared by the Regents. Chair Rasberry said any shortcomings in the procedure would be corrected in the future.

APPROVAL OF THE MINUTES OF SEPTEMBER 26, 2013

On motion of Regent Levy, seconded by Regent Egan, the Board voted unanimously to approve the minutes of September 26, 2013.

REPORTS AND RECOMMENDATIONS BY THE COMMISSIONER OF HIGHER EDUCATION

Commissioner of Higher Education Jim Purcell spoke on issues surrounding the transformation of higher education in the state. These issues include state support for higher education, tuition charged per credit hour, and findings of bottlenecks in the workforce pipeline. He reviewed several fundamental components for improving higher education in the State, including (1) seeking stability of state funding and the ability to keep tuition revenues earned by the GRAD Act, (2) seeking tuition authority for institutions, and (3) establishing a base amount for the Optional Retirement Plan (ORP) employer contributions.

REPORTS AND RECOMMENDATIONS

PLANNING, RESEARCH AND PERFORMANCE COMMITTEE

On behalf of Regent Wiley, Chair of the Planning, Research and Performance Committee, Dr. Larry Tremblay, Deputy Commissioner for Planning, Research and Academic Affairs, presented the Planning, Research and Performance Committee Report of October 23, 2013.

CONSENT AGENDA

On motion of Regent Farr, seconded by Regent Dupré, the Board voted unanimously to adopt the recommendation of the Planning, Research and

Performance Committee to approve the items listed under the Consent Agenda:

A. R.S. 17:1808 (Licensure)

- 1. Initial Licenses** (*University of St. Augustine for Health Sciences and University of Wisconsin Green Bay*)
- 2. License Renewal** (*University of Phoenix*)

GRAD ACT

A. Renegotiated Target for Delgado Community College

On a substitute motion of Regent Sam, seconded by Regent Markle, the Board voted unanimously to table the recommendation of the Planning, Research and Performance Committee to approve the revised Targeted Measure for Attachment D of the GRAD Act Agreement for Delgado Community College.

B. New Optional Targeted Measures for Louisiana Delta Community College and Sowela Technical Community College

On motion of Regent Farr, seconded by Regent Dupré, the Board voted unanimously to approve the recommendation of the Planning, Research and Performance Committee to table further discussion of the additional Targeted Measures for Attachment D of the GRAD Act Agreements for Louisiana Delta Community College and Sowela Technical Community College.

ADOPTION OF THE PLANNING, RESEARCH AND PERFORMANCE COMMITTEE REPORT OF OCTOBER 23, 2013

On motion of Regent Sam, seconded by Regent Markle, the Board voted unanimously to adopt the Planning, Research and Performance Committee Report of October 23, 2013, with the GRAD Act portions of the report as amended above. (Copy on file in the office of the Board of Regents.)

FINANCE COMMITTEE

On behalf of Regent Fenstermaker, Chair of the Finance Committee, Ms. Barbara Goodson, Deputy Commissioner for Finance and Administration, presented the Finance Committee Report of October 23, 2013.

APPROVAL OF PRELIMINARY FORMULA FUNDING AND BUDGET REQUEST FOR FY 2014-2015

On motion of Regent Farr, seconded by Regent Dupré, the Board voted unanimously to adopt the recommendation of the Finance Committee to

approve the preliminary formula funding and budget request for Fiscal Year 2014-2015 as follows.

Funding Request Increases:

- Formula Units -- \$36 Million over existing budget base**
- Specialized Units -- \$17 Million over base**
- Pennington -- \$3.3 Million over base**
- LUMCON -- \$750,000 over base**

**Pool funding of \$30 Million to reduce backlog in high demand programs
Total additional funds requested -- \$87 Million**

Discussion ensued regarding the deadlines/framework/process the Board of Regents uses to develop the preliminary formula funding and budget request for each year and what measures are needed to give timely notice to all institutions.

APPROVAL OF BA-7 FOR SOUTHERN UNIVERSITY LAW CENTER

On motion of Regent Farr, seconded by Regent Dupré, the Board voted unanimously to adopt the recommendation of the Finance Committee to approve the BA-7 for adjustment of Fees and Self-Generated Revenues for the Southern University Law Center in the amount of \$511,675.

