

# NOTICE OF MEETINGS

Board meeting to be held at the  
Claiborne Building  
Thomas Jefferson Rooms A&B  
1201 N. Third Street, 1st Floor  
Baton Rouge, Louisiana



\*The meeting may begin later  
contingent upon adjournment  
of previous meeting. Meetings  
may also convene up to 30  
minutes prior to posted  
schedule to facilitate business

## BOARD OF REGENTS

P. O. Box 3677, Baton Rouge, Louisiana 70821-3677  
Phone: (225) 342-4253 and FAX: (225) 342-9318

### Board of Regents Wednesday, August 24, 2022

Event	Time	Location
<b>Board Development</b>	9:00 a.m.	Thomas Jefferson Room C 1-136 Claiborne Building 1201 North Third Street, 1st Floor Baton Rouge, Louisiana
<b>Louisiana Tuition Trust Authority (LATTA)</b>	10:30 a.m.	Thomas Jefferson Rooms A&B 1-136 Claiborne Building 1201 North Third Street, 1st Floor Baton Rouge, Louisiana
<b>Committee Meetings</b> Audit Facilities & Property Academic and Student Affairs Statewide Programs Planning, Research & Performance Personnel**	10:40 a.m. 11:10 a.m. 11:20 a.m. 12:05 p.m. 12:25 p.m. 12:40 p.m.	Thomas Jefferson Rooms A&B 1-136 Claiborne Building 1201 North Third Street, 1st Floor Baton Rouge, Louisiana
<b>Board of Regents' Meeting **</b>	1:45 p.m.	Thomas Jefferson Rooms A&B 1-136 Claiborne Building 1201 North Third Street, 1st Floor Baton Rouge, Louisiana

**ADA Accessibility Requests:** If you have a disability and require a reasonable accommodation to fully participate in this meeting, please contact Dr. Cory Wicker five (5) business days before the meeting date via email at [cory.wicker@la.gov](mailto:cory.wicker@la.gov) or by telephone at (225) 219-7661 to discuss your accessibility needs.

INDIVIDUAL COMMITTEE AGENDAS MAY BE FOUND ON THE INTERNET AT – <https://regents.la.gov>

\*\*Note: The Board of Regents reserves the right to enter into Executive Session, if needed, in accordance with R.S. 42:11 *et seq.*

*Collis B. Temple, III*  
*Chair*

*Gary N. Solomon, Jr.*  
*Vice Chair*

*Sonia A. Pérez*  
*Secretary*

*Kim Hunter Reed, Ph.D.*  
*Commissioner of*  
*Higher Education*



*Blake R. David*  
*Randy L. Ewing*  
*Stephanie A. Finley*  
*Robert W. Levy*  
*Phillip R. May, Jr.*  
*Charles R. McDonald*  
*Darren G. Mire*  
*Wilbert D. Pryor*  
*T. Jay Seale, III*  
*Terrie P. Sterling*  
*Felix R. Weill*  
*Judy A. Williams-Brown*  
*Catarena M. Lobré, Student*

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**AGENDA**

**LOUISIANA TUITION TRUST AUTHORITY**

*Wednesday, August 24, 2022*

*10:30 a.m.*

Claiborne Building  
Thomas Jefferson Rooms A&B 1-136  
1201 North Third Street  
Baton Rouge, Louisiana

I. Call to Order

II. Roll Call

III. Public Comments

IV. Approval of the Minutes

V. Consent Agenda

- A. Approval of Final Rulemaking – To add the START Saving Plan interest rates for the Principal Protection Plan and the Earnings Enhancement Fund for the 2021 calendar year.
- B. Approval of Rulemaking – To allow for the transfer from a START Saving Program account to a START K12 account without penalty.

VI. Adjournment

LATTA Members: Dr. Kim Hunter Reed, Chair, Blake R. David, Sen. Cleo Fields, Randy L. Ewing, Stephanie A. Finley, Rachel Kincaid, Robert W. Levy, Phillip R. May, Jr., Charles R. McDonald, Rep. Buddy Mincey, Darren G. Mire, Sonia A. Pérez, Wilbert D. Pryor, T. Jay Seale III, Gary N. Solomon, Jr., Terrie P. Sterling, Collis B. Temple III, Felix R. Weill, Judy A. Williams-Brown, John Williams, Catarena M. Lobré, (student member)



*Student Tuition Assistance and Revenue Trust Program*

*Louisiana's 529 College Savings Program*

*A Program of the Board of Regents*

*602 North Fifth Street*

*Baton Rouge, LA 70802*

*(800) 259-5626 (225) 219-1012*

*www.startsaving.la.gov*

***LOSFA***

*Stjuan Boutte, Ed.D.  
Executive Director*

***ADVISORY BOARD***

*Barrye Bailey  
Dr. Amy Cable  
MaryAnn Coleman  
Dr. Leroy Davis  
Dr. Jim Henderson  
Kristi Lawson  
Sharmain Lazard-Talbert  
Amy Marix  
Brooks Powell  
Kevin Taylor-Jarrell II*

***Louisiana Tuition  
Trust Authority***

*Dr. Kim Hunter-Reed,  
Commissioner of Higher  
Education, Chair*

*Blake R. David  
Randy Ewing  
Sen. Cleo Fields  
Stephanie A. Finley  
Rachel Kincaid  
Robert W. Levy  
Phillip May, Jr.  
Charles R. McDonald  
Rep. Buddy Mincey  
Darren G. Mire  
Sonia Pérez  
Wilbert D. Pryor  
T. Jay Seale III  
Gary N. Solomon, Jr.  
Terrie Sterling  
Collis B. Temple III  
Felix Weill  
John Williams  
Judy Williams-Brown  
Cameron Jackosn, Student*

**Minutes**  
**Louisiana Tuition Trust Authority (LATTA)**  
**April 27, 2022**

The Louisiana Tuition Trust Authority (LATTA) met on Wednesday, April 27, 2022, at 10:15 a.m. in the Claiborne Building, Louisiana Purchase Room, 1201 North Third Street, First Floor, Baton Rouge, Louisiana. Commissioner Reed called the meeting to order at 10:18 a.m., and the roll was called.

