

MINUTES
BOARD OF REGENTS

January 6, 2022

The Board of Regents met as a Committee of the Whole at 10:02 a.m. on Thursday, January 6, 2022, via video conference. Chair Blake David called the meeting to order.

ROLL CALL

Ms. Doreen Brasseaux called the roll, and a quorum was established.

Present for the meeting were:

Blake David, Chair
T. Jay Seale III, Vice Chair
Sonia Pérez, Secretary
Randy Ewing
Stephanie Finley
Camerson Jackson, Student
Robert Levy
Phillip May, Jr.
Charles McDonald
Darren Mire
Wilbert Pryor
Gary Solomon, Jr.
Terrie Sterling
Collis Temple III
Felix Weill
Judy Williams-Brown

Mgt. Board Representatives present:

Willie Mount, LCTC System
Mary Werner, LSU System
Leon Tarver, SU System
Mark Romero, UL System

CERTIFICATION FOR VIRTUAL MEETING

Chair David referenced the Board of Regents' certification of inability to operate due to the lack of an in-person quorum. The certification is available on the Board of Regents website and was included with the meeting materials.

PUBLIC COMMENTS

Chair David asked if there were any public comments. There were none.

OATHS OF OFFICE

Board Officers (Chair, Vice Chair and Secretary)

The newly appointed officers for 2022 were sworn in by Ms. Robyn Lively. She administered the oath of office to Regent Collis Temple III as Chair, Regent Gary Solomon, Jr. as Vice Chair, and Regent Sonia Pérez as Secretary.

Members to Serve on the Executive Committee

The members of the 2022 Executive Committee were sworn in by Ms. Lively. Regents Blake David and T. Jay Seale III were sworn in by Ms. Lively in person, while she swore in Regents Wilbert Pryor and Felix Weill via video conference.

CHAIR'S COMMENTS

Chair David passed the gavel to the new Chair, Collis Temple III. He was congratulated and made the following comments:

- Chair Temple expressed his gratitude to Regent Blake David for his leadership this past year.
- Chair Temple stated his intent to ensure that Louisiana prospers through his term as Chair by focusing on the students. Chair Temple reflected on his seven years on the Board and the importance of this agency and the work it does for higher education. Chair Temple stated that one of his most significant moments while serving on the Board was when Commissioner Reed was brought back to Louisiana. He also reasserted the importance of the Governor's commitment to higher education.
- He noted the members' and staff's resiliency in responding to all the challenges of 2021 through pandemics, natural disasters and social and political unrest. He also noted the consistent commitment to students.
- In the coming year, Chair Temple indicated his primary areas of focus to be:
 - **Dual Enrollment:** It is essential to instill students with the belief that they are worthy and capable of completing a college education in high school, whatever their educational paths may be.
 - **Equity in Providing Educational Access to All:** Addressing long-standing equity gaps and making postsecondary education affordable and accessible to underserved students are critical to reaching the Master Plan Attainment goal.
 - **Business Engagement Efforts:** It is important to maintain collaborative efforts between postsecondary education and business leaders to promote the value of postsecondary graduates to the local economy. Regent David's work to begin important meetings with Louisiana Association of Business and Industry (LABI) during 2021 provided a strong

foundation for Chair Temple to recruit business talent development champions and work alongside them to ensure graduates and completers are workforce ready.

- Chair Temple asked Regent Cameron Jackson, student member, to present his update.
 - Regent Jackson indicated that the COSBP Board and Governor’s Task Force are waiting for submission of the subcommittee reports due to the Task Force by January 8th.
 - Regent Jackson noted that COSBP members will be traveling to Washington D.C. on January 26, 2022.
 - Regent Jackson also added that as winter break ends and students move back on campus, his team will assess ways to navigate through this current wave of COVID.

RATIFICATION OF COMMITTEE ASSIGNMENTS FOR 2022

On motion of Regent Seale, seconded by Regent Pérez, the Board, acting as a Committee of the Whole, voted unanimously to ratify the Committee assignments for 2022.