ADOPTION OF THE FINANCE COMMITTEE REPORT OF OCTOBER 23, 2013

On motion of Regent Farr, seconded by Regent Dupré, the Board voted unanimously to adopt the Finance Committee Report of October 23, 2013.
(Copy on file in the office of the Board of Regents.)

FACILITIES AND PROPERTY COMMITTEE

On behalf of Regent Gorman, Chair of the Facilities and Property Committee, Mr. Chris Herring, Budget Analyst for Facilities and Planning, presented the Facilities and Property Committee Report of October 23, 2013.

CONSENT AGENDA (Small Capital Project Report)

- Northwestern State University (Replacement of Electrical Distribution at Sylvan Friedman Student Union): \$180,000 – Auxiliary Funds

On motion of Regent Sam, seconded by Regent Wiley, the Board voted unanimously to adopt the recommendation of the Facilities and Property Committee to approve the Small Capital Project Report as presented in the

Consent Agenda (Northwestern State University – Replacement of Electrical Distribution at Sylvan Friedman Student Union in the amount of \$180,000).

REALLOCATION OF MAJOR REPAIR FUNDS: LCTCS ROOF REPLACEMENTS

On motion of Regent Sam, seconded by Regent Dupré, the Board voted unanimously to adopt the recommendation of the Facilities and Property Committee to approve the Louisiana Community and Technical College's request to reallocate Major Repair funds to replace the roofing systems on South Louisiana Community College's Teche Campus and Central Louisiana Technical Community College's Lamar Salter and Oakdale Campuses.

BoR FY 2014-2015 CAPITAL OUTLAY BUDGET RECOMMENDATION

On motion of Regent Wiley, seconded by Regent Abraham, the Board voted unanimously to amend the Board of Regents FY 2014-2015 Capital Outlay Budget Recommendation to include a late submission from the Louisiana Community and Technical College System (LCTCS) regarding a recommendation of a parking lot project from Bossier Parish Community College. The Board of Supervisors for LCTCS would be approving the project at its upcoming meeting, and thus requested a motion to add the project under the "New" category on the Board of Regents Capital Outlay Recommendation for FY 2014-2015.

In addition, the Board authorized the Commissioner of Higher Education to submit the completed BoR FY 2014-2015 Capital Outlay Budget Recommendation to Facility Planning and Control no later than the November 1, 2013, deadline.

ADOPTION OF THE FACILITIES AND PROPERTY COMMITTEE REPORT OF OCTOBER 23, 2013

On motion of Regent Wiley, seconded by Regent Abraham, the Board voted unanimously to adopt the Facilities and Property Committee Report of October 23, 2013. *(Copy on file in the office of the Board of Regents.)*

ACADEMIC AND STUDENT AFFAIRS COMMITTEE

On behalf of Regent Bollinger, Chair of the Academic and Student Affairs Committee, Dr. Karen Denby, Associate Commissioner for Academic Affairs, presented the Academic and Student Affairs Committee Report of October 23, 2013.

NEW ACADEMIC PROGRAMS

On motion of Regent Martin, seconded by Regent Sam, the Board voted unanimously to adopt the recommendation of the Academic and Student

Affairs Committee to approve (1) the Letter of Intent for a Bachelor of Science in Health Management Systems at Southeastern Louisiana University and McNeese State University and (2) the Letter of Intent/Proposal for a Master of Fine Arts in Creative Writing at the University of New Orleans.

DEVELOPMENTAL EDUCATION CO-REQUISITE DELIVERY PILOT

On motion of Regent Martin, seconded by Regent Sam, the Board voted unanimously to adopt the recommendation of the Academic and Student Affairs Committee to approve the continuation of the Developmental Education Co-Requisite Delivery Pilot through 2014-2015. A report from the Board of Regents' staff will be due by October 2014.