**LATTA Members Present**

Dr. Kim Hunter-Reed, Chair  
Regent Blake David  
Regent Randy Ewing  
Regent Stephanie Finley  
Regent Cameron Jackson  
Ms. Rachel Kincaid  
Regent Robert Levy  
Regent Phillip May  
Regent Darren Mire  
Regent Wilbert Pryor  
Regent T. Jay Seale  
Regent Gary Solomon  
Regent Terrie Sterling  
Regent Collis Temple  
Regent Judy Williams-Brown

**Staff Members Present**

Dr. Sujuan Boutté  
Rhonda Bridevaux

**LATTA Members Absent**

Senator Cleo Fields  
Regent Charles McDonald  
Rep. Buddy Mincey  
Regent Sonia Pérez  
Regent Felix Weill  
Mr. John Williams

Fifteen members were present, which represented a quorum, and there was no public comment.

**On motion of Regent Finley, seconded by Regent Ewing, the LATTA approved the minutes from the September 22, 2021 meeting.**

Under the Consent Agenda, it was proposed that the LATTA approve the rulemaking to amend Section 315 of the START Saving Program rules to add the applicable interest rates for the START Saving Program for the 2021 calendar year.

**On motion of Regent Temple, seconded by Regent David, the LATTA approved the Consent Agenda item.**

There being no further business, on motion of Regent May with a second by Regent Seale, the meeting adjourned at 10:23 a.m.

## **Agenda Item V.A.**

### **Consent Agenda: Approval of Final Rulemaking**

Final rulemaking to amend Section 315 of the START Saving Program rules to add the applicable interest rates for the START Saving Program for the 2021 calendar year.

#### **Background:**

This rulemaking adds the interest rates to be applied to deposits in the START Saving Plan's principal protection option and to be applied for eligible Earnings Enhancements for the tax year ending December 31, 2021.

LSA-R.S. 17:3095E(2) requires the State Treasurer to determine and report to the Louisiana Tuition Trust Authority the total earnings and the rate of return achieved on deposits in the Louisiana Education Tuition and Savings Fund (the "Fund"). **The interest rates for the previous calendar year are reported by the State Treasurer in February of the current year.**

Based upon the report, the Authority, with the approval of the State Treasurer, shall establish the rate of interest to be applied to the accumulated funds in the START accounts of record and to credit the appropriate amount of interest earnings to each such account. LSA R.S. 17:3093D(1)(f) requires the Authority to adopt rules that include the interest rates approved by the state treasurer to be paid on START Accounts of record at the close of each calendar year.

At its April 27, 2022, meeting, the Louisiana Tuition Trust Authority authorized publication of a Notice of Intent to effect the below described rule changes. The Notice of Intent was published in the Louisiana Register on June 20, 2022.

This rulemaking:

- Amends Section 315 to add the interest rates to be applied to deposits in the START Saving Program's principal protection option and to be applied for eligible Earnings Enhancements for the tax year ending December 31, 2021.

### **LOSFA Advisory Board Recommendation**

**The LOSFA Advisory Board recommends that the Louisiana Tuition Trust Authority authorize publication of the final rule.**

## **Agenda Item V.B.**

### **Consent Agenda: Approval of Rulemaking**

Rulemaking to amend Section 311 of the Scholarship and Grant Program Rules to implement Act 742 of the 2022 Regular Session of the Louisiana Legislature.

#### **Background:**

Act 742 of the 2022 Regular Session of the Louisiana Legislature amends LSA R.S. 17:3100.7 to allow for the transfer from a START Saving Program account to a START K12 account without penalty. Prior law did not allow this type of transfer unless an account owner withdrew all funds from a START account, closing the account and resulting in a state tax penalty.

State law provides that if funds are withdrawn from a START Saving Program account and are not used to pay the qualified higher education expenses of the beneficiary, the account owner is not entitled to any of the state tax credits that were previously taken for funds deposited into the account. Act 742 negates this state tax penalty if the account owner transfers all or a portion of the funds in the START Savings Program account to a START K12 account.

State law does not provide for earnings enhancements for a START K12 account. As a result, the earnings enhancements earned on funds previously deposited into a START Saving Program account will remain in that account for use by the beneficiary for qualified higher education expenses.

#### **LOSFA Advisory Board Recommendation**

**The LOSFA Advisory Board recommends that the Louisiana Tuition Trust Authority approve the rulemaking to amend Section 311 to implement Act 742 of the 2022 Regular Session of the Louisiana Legislature.**

*Collis B. Temple, III*  
Chair

*Gary N. Solomon, Jr.*  
Vice Chair

*Sonia A. Pérez*  
Secretary

*Kim Hunter Reed, Ph.D.*  
Commissioner of  
Higher Education



*Blake R. David*  
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AGENDA  
BOARD OF REGENTS\*  
Wednesday, August 24, 2022  
1:45 p.m.

Claiborne Building, 1<sup>st</sup> Floor  
Thomas Jefferson Rooms A&B 1-136  
1201 North Third Street  
Baton Rouge, Louisiana

- I. Call to Order
- II. Roll Call
- III. Public Comments
- IV. Approval of Minutes from June 15, 2022
- V. Chair's Comments
- VI. Reports and Recommendations of Standing Committees
  - A. Audit
  - B. Facilities & Property
  - C. Academic and Student Affairs
  - D. Statewide Programs
  - E. Planning, Research and Performance
  - F. Personnel\*
- VII. Reports and Recommendations by the Commissioner of Higher Education
- VIII. Other Business
- IX. Adjournment

\*Note: The Board of Regents reserves the right to enter into Executive Session, if needed, in accordance with R.S. 42:11 *et seq.*

DRAFT

MINUTES

BOARD OF REGENTS

June 15, 2022

The Board of Regents met in session at 1:56 p.m. on Wednesday, June 15, 2022, in the Thomas Jefferson Rooms A & B, Claiborne Building, 1201 North Third Street, Baton Rouge, Louisiana. Chair Collis Temple III called the meeting to order.