APPROVAL OF THE MINUTES OF THE DECEMBER 15, 2021 MEETING

On motion of Regent Solomon, seconded by Regent Pryor, the Board, acting as a Committee of the Whole, voted unanimously to approve the minutes of the December 15, 2021 meeting.

REPORTS AND RECOMMENDATIONS

LEGISLATIVE

LEGISLATIVE STUDY REPORTS UPDATE

Ms. Erin Cowser, Assistant Commissioner for Legislative and External Affairs, provided a general update on legislative reports. This year, a total of 19 reports must be submitted: 9 annual and 10 pursuant to the 2021 Regular Legislative Session (three of which will convert to annual reports in future years).

2022 LEGISLATIVE PRIORITIES

Ms. Cowser gave an overview of the Legislative Priorities for the coming 2022 Legislative Session. They include:

- Strategic Reinvestment in Higher Education
- Universal Transferability
- Nurses, Teachers Workforce Solutions

- Campus Resiliency
- Power-Based Violence Alignment
- TOPS Updates

On motion of Regent Pérez, seconded by Regent Seale, the Board, acting as a Committee of the Whole, voted unanimously to grant the Commissioner and Board Chair authority to finalize the 2022 Legislative Agenda and act on legislation as needed.

POWER-BASED VIOLENCE REPORTS UPDATE

Dr. Allison Smith, Assistant Commissioner for Student Health and Wellness, presented the update on Power-Based Violence Reports. She noted the reports included updates on:

- Uniform Policies
- Training
- Administrative Reporting
- MOUs (Memorandums of Understanding)
- Data Publications
- Legislative Response

Board members posed several questions. Regent Solomon asked, regarding ‘Appendix H: Summary of the Data Report for Power Based Violence’, how Regents was able to exceed the goal of annual trainings (achieved 146%). Dr. Smith responded that the number of participants in the training exceeded the number invited (due to trainings moving to a virtual platform), causing Regents to exceed its initial goal of 100%. Regent Solomon asked whether this high number resulted from participation of individuals who were not on the initial leadership team invited. Dr. Smith confirmed that multiple representatives from campus leadership might have participated, rather than the initial representative identified. Regent Solomon asked about the participation goal for the Responsible Employee Training, with a due date of Fall 2022. Dr. Smith stated the participation goal is 100% for this training. She added that all employees of higher education systems, including Boards of Supervisors, are considered “responsible employees” under the new law. The training is available on the website for the public to view and training files will be provided to the systems this week. Regent Solomon noted that among the five formal complaints reported, none resulted in expulsion or suspension. He asked what other kind of corrective action may be taken in the event of a complaint that requires action that does not rise to the level of expulsion or suspension. Dr. Smith noted that this is a result of a dual policy encompassing

BoR's Uniform Policy and the Title IX Grievance Procedures. Title IX is more specific in definitions, while Power-Based Violence allows an informal resolution process, through which an agreement to mediation, no conduct, required training or an apology may be preferred; the option of expulsion or suspension remains for more severe crimes. Regent Solomon asked whether the data can be differentiated to determine how many of the incidents reported are Title IX or Power-Based Violence, to ensure that all formal complaints that are non-Title IX are captured and addressed. Dr. Smith agreed to do so.

Regent Seale asked whether redacted incident reports can be provided to the Board to provide context for how these incidents arise, how they are reported, and how the institution responds. Dr. Smith offered to communicate with institutions to address this request. Regent Sterling added that this informational piece would be a great addition to the Board of Regents annual training. Dr. Smith agreed, noting that the Responsible Employee Training, which will be required, provides scenarios and quizzes on Power-Based Violence. Regent Temple agreed that informational training would be a valuable Board Development topic. With no further questions, Chair Temple asked for a motion to receive the report.

On motion of Regent David, seconded by Regent Pérez, the Board, acting as a Committee of the Whole, voted unanimously to receive the legislative response to Act 472 of the 2021 Regular Legislative Session and authorize Regents staff to submit this report on behalf of the Board to the Governor, the President of the Senate, the Speaker of the House of Representatives, the Senate Education Committee, and the House Committee on Education, as well as the Senate Select Committee on Women and Children.