CONSENT AGENDA

On motion of Regent Martin, seconded by Regent Sam, the Board voted unanimously to adopt the recommendation of the Academic and Student Affairs Committee to approve the items on the Consent Agenda as listed below:

A. Reauthorization of Previously Approved Research Units

- 1. Center for Entrepreneurship and Information Technology at Louisiana Tech University**
- 2. Institute for Public Health and Justice at the Louisiana State University Health Sciences Center in New Orleans**

B. Routine Staff Reports

- 1. Staff Approval of Routine Academic Requests**
- 2. Progress Reports for Conditionally Approved Programs/Units**
- 3. Past Due Progress Reports**
- 4. Letters of Intent/Proposals in the Queue**

ADOPTION OF THE ACADEMIC AND STUDENT AFFAIRS COMMITTEE REPORT OF OCTOBER 23, 2013

On motion of Regent Martin, seconded by Regent Sam, the Board voted unanimously to adopt the Academic and Student Affairs Committee Report of October 23, 2013. (Copy on file in the office of the Board of Regents.)

OTHER BUSINESS

Chair Raspberry reminded the Board regarding the following items.

- A 2014 Calendar would be issued regarding regularly scheduled Committee and Board meetings for next year.

- There are no meetings in November. The next meetings are scheduled for December 4 and 5. The joint meeting with the Board of Elementary and Secondary Education will be held Thursday, December 5th, followed by our regular Board meeting.
- A Nominating Committee must be selected in order to prepare the 2014 slate of officers.

On motion of Regent Fenstermaker, seconded by Regent Dupré, the Board voted unanimously to approve Chair Rasberry's nomination of Regent Charlotte Bollinger as Chair of the Nominating Committee, Regent Joseph Farr as Vice Chair of the Nominating Committee, and Regents Levy, Sam and Wiley as members of the Nominating Committee.

- Dr. Jeanne Burns, Associate Commissioner for Academic and Student Affairs for Teacher Education, Board of Regents, is serving as a panelist for the National Academy of Education meeting in Washington, DC. She is one of seven individuals serving on this national Steering Committee to provide recommendations for the evaluation of teacher preparation programs, funded by the National Science Foundation. Dr. Burns has also been inducted into the Northwestern State University Hall of Distinguished Educators for the support that the Board of Regents has provided to create effective new teachers and leaders in Louisiana. We congratulate Dr. Burns on a job well done.
- Congratulations to Regent Bollinger who is a new grandmother of a healthy baby girl.

Regent Martin mentioned that Louisiana State University Alexandria (LSUA) has released a detailed co-location/concurrent use proposal that may be considered for planning and locating the new Central Louisiana Technical Community College (CLTCC) at LSUA. He requested that all Regents and appropriate staff review the document.

Regent Markle wished to discuss the legislative requirement of a 2/3 vote for tuition increases. Chair Rasberry noted that this was not a matter on the Board's agenda. The Board then voted unanimously to take up a matter not on the agenda, and Chair Rasberry sought public comments before the Board proceeded to discuss the matter by Regent Markle.

Regent Markle then requested that the Board of Regents go into executive session to discuss possible litigation regarding the Attorney General's opinion on tuition and fees. Chair Rasberry said that R.S. 42:17(A)(2) allows a public body to go into executive session to discuss possible litigation when an open meeting would have a detrimental effect on the litigating position of the public body.

On motion of Regent Markle, seconded by Regent Martin, the Board voted unanimously to enter into Executive Session in accordance with R.S. 42:17(a)(2), to discuss possible litigation regarding the Attorney General's opinion on tuition and fees.

A roll call vote was then taken, and the Board obtained the necessary two-thirds vote of all members present to go into executive session.

Yes: (14) Mark Abraham, Charlotte Bollinger, Brooksie Bonvillain, Joel Dupré, Pamela Egan, Joseph Farr, William Fenstermaker, Chris Gorman, Robert Levy, Edward Markle, Roy Martin III, W. Clinton Rasberry, Jr., Albert Sam II and Joseph Wiley

No: (0)

Abstain: (0)

Absent: (2) Raymond Brandt and Richard Lipsey

The Committee returned to regular session at 2:13 p.m. Chair Rasberry announced that during executive session, the Board discussed the possible litigation regarding the Attorney General's opinion on tuition and fees. No action was taken and no polling or voting conducted.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 2:15 p.m.