ROLL CALL

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

Present for the meeting were:

Collis Temple III, Chair  
Gary Solomon Jr., Vice Chair  
Blake David  
Robert Levy  
Catarena Lobrè (student member)  
Charles McDonald  
T. Jay Seale III  
Terrie Sterling  
Felix Weill  
Judy Williams-Brown

Absent from the meeting were:

Randy Ewing  
Stephanie Finley  
Phillip May, Jr.  
Darren Mire  
Sonia Pérez, Secretary  
Wilbert Pryor

Mgt. Board Representatives present:

Mark Romero, UL System  
Willie Mount, LCTC System

Chair Temple noted that today was the end of the Cameron Jackson's service to the Board of Regents as its student member and announced his graduation from Grambling State University and his impending move to Dallas, Texas, to take on a role in software engineering. Cameron Jackson gave the following remarks:

- He thanked Chair Temple and former Chair David for their leadership. He also thanked Commissioner Reed for her guidance and noted his time in the Governor's Fellows program and its intersection with his role on the Board.
- He said that he would like to move into health administration and higher education but is excited to see what software engineering holds for him and outlined his schedule as he begins this new role.

- He thanked all the Board members for their support and thanked everyone involved in his opportunity to serve as a student member over this past year.

Chair Temple introduced Regent Catarena Lobrè as the new student member of the Board and then she was sworn into office. Commissioner Reed gave a brief introduction of Regent Lobrè's educational background and pursuits. Chair Temple announced the committees on which Regent Lobrè would serve, including Academic and Student Affairs, Facilities and Property, and Legislative and Statewide Programs. Regent Lobrè was invited to speak to the Board.

- She expressed her excitement to work with all of the Board Members. She outlined her educational background, which she considers "non-traditional" as she did not follow what would be considered a standard educational path after high school.
- She discussed how and why she became involved in student government and her drive to give back to the community.

Regent David thanked Regent Lobrè for her willingness to serve in this position and noted the important impact she has as the student voice on the Board.

#### PUBLIC COMMENT

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

#### APPROVAL OF THE MINUTES OF THE APRIL 27, 2022 MEETING

**On motion of Regent McDonald, seconded by Regent Levy, the Board voted unanimously to approve the minutes of the April 27, 2022 meeting.**

#### CHAIR'S COMMENTS

Chair Temple made the following comments:

- He mentioned the successful Title IX symposium and his opportunity to introduce its keynote speaker, KeKe Baker-Barnes. He noted that she is the first female African American Commissioner in the NAIA. He also mentioned that participants had the chance to hear from DeeDee Breaux and that an award ceremony followed these engaging speakers.

- He then noted HBCU Day at the Capitol on May 24 and the kind words spoken for Southern University's outgoing President Ray Belton in celebrating his upcoming retirement. The retirement of Dillard University's Walter Kimbrough was also announced, but Chair Temple indicated he could not attend HBCU Day as he was being sworn in to the White House's HBCU Advisory Board in Washington, D.C. He mentioned that the Council had the opportunity to hear from Governor Edwards on the important role that HBCUs play. The Council also heard from the Legislative Black Caucus Chair, Rep. Vincent Pierre, as well as Council members Sen. Gerald Boudreaux and Rep. Jason Hughes.
- Chair Temple noted Regent Solomon's recent trip to help feed refugees on the border of Ukraine. He invited Regent Solomon to share a few words regarding this trip.
  - Regent Solomon noted that the trip was remarkable and rewarding, adding that large number of Ukrainian refugees were heading back into their country and hoped to return to their homes. He detailed the efforts to help feed refugees in need.
- On June 2<sup>nd</sup>, Regent May presented a donation from Entergy of \$1 million to LCTCS over three years to help jumpstart the M.J. Foster Promise Program. This donation will remove the financial barriers that adult students face that may not be covered by scholarship dollars.

## REPORTS AND RECOMMENDATIONS

Chair Temple inquired if any member of the Board wanted to take up any of the Committee reports separately before a motion was made to accept all reports. There were no requests.

**On motion of Regent Seale, seconded by Regent David, the Board voted unanimously to approve all Committee recommendations from the June 15, 2022 Committee meetings.**

## FINANCE COMMITTEE

### REVIEW AND APPROVAL OF THE FY 2022-2023 OPERATING BUDGET DISTRIBUTION

Ms. Elizabeth Bentley-Smith, Associate Commissioner for Finance and Administration, began her presentation by stating that during the legislative process the House and Senate increased the recommended funding for higher education, adding \$84.9M in State General Funds and \$74.3M in statutory dedications. The Governor signed HB1, which became Act 199 on June 1<sup>st</sup>, and the 2022 Regular Legislative Session concluded on Thursday, June 6<sup>th</sup>. Act 199 includes line-

item vetoes to fully restore higher education faculty pay raises. It appropriates \$1.252B in State General Funds to higher education for FY23, representing an increase of \$159.2M, the largest net increase in state higher education funding to date. In addition, the Governor signed HB592 (Supplemental Bill), now Act 170, which appropriated an additional \$35.9M in the current fiscal year (FY22) to higher education entities.

Ms. Bentley-Smith added that FY23 budget includes a record increase in GO Grants, the state's need-based aid program, \$10.5M in initial M.J. Foster Scholars adult financial aid funding and full funding for TOPS.

<b>Act 199 (HB1) Changes</b>	
<b>Amount</b>	<b>Description</b>
<b>\$ 1,174,941,971</b>	<b>FY22 State General Fund Base</b>
\$31,729,770	Faculty pay increase
\$18,004,134	Mandated costs increase
\$15,000,000	Formula institutions increase
\$15,000,000	GO Grants increases
\$7,130,000	LSU Agricultural Center
\$6,185,000	Pennington Biomedical Research Center
\$5,000,000	Title IX increases
\$4,325,000	LSU HSC-NO enhancements
\$3,360,000	LSU HSC-S enhancements
\$2,950,000	LSU A&M -Various enhancements
\$2,850,000	UL System - Various system enhancements
\$2,500,000	LSU Shreveport
\$2,000,000	SU New Orleans
\$1,569,245	SU Agricultural Center
\$1,000,000	STEM Initiatives
\$1,000,000	SU Law Center
\$400,000	SU Shreveport
<b>(\$6,884,348)</b>	TOPS swap for TOPS Fund
<b>(\$28,218,166)</b>	FY22 Non-recurring adjustments
<b>\$ 1,259,842,606</b>	<b>FY23 State General Fund Base in Act 199</b>
<b>\$ 84,900,635</b>	<b>FY23 Higher Education State General Fund Increase</b>