HBCU ADVISORY COUNCIL REPORT

Ms. Cowser presented the HBCU Advisory Council Report. Chair Temple named all the HBCUs in Louisiana for clarification, citing the importance of their work.

On motion of Regent Solomon, seconded by Regent Pérez, the Board, acting as a Committee of the Whole, voted unanimously to receive the 2021 HBCU Advisory Council Report, compiled pursuant to Act 236 of the 2021 Regular Legislative Session, and authorized Regents staff to submit this report on behalf of the Board to the Senate Education Committee and House Committee on Education as required by law.

FACILITIES AND PROPERTY

PUBLIC-PRIVATE PARTNERSHIP LEASE AGREEMENT: LOUISIANA STATE UNIVERSITY AND A&M COLLEGE (LSU) UTILITIES MODERNIZATION INITIATIVE

Mr. Chris Herring, Associate Commissioner for Facilities Planning and Disaster Services, presented the Public-Private Partnership Lease Agreement: Louisiana State University and A&M College (LSU) Utilities Modernization Initiative. Ms. Mary Werner, LSU System, noted the importance of this initiative to LSU and its investment in the success of this agreement and acknowledged the work of LSU Supervisor Wayne Brown who helped those involved understand the issue so that the agreement could be developed.

On motion of Regent Mire, seconded by Regent Solomon, the Board, acting as a Committee of the Whole, voted unanimously to approve the Utilities Modernization Initiative submitted by the Louisiana State University Board of Supervisors on behalf of Louisiana State University and A&M College.

ACADEMIC AND STUDENT AFFAIRS

ACADEMIC PROGRAM PROPOSAL

Dr. Tristan Denley, Deputy Commissioner of Academic Affairs & Innovation, presented the Academic Program item:

a. Bachelor of Applied Arts & Sciences – LSU Alexandria

Chair Temple asked if this degree program would be useful across the state. Dr. Denley stated that it is a valuable program that could be replicated at more institutions.

On motion of Regent David, seconded by Regent Seale, the Board, acting as a Committee of the Whole, voted unanimously to approve the program proposal for the Bachelor of Applied Arts & Sciences at LSU Alexandria.

REVISIONS TO THE ASSOCIATE OF SCIENCE IN TEACHING STATEWIDE TRANSFER AGREEMENT

Dr. Susannah Craig, Deputy Commissioner of Strategic Planning & Student Success, presented the transfer agreement item. Regent Ewing asked whether removing some of the Math and English requirements would limit teacher flexibility and raised a scenario in which a science high school teacher must fill in for an English class. He noted that this decrease in required courses may limit their effectiveness in teaching outside of their original subject area. Dr. Craig noted that this transfer agreement

is specifically for Grades 1-5. She added that the purpose is not to limit Mathematics and Sciences course requirements but to better align curriculum so previous courses taken are optimized.

On motion of Regent May, seconded by Regent David, the Board, acting as a Committee of the Whole, voted unanimously to approve the proposed changes to the Associate of Science in Teaching (Grades 1-5) transfer agreement between the Louisiana Community and Technical College System, Louisiana State University System, Southern University System, and University of Louisiana System.

PLANNING, RESEARCH AND PERFORMANCE

RESPONSE TO HOUSE CONCURRENT RESOLUTION 19 OF THE 2021 REGULAR LEGISLATIVE SESSION (LOUISIANA MINORITY SPORTS INITIATIVE TASK FORCE)

Ms. Mellynn Baker, Assistant Commissioner for Strategic Planning & Student Success, presented an overview of House Concurrent Resolution 19 of the 2021 Regular Legislative Session, including the Task Force created in the legislation and the timeline associated with its work. She then introduced Mr. Brandon Logan, Executive Director of The Doug Williams Center for the Study of Race & Politics in Sports, Chair of the Task Force, who presented on current data trends, the content of Task Force meetings and the recommendations developed in response to HCR 19.