<b>FY22 Supplemental (Act 170) Changes</b>	
<b>Amount</b>	<b>Description</b>
<b>\$ 1,174,941,971</b>	<b>FY22 State General Fund Base</b>
\$12,500,000	Artificial Intelligence Supercomputer for LONI via LSU Hurricane Recovery and Stabilization at McNeese (\$5M), Nicholls (\$1M), Southeastern (\$1M), and New Orleans (\$1M)
\$8,000,000	LSU A&M Carbon Capture
\$5,000,000	LSU HSC-S Monroe Cancer Center
\$4,500,000	UL System Financial Management System Upgrades
\$3,600,000	LA Tech Technology Research Institution Building
\$2,000,000	LSU HSC-NO Dental School
\$1,568,500	UL System - Various system enhancements
\$1,000,000	LSU Shreveport
\$1,000,000	SU Baton Rouge Nursing Building
\$1,000,000	LSU HSC-NO National Cancer Institution Designation
\$850,000	SU Baton Rouge Global Innovation and Welcome Center
\$750,000	Pennington Biomedical Research Center
\$750,000	Fletcher TCC Resiliency Pilot
\$525,000	SU Baton Rouge Mumford Stadium upgrades
\$125,000	SU System - Various system enhancements
\$600,000	LCTC System - Various system enhancements
\$445,000	LSU System - Various system enhancements
\$150,000	LOSFA Fosters Scholars administrative costs
(\$5,000,000)	SGF decrease of Fosters Scholars
(\$15,688,102)	SGF decrease based on TOPS Fund increase
<b>\$ 1,203,617,369</b>	<b>FY22 State General Fund Base in Act 170</b>
<b>\$ 28,675,398</b>	<b>FY22 Higher Education State General Fund Increase</b>

Including the State General Fund increases from Act 199, the FY23 operating budget distribution by system for all means of finance (State General Fund, Interagency Transfers, Self-Generated Revenue, Statutory Dedications, and Federal) is below:

<b>FY 2022-2023 Operating Budget Distribution</b>						
<b>Entity</b>	<b>State General Fund</b>	<b>Interagency Transfer</b>	<b>Self-Generated Revenue</b>	<b>Statutory Dedications</b>	<b>Federal</b>	<b>Total</b>
BOR Total	\$359,921,449	\$11,224,363	\$12,030,299	\$113,075,266	\$62,956,132	\$559,207,509
LCTC SYS Total	\$145,992,229	\$0	\$169,530,000	\$61,322,227	\$0	\$376,844,456
LSU SYS Total	\$429,998,436	\$7,764,963	\$718,046,454	\$25,476,072	\$13,018,275	\$1,194,304,200
SU SYS Total	\$56,075,432	\$3,869,822	\$111,987,606	\$4,530,158	\$3,654,209	\$180,117,227
UL SYS Total	\$267,855,060	\$259,923	\$676,482,759	\$17,894,587	\$0	\$962,492,329
<b>Grand Total</b>	<b>\$1,259,842,606</b>	<b>\$23,119,071</b>	<b>\$1,688,077,118</b>	<b>\$222,298,310</b>	<b>\$79,628,616</b>	<b>\$3,272,965,721</b>

**Approved the funding recommendations for Higher Education for FY 2022-2023. Additionally, staff is granted permission to make adjustments among institutions within the systems as permitted by law.**

#### **BOARD MEMBER TRAVEL APPROVAL**

Mr. Matthew LaBruyere, Deputy Commissioner for Finance and Administration began his presentation by stating that, according to PPM49 state travel guidelines, section 1506.B.2., any actual expenses for Elected Officials, Board Members, and/or State Officers must be authorized by statute or pre-approved by the Board in order to be reimbursed on an actual expense basis. He also stated that itemized receipts are required for meals and lodging reimbursements and that requests “shall not be extravagant and will be reasonable in relation to the purpose of travel.” At the request of the Office of State Travel and to ensure continued compliance with PPM49, the Board of Regents must approve members of the Board to receive reimbursement at actual expense rates.

**Authorized present and future Board members to receive actual travel reimbursement and an exemption from meals and lodging according to state travel guidelines.**

#### **LEGISLATIVE COMMITTEE**

##### **2022 LEGISLATIVE UPDATE**

Ms. Doreen Brasseaux presented a final report on the outcomes of the 2022 Regular Legislative Session highlighting the legislative instruments of interest to the Board of Regents and higher education. She reported that all of the Regents’ priority bills passed, including Act 308, Act 209, Act 147, SB297, SB178, and several resolutions.

- Act 308 by Sen. Cleo Fields improves course by course transfer and provides for transfer pathways allowing students to build course credits towards an associate’s degree.

- Act 209 by Rep. Ken Brass adds dual enrollment and other early college opportunities to the official list of offerings to be shared by counselors with high school students.
- Act 147 by Rep. Tanner Magee places LUMCON's procurement designation at the same level as other campuses and specialized institutions, which will allow the pursuit of construction projects below a certain dollar amount.
- SB297 by Senator Regina Barrow moves from one rotating higher education seat on the Power-Based Violence Review Panel to adding a representative for every system.
- SB178 by Senator Cleo Fields codifies Hurricane Ida eligibility changes made via Executive Order, so students are not penalized for circumstances beyond their control.
- Resolutions
  - HBCU Day
  - 50<sup>th</sup> anniversary of the enactment of Title IX
  - Resiliency Pilot Program at Fletcher Technical Community College.

Ms. Brasseaux then shared information on a number of bills of importance to higher education that passed but were not included in Regents' legislative priorities package:

- Act 205 by Rep. Ken Brass allows two-year institutions to award associate's degrees to students at four-year institutions who have earned the credits needed for an associate's degree.
- HB 546 by Representative Buddy Mincey removes the requirement that a person pass the pre-entrance PRAXIS Core aptitude exam before being admitted into a university teacher prep program.
- HB 346 by Representative Francis Thompson establishes the Geaux Teach program in the Board of Regents for the purpose of providing scholarships for students in approved teacher preparation programs.

- HB 888 by Representative Barbara Freiberg requires the Board of Regents to establish a Hunger-Free Campus designation program and related grant program for postsecondary education institutions.
- SB 81 by Senator Bodi White removes the requirement that the TOPS information reporting system include parents' household income from the demographic information of award recipients.
- SB 190 by Senator Hewitt creates the Computer Science Education Advisory Commission, to provide recommendations to the State Board of Elementary and Secondary Education for the development and implementation of a state action plan for the delivery of computer science education in public schools.
- SB 191 by Senator Hewitt adds computer coding as an option to satisfy the foreign language requirement in the TOPS University Diploma for students who graduate during or after the 2026-2027 school year.
- SB 192 by Senator Gerald Boudreaux requires Regents to set up an advisory council to assist in creating and expanding comprehensive inclusive postsecondary education programs to provide pathways to postsecondary degree, certificate, and apprenticeship programs for students with intellectual and developmental disabilities.
- SB 317 by Senator Franklin Foil provides in-state residency status for military families and veterans. Louisiana institutions already provide this status, so the bill codifies the practice.
- HR 161 by Representative Hughes requests the Board of Regents, LOFSA, and public postsecondary education institutions to take certain actions as a result of the pandemic to improve postsecondary education outcomes in Louisiana.
- SCR 6 by Senator Stewart Cathey creates a task force to study and make recommendations relative to tenure policies of public postsecondary education institutions.

- SCR 49 by Senator Cleo Fields clarifies legislative intent regarding the M.J. Foster Promise Program that students do not have to take out federal student loans before they are eligible to receive the scholarship.

SR 196 by Senator Cameron Henry urges and requests the Board of Regents and BESE to include computer coding and American sign language as course equivalents for TOPS core curriculum and high school graduation requirements.

Regent Levy asked how the reverse transfer process would work, how students will be able to receive an associate's degree if they have the required credit hours, which institution would grant the degree, and whether students who earned credit hours years ago are also eligible. Dr. Tristan Denley responded to the questions, explaining that this new process will need to be developed with the state's institutions, but that the Board of Regents does have data on students and the hours they have earned going back several years. He further reported that the Board should be able to identify those students who may be eligible for an award and will inform the institutions involved to initiate the process for requesting their credits be reviewed for eligibility.

## **FACILITIES AND PROPERTY COMMITTEE**

Mr. Chris Herring, Associate Commissioner for Facilities Planning and Emergency Management, reported on the Consent Agenda, which contained the small capital and third-party projects staff approved since the previous meeting:

**Approved the items on the Consent Agenda as presented.**

### **A. Small Capital Projects**

1. LSU-A: Ultraviolet-C Lighting Additions (Budget Increase), Alexandria, LA
2. LSU A&M: East Campus Apartments Buildings 3 and 12 Roof Repairs, Baton Rouge, LA
3. LSU A&M: Johnston Hall 2<sup>nd</sup> and 3<sup>rd</sup> Floor South Wing Renovations, Baton Rouge, LA

4. LSU A&M: Residential College Boiler Replacement, Baton Rouge, LA
5. LSU A&M: Student Union 4<sup>th</sup> Floor Renovations for Student Affairs, Baton Rouge, LA
6. LSU A&M: Student Union Ballroom Renovations, Baton Rouge, LA
7. LSU A&M: School of Veterinary Medicine Pharmacy Relocation, Baton Rouge, LA
8. LSU A&M: School of Veterinary Medicine Rooms 2536, 2538, 2538A, and 2540 Lab Renovations, Baton Rouge, LA
9. LSU A&M: West Campus Apartments Building 5 Roof Repairs, Baton Rouge, LA
10. LSU-E: Health Tech Building Medical Gas System Upgrades and Laboratory Renovation, Eunice, LA
11. LSU-S: New Science Building Annex, Shreveport, LA
12. SLCC-Acadian Campus: HVAC Replacement, Crowley, LA
13. SLCC-Gulf Area Campus: HVAC Replacement, Abbeville, LA
14. SLCC: Ardoin Building Rooftop HVAC Replacements, Lafayette, LA
15. SLCC: Health and Science Building Existing HVAC Modifications, Lafayette, LA
16. SLCC: Devalcourt Building HVAC Modifications, Lafayette, LA
17. SLCC-New Iberia Campus: HVAC Replacement, New Iberia, LA
18. SLCC-T.H. Harris Campus: Building A HVAC Replacement/Modifications, Opelousas, LA
19. SLCC-T.H. Harris Campus: Building B-C HVAC Replacement/Modifications, Opelousas, LA

## **B. Third-Party Projects**

1. La Tech: Video Ribbon Display at Joe Alliet Stadium, Ruston, LA
2. SELU: New Baseball Fieldhouse, Hammond, LA

## **CAPITAL OUTLAY UPDATE**

Mr. Herring provided the Board with an update on the capital outlay bill (Act 117), which was signed by the Governor on June 1, 2022. The signed version of the bill includes a total of 87 projects across all four systems, Regents, and LUMCON, totaling approximately \$312.8M in FY23 funding. Mr. Herring highlighted that the FY23 appropriation represented the largest appropriation to higher education in terms of Priority 1, Priority 2 and cash funding when

compared to prior years, including the most appropriated for deferred maintenance (\$50M) since 2008.

## **ACADEMIC AND STUDENT AFFAIRS COMMITTEE**

Dr. Tristan Denley, Deputy Commissioner for Academic Affairs and Innovation, presented the Consent Agenda, consisting of Staff Approvals and Progress Reports for Conditionally Approved Programs, along with three proposals for new academic programs.