Regent Ewing asked for clarification on the recommendation to adjust job descriptions. Mr. Logan responded that the recommendation is to use a software-driven process or other methods to “eliminate job description language that can negatively impact a candidate pool.” He further noted that the Task Force hoped to do away with informal hiring processes in favor of a standard framework to eliminate hiring bias. Regent Pérez asked about the number of women Assistant Athletic Directors and the diversity on the task force. She also asked what incentive institutions have to sign the Diversity, Equity and Inclusion (DEI) Pledge and Promise and how its terms could be enforced.. Mr. Logan noted the difference between the incentive process the Task Force is recommending and the mandated approach taken by the State of Oregon. He added that he would like to work with Representative Ken Brass to better understand, at the state level, what incentives are possible.

Regent Solomon expressed some concerns about the report, noting the volume of reports that BoR must produce, and asked for more information on the time and money invested in producing these reports. Regarding this Task Force report, Regent Solomon commented that its recommendations could and should be applied to hiring practices for all institutional leadership roles. Dr. Reed responded that this is an important point and that Regents have discussed, through the Master Plan work, the importance of equity, opportunity, and faculty/leadership diversity across the state. She mentioned again that Louisiana has no female athletic directors as well as no female system presidents and insufficient faculty diversity. Dr. Reed stated that we need to socialize this across the state around all higher education and not just sports but noted that the Task Force did include system presidents, who hire athletics leadership as well as presidents and faculty. Regent Solomon asked if we know why Representative Brass focused on athletics specifically. Chair Temple responded that any answer to that would be speculation but noted the theory that athletics is a doorway, in many cases, to a university. Regent Solomon asked whether the Task Force discussed how this dynamic of boosters and donors might change the hiring process and affect the implementation of recommendations. Mr. Logan responded that this was central to the recommendation to standardize the hiring process, which will create guardrails around the boosters and organizations that may try to influence the hiring process. Regent Solomon also expressed concern that the recommendation of an extensive list of loopholes to circumvent the hiring process would impact an equitable hiring process and impede consideration of diverse candidates. Mr. Logan responded that having a documented hiring process is critical, even if an individual met one of these exceptions, the institution would still follow the standard hiring process to document and justify why use of an exception is valid. Mr. Logan added that the hiring process should be evaluated annually to determine whether the use of exceptions is appropriate. He noted that the Task Force tried to establish a baseline formal process with room for needed adjustments in the coming years.

Regent Weill asked who would undergo the recommended awareness training. Mr. Logan stated that the focus is on athletic positions, but universal participation would be recommended. Regent May echoed Regent Solomon's previous comments and noted that having a diverse interview panel is important because it allows for the group to see different qualities in candidates. Regent Pryor stated that the exceptions could perpetuate a "good old boy network" and noted that the DEI Pledge and Promise needs to be looked at in context of the institution implementing it and that internship pathways should be included.

Regent McDonald was interested in whether the presidents and athletic directors of institutions across the state were involved in these discussions or had reviewed the report and recommendations. Mr. Logan responded that they were involved in discussions as listed in the appendices. Regent McDonald asked whether these recommendations would apply to HBCUs for diversification in their leadership and asked to revisit recommendations in the future to assess impact. Mr. Logan responded with an affirmative on HBCUs and stated his intent to develop key metrics to monitor progress and mentioned that tools to incentivize the process must be developed at the state level. Regent McDonald requested to defer action until all institutions reviewed the recommendations. Regent Finley provide some historical context, noting that issues in diverse hiring have not existed at HBCUs as these institutions were created because minority students could not attend other universities. Dr. Leon Tarver, SU System, stated that he did not assume that these recommendations would replace or supplant procedures already in place and would apply to all public colleges and universities in the state. Mr. Logan affirmed this. Commissioner Reed gave context that the Legislature asked BoR to convene all the system presidents, athletic directors and others to discuss the issue of how to diversify the talent pool. Regents' job was to convene this group; the Board of Regents does not hire faculty, presidents, coaches, and athletics directors, but does have the ability to convene those who do hire to ask for their best thinking, which this report represents. Commissioner Reed expressed her willingness to relay to the Legislature, in a cover letter, specific points that Regents raised around exceptions, diversity in the hiring pool, and

internships. She noted that these recommendations are not binding to campuses, but that all institutions have work to do to expand racial and gender diversity. She further clarified that “minority” would be interpreted as including the underrepresented populations at each institution. Chair Temple stated that he communicated with several athletic directors and presidents, who are extremely supportive of these recommendations. He suggested development of a cover letter to accompany this report that includes some unaddressed issues that Regents identified as important. Regent Seale commended Commissioner Reed on her centering of the discussion by giving the Board context on what the Legislature tasked BoR to do in HCR 19. Regent Pérez noted that the Board does not rubber stamp items and she is appreciative of valid concerns voiced by the Regents who spoke.