### **CONSENT AGENDA**

**Approved the items on the Consent Agenda as presented.**

- A. Routine Staff Approvals**
- B. Progress Reports**

### **ACADEMIC PROGRAMS**

**Approved the three program proposals as presented.**

- A. AAS Computer Information Systems – Fletcher TCC**
- B. AS Nursing – Northshore TCC**
- C. MS Clinical Mental Health Counseling – McNeese**

## **RESEARCH AND SPONSORED INITIATIVES COMMITTEE**

### **CONSENT AGENDA**

**Approved the item on the Consent Agenda.**

- A. Appointment of Endowed Chairholders without National Search: University of Louisiana at Monroe**

Ms. Carrie Robison, Deputy Commissioner for Sponsored Programs, presented the Consent Agenda, consisting of a request from the University of Louisiana at Monroe to appoint internal candidates to two BoRSF-matched Endowed Chairs: the Kitty DeGree Eminent Scholars Chair in Nursing and the Susan D. and William S. Banowsky, Jr. Endowed Chair of Accounting.

ULM nominated Dr. Wendy Bailes as holder of the DeGree Chair and Dr. Michelle McEacharn as holder of the Banowsky Chair.

#### LOUISIANA CYBERSECURITY TALENT INITIATIVE FUND UPDATE AND OVERVIEW OF LOUISIANA'S CYBERSECURITY LANDSCAPE

Ms. Robison presented an overview of the Cybersecurity Education Management Council and Cybersecurity Talent Initiative Fund, then summarized the funding awarded for FY 2022-23. She also provided information on the projects previously funded and their outcomes to date.

Dr. Denley updated the Committee members on the cyber programs available across the state. He noted the newness of many programs and summarized data on credential completers. He concluded with insights on these programs as workforce demand for cyber training increases.

Regent Seale asked Dr. Denley whether he knew of different approaches adopted in other states to addressing the need for cybersecurity training. Dr. Denley indicated that most states operate as Louisiana does, with programs created by individual campuses in response to regional and national needs. He added that programs like the Cybersecurity Talent Initiative Fund are unusual and strongly supportive of regional and statewide collaboration around program development.

**This item was for information only. No action was requested.**

#### **STATEWIDE PROGRAMS COMMITTEE**

Dr. Sujuan Boutté, Executive Director of LOSFA, presented the Consent Agenda items.

#### CONSENT AGENDA

**Approved the items on the Consent Agenda as presented.**

#### **III. Consent Agenda**

- a. Approval of Final Rulemaking – Adds Dual Enrollment African American History as a TOPS core equivalent that can be graded on a 5.0 grading scale.**
- b. Approval of Initial Rulemaking – Add Dual Enrollment Psychology as a TOPS core equivalent that can be graded on a 5.0 grading scale.**

- c. **TOPS Exceptions – Regulatory provisions that require students to remain continuously enrolled and to earn the annual credit hours required during the academic year.**

**REQUESTS FOR EXCEPTION TO THE TOPS STATUTORY PROVISION THAT REQUIRES A STUDENT TO BEGIN A HOME STUDY PROGRAM NO LATER THAN THE CONCLUSION OF THE TENTH GRADE**

Dr. Sujuan Boutté presented to the Regents requests for exception to the requirement that a student begin a home study program no later than the conclusion of the tenth-grade year. Act 95 of the 2021 Regular Session of the Louisiana Legislature implemented a provision which allows the administering agency to grant exceptions to this requirement when a student provides documentation that the transfer to a home study program later than the statutorily provided time frame was beyond the student's control.

Two requests for an exception to the deadline to begin a home study program were reviewed and approved by the LOSFA Advisory Board at its meeting of May 12, 2022. The students have presented facts and documentation that the students believe justify the granting of an exception as an exceptional circumstance.

**Approved the requests for exception to the requirement that a student begin a home study program no later than the conclusion of the tenth-grade year.**

**RECEIVE THE GO GRANT STUDY GROUP REPORT**

Dr. Sujuan Boutté presented to the Regents a GO Grant Study Group report with the recommendations from HCM Strategists, who provided an in-depth review of the Louisiana GO Grant at its meeting on April 28, 2021. Regents has already adopted many of the recommendations in the GO Grant framework.

Related to the study, LOSFA asked financial aid administrators whether they would support an increase in the maximum yearly award of \$3,000 and, if so, would that maximum be awarded to students. The majority of those responding voiced support for increasing the maximum as long as the Board of Regents continued to allow flexibility for campuses to award less than the maximum in an effort to award more students. The GO Grant Study Group report was reviewed and approved by the LOSFA Advisory Board at its meeting of May 12, 2022.

Received the GO Grant Study Group report.

## PLANNING, RESEARCH AND PERFORMANCE COMMITTEE

Dr. Susannah Craig, Deputy Commissioner for Strategic Planning and Student Success, presented the Consent Agenda items.

### CONSENT AGENDA

Approved the items on the Consent Agenda as presented.

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

1. Initial Application
  - a. Oral Roberts University
2. Renewal Application
  - a. Central Texas College
  - b. Infinity College
  - c. National University
  - d. Reach University (Oxford Teachers College)
  - e. Relay Graduate School of Education

**B. Proprietary Schools Advisory Commission**

1. Initial Applications
  - a. Advanced Truck Driving School & Safety Services - New Iberia, LA
  - b. Brow Canvas Academy - Mandeville, LA
  - c. Ripple Learning LLC, DBA Hands on HVAC School - Shreveport, LA
  - d. Louisiana Green Corps - New Orleans, LA
2. Renewal Applications
  - a. Academy of Acadiana, New Iberia, LA – License #2086
  - b. At-Home Professions, Fort Collins, CO – License #1015
  - c. Baton Rouge Dental Assistant Academy, Baton Rouge, LA – License #2191
  - d. CDL Mentors, LLC, Lake Charles, LA – License #2299
  - e. Charity Health Training Institute, LLC, Lafayette, LA – License #2316
  - f. Coastal College - Lafayette, Opelousas, LA – License #1002
  - g. Coastal College - Monroe, Calhoun, LA – License #957
  - h. Delta College of Arts & Technology, Lafayette, LA – License #2075
  - i. Elise Phlebotomy Training Center, Harvey, LA – License #2317
  - j. Goodwill Technical College, New Orleans, LA – License #2210
  - k. Lenora School of Phlebotomy, Slidell, LA – License #911
  - l. Louisiana Culinary Institute, LLC, Baton Rouge, LA – License #2045
  - m. Saint Christopher College, Carencro, LA – License #2269
  - n. Southwest Dental Academy, Lafayette, LA – License #2318
  - o. Tulsa Welding School & Technology Center, Houston, TX – License #2212
  - p. Unitech Training Academy, Houma, LA – License #2087
  - q. Unitech Training Academy, Lafayette, LA – License #988

### PROPRIETARY SCHOOL ADJUDICATORY HEARING RESULTS

Ms. Courtney Britton, Proprietary Schools Program Administrator, presented the Proprietary School adjudicatory hearing results. Ms. Britton began by stating that the Advisory Commission on Proprietary Schools held an adjudicatory hearing at their meeting on May 10, 2022 to hear and review evidence regarding a formerly licensed proprietary school. The evidence showed that Louisiana Truck Driver and Vocational Career Center of LaPlace, LA, was doing business as CDL Louisiana, and did allegedly violate three parts of Louisiana Proprietary School Law.

Ms. Britton then provided background information on the school, stating that they were originally licensed in 2019 and sought their second application renewal in August 2021. She then added that the school was not able to provide all of the required renewal documents prior to the license expiration date, and, therefore, its license expired. At the time, Proprietary staff had been told that the school had never enrolled any students, but in January of 2022 the staff were contacted by a former student regarding her training at the school. After investigation, three violations were brought before the Commission at the adjudicatory hearing on May 10. Per proprietary school law, the school was notified of this hearing, evidence was presented and the Commission's recommendations, as well as the evidence, was presented to the Board for review.

Ms. Britton continued that at the hearing of May 10, Commission member Chris Broadwater served as the hearing officer and Uma Sumbramanian served as the prosecuting attorney. Ms. Britton mentioned that she provided evidence on behalf of the Commission and the school owner, Michael Dillon, who was also present and was able to give his testimony to the commission. She then stated that after reviewing the presented evidence, which included the exhibits and testimony, the Commission made the following findings: the Commission did not find that CDL Louisiana offered an unapproved program; the Commission did find that CDL Louisiana failed to maintain a signed enrollment agreement; and the Commission did find that CDL Louisiana failed to refund a student's tuition as required by the refund policy.

Ms. Britton asked that the following recommendations be approved by the Board:

In relation to the finding that the school failed to maintain a signed enrollment agreement, the Commission recommended corrective action of a fine of \$100.

In relation to the violation of the student refund policy, the Commission recommended corrective action of restitution in the amount of \$2000.

**Accepted the recommendations of the Commission, including the corrective actions of the restitution order and fine, based on the record of the proceedings conducted before the Commission.**

#### REPORTS AND RECOMMENDATIONS BY THE COMMISSIONER OF HIGHER EDUCATION

Commissioner Reed provided the following information:

- There has been great support and commitment to higher education that has led to its large reinvestment. This legislative session has shown the largest-ever net increase for higher education. Several individuals were thanked for their support in this work, including Governor Edwards, Speaker of the House Rep. Clay Schexnayder, Senate President Sen. Page Cortez and Lt. Governor Nungesser. Special recognition was given to Lt. Governor Nungesser, who supported a \$5 million cut to his budget to fully fund our requested faculty pay raise. Regent Sterling noted that this support can be tied to the clear goals laid out in the Master Plan as well as alignment of purpose and added that this great work done is thanks to the leadership of Commissioner Reed and the staff.
- Future Educators were honored at the Future Educator Honor Roll event, where institutions selected two individuals from their teaching programs to attend and receive an award.
- The Commissioner and Dr. Susannah Craig embarked on a trip to St. Helena Parish, where they visited with students, administrators and the superintendent of this school system, which was recognized as “Most Improved” in Louisiana.
- David Spicer was introduced as the new Governor’s Fellow. David has an extensive background of academic accomplishments and is currently a senior and SGA president at MIT. Mr. Spicer indicated his excitement in working with the Regents’ team for the summer.
- With great sorrow, Regents acknowledged the passing of Gail Savoie, wife of former Commissioner Joe Savoie.

#### OTHER BUSINESS

There was no other business to come before the Board.

#### ADJOURNMENT

There being no further business to come before the Board, on motion of Regent David, seconded by Regent Solomon, the meeting was adjourned at 2:17 p.m.

## Appendix A

### Board Meeting Guest List

Wednesday, June 15, 2022

NAME	AFFILIATION
Matt Lee	LSU
Jackie Bach	LSU
Stephanie Marcum	LDOE
Daniel Roberts	
Derrick Angelloz	LSU FPO
Robert René	Southern University System
Anna Bartel	LSU
Chante Landry-Roberts	CDL Louisiana

*Collis B. Temple, III*  
*Chair*

*Gary N. Solomon, Jr.*  
*Vice Chair*

*Sonia A. Pérez*  
*Secretary*

*Kim Hunter Reed, Ph.D.*  
*Commissioner of*  
*Higher Education*



*Blake R. David*  
*Randy L. Ewing*  
*Stephanie A. Finley*  
*Robert W. Levy*  
*Phillip R. May, Jr.*  
*Charles R. McDonald*  
*Darren G. Mire*  
*Wilbert D. Pryor*  
*T. Jay Seale, III*  
*Terrie P. Sterling*  
*Felix R. Weill*  
*Judy A. Williams-Brown*  
*Catarena M. Lobré, Student*

**BOARD OF REGENTS**  
*P. O. Box 3677*  
*Baton Rouge, LA 70821-3677*  
*Phone (225) 342-4253, FAX (225) 342-9318*  
[www.regents.la.gov](http://www.regents.la.gov)

**AGENDA**  
**AUDIT COMMITTEE**  
Wednesday, August 24, 2022  
10:40 a.m.

Claiborne Building, 1<sup>st</sup> Floor  
Thomas Jefferson Rooms A&B 1-136  
1201 North Third Street  
Baton Rouge, LA 70802

- I. Call to Order
- II. Roll Call
- III. External Assessment Report Results
- IV. Internal Audit Presentation
  - A. LOSFA GO Grants Internal Audit Report Fiscal Year 2022
  - B. Approval and Review of Internal Audit Charter for Fiscal Year 2023
  - C. Approval of the Proposed Internal Audit Plan for Fiscal Year 2023
- V. Other Business
- VI. Adjournment