On motion of Regent David, seconded by Regent Seale, the Board, acting as a Committee of the Whole, voted unanimously to receive the report for HCR 19 of the 2021 Regular Legislative Session and authorize Regents staff to submit this report, along with a cover letter including items of note, on behalf of the Board to the Senate Education Committee and House Committee on Education.

REPORTS AND RECOMMENDATIONS BY THE COMMISSIONER OF HIGHER EDUCATION

Commissioner of Higher Education Kim Hunter Reed presented several items to the Board:

- She expressed her gratitude for the Board members’ thoughtfulness and in-depth discussion.
- She gave a COVID update, discussing the return to campus for many institutions across the state during the fifth COVID surge.
 - She met with system presidents and leaders at Louisiana Department of Health, via Zoom, about the Omicron variant to discuss recommendations on mitigation and educating safely.
 - She stated that the 18-29 age group is outpacing other age groups in positivity rate and that Omicron is much more transmittable but appears to be less lethal.
 - She stated that all system presidents have agreed to keep the mask mandate in place, with Southern, Loyola and Tulane University delaying their start dates and other institutions utilizing hybrid instruction.
 - She stated that Regents staff are doing excellent work in convening partners, disseminating critical information, sharing best practices, advocating for student safety, and encouraging student persistence to complete their programs.
- Commissioner Reed met with Dr. Miguel Cardona, USDOE Secretary, as he visited Glen Oaks Magnet High School in Baton Rouge. They discussed the Master Plan and BoR’s focus on increased educational attainment.

- Before the Omicron surge, Commissioner Reed had the opportunity to host the BoR student workers at her home for a holiday lunch.
- Louisiana has the highest rate of FAFSA completion across the United States. She stated that Louisiana is outpacing the nation when it comes to year-over-year changes with FAFSA. She congratulated the LOSFA team, the schools, and everyone engaged in these efforts.
- She congratulated UL Lafayette on its designation as a Carnegie R1 University, joining LSU and Tulane University among the Top 137 universities recognized for academic excellence, elite research, innovation, and global impact. She mentioned UL Lafayette's cutting-edge work in child development, participation in development of the Pfizer COVID-19 vaccine and gave kudos to Dr. Joseph Savoie and his leadership team for their excellent work.
- She also mentioned her visit with the LSU Women's Basketball team, noting her excitement for their success as student-athletes.

Chair Temple acknowledged that Regent Phillip May is an alumnus of Glen Oaks Magnet High School, recently visited by Dr. Cardona and Commissioner Reed. Chair Temple also acknowledged the work and dedication of Commissioner Reed, specifically her promotion of higher education in the prison system including her visit to prisons, which had never previously been done by a Commissioner of Higher Education.

OTHER BUSINESS

Regent Ewing recommended that all Board members read *The Great Upheaval* by Arthur Levine and Scott Van Pelt and asked to convene a discussion of the direction that higher education is taking in the state and the country. Regent Ewing also emphasized the support needed for the Office of Broadband Development and Connectivity in the state of Louisiana. Chair Temple thanked Regent Ewing for his comment and noted that he is meeting with Mr. Veneeth Iyengar, Executive Director of the Office of Broadband Development and Connectivity, to discuss these very issues. With no further questions, Chair Temple informed the Board that the next BoR meeting will be held on Wednesday, February 23, 2022 in the Claiborne Building, Baton Rouge, LA. This will be a one-day, in-person meeting; if the meeting moves to a virtual setting, the Board will be informed.

ADJOURNMENT

There being no further business to come before the Board, on motion was made by Regent Pérez, seconded by Regent Solomon, the meeting was adjourned at 12:24 p.m.