Committee Members: T. Jay Seale III, Chair, Sonia Pérez, Vice Chair, Randy Ewing, Gary Solomon, Jr, Felix Weill, and Judy Williams-Brown  
Staff: Kim Hunter Reed, Commissioner of Higher Education

**Audit Committee  
Executive Summary  
August 24, 2022**

**Agenda Item III.**

**External Assessment Results**

To ensure compliance with the Institute of Internal Auditor's (IIA) Standards, the Board of Regents' Internal Audit activity is required to undergo an independent external assessment, as part of the overall quality assurance and improvement program every five years. The Board of Regents contracted with the independent accounting firm HORNE, LLP to conduct the External Assessment Review (Attachment I), which was completed in June 2022. HORNE's overall opinion is that the Board of Regents' Internal Audit function "Generally Conforms" with the Standards and the IIA Code of Ethics. The rating "Generally Conforms" is the highest rating an Internal Audit activity can achieve on an External Assessment Review.

**Senior Staff recommends the Audit Committee receive the Internal Audit External Assessment Report.**

**Agenda Item IV.A.**

**LOSFA GO Grants Internal Audit Report for Fiscal Year 2022**

Postlethwaite & Netterville (P&N) conducted an internal audit of the LOSFA's GO Grant Program to evaluate the program's processes and internal controls. There were no reportable observations identified.

**No motion is required.**

**Agenda Item IV.B.**

**Approval and Review of Internal Audit Charter for Fiscal Year 2023**

The Audit Committee is required to review and approve the Internal Audit Charter annually. The Internal Audit Charter provides the purpose, authority, responsibility, and position within the organization. Since the Charter was last updated, there were no changes to the Institute of Internal Auditing Standards that would necessitate a change. Postlethwaite & Netterville (P&N) has reviewed the most recently updated charter (Attachment II), approved June 16, 2021. Based on P&N's review, no changes are recommended to the Charter at this time.

**RECOMMENDATION**

**The Audit Committee Chair recommends reapproval of the Internal Audit Charter.**

#### **Agenda Item IV.C.**

#### **Approval of the Proposed Internal Audit Plan for Fiscal Year 2023**

The Audit Committee is required to review and approve the Internal Audit Plan annually. The annual risk assessment process and resulting Internal Audit Plan provides for the allocation of internal audit resources to higher-risk activities within the Board of Regents' programs for the upcoming fiscal year. P&N developed this audit plan using a risk-based approach in compliance with the Institute of Internal Auditors' standards and Louisiana Revised Statute 17:3138.6.

#### **RECOMMENDATION**

**The Audit Committee Chair recommends approval of P&N's Internal Audit Plan for FY 2023.**



# **Louisiana Board of Regents**

## **External Assessment Review of Internal Audit**

### **June 2022**

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## EXTERNAL ASSESSMENT REVIEW OF INTERNAL AUDIT

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### Executive Summary

Louisiana Board of Regents ("BOR") implemented its internal audit ("IA") function in 2018 in response to a recently passed law by the Louisiana Legislature (ACT 314 of the 2015 Regular Session). BOR chose to outsource IA to a third-party firm ("TPF"). The TPF's engagement requires that the firm prepare an annual risk assessment, identify higher risk auditable areas, and perform audits as approved by BOR's Audit Committee. The TPF's size and depth of talent allows it to bring competent staff to the engagements with the teams having the requisite technical knowledge to audit the various areas of BOR's operations.

ACT 314 of the 2015 Regular Session requires that the IA function adhere to the Institute of Internal Auditor's ("IIA") *International Standards for the Professional Practice of Internal Auditing* ("Standards"). The Standards require that a quality assessment ("QA") of an internal audit activity must be conducted at least once every five years. BOR management engaged HORNE LLP ("HORNE") to perform the QA. The purpose of a QA is an assessment of IA's conformance with the Standards and the IIA's Code of Ethics.

#### *Opinion as to Conformance with the Standards and Code of Ethics*

**It is our overall opinion that BOR's IA function Generally Conforms with the Standards and the IIA Code of Ethics.** A list of conformity with individual standards and the Code of Ethics is detailed in Attachment A.

The IIA *Quality Assessment Manual for the Internal Audit Activity* identifies a scale of three rankings when opining on an internal audit activity: "Generally Conforms," "Partially Conforms," and "Does Not Conform."

The ranking of "Generally Conforms" means that an internal audit activity has a charter, policies, and processes that are judged to be in conformance with the Standards and the Code of Ethics. "Partially Conforms" means that deficiencies in practice are noted and are judged to deviate from the Standards and/or the Code of Ethics; however, these deficiencies did not preclude the internal audit activity from performing its responsibilities in an acceptable manner. "Does Not Conform" means that deficiencies in practice are judged to deviate from the Standards and/or the Code of Ethics and are significant enough to seriously impair or preclude the internal audit activity from performing adequately in all or in significant areas of its responsibilities. A detailed description of conformance criteria can be found in Attachment A.

The QA team rated one of the 52 Standards as 'Partially Conforms' related to improvement opportunities in the policies and procedures supporting the execution of IA's operations. The remaining 51 Standards were assessed as "Generally Conforms." Individual assessments of each of the Standards are detailed in Attachment A.

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## EXTERNAL ASSESSMENT REVIEW OF INTERNAL AUDIT

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### *Objectives, Scope, and Methodology*

#### **Objectives**

- The principal objective of the QA was to assess IA's conformance with the Standards and the Code of Ethics.
- HORNE also evaluated IA's effectiveness in carrying out its mission (as set forth in the IA charter and expressed in the expectations of BOR's management); identified successful internal audit practices demonstrated by IA; and identified opportunities for continuous improvement to enhance the efficiency and effectiveness of the infrastructure, processes, and the value IA brings to BOR's stakeholders.

#### **Scope**

- The scope of the QA included IA, as set forth in the internal audit charter and approved by the Audit Committee, which defines the purpose, authority, and responsibility of IA.
- The QA was concluded on June 17, 2022 and provides BOR senior management and the Audit Committee with information about IA as of that date.
- The Standards and the Code of Ethics in place and effective as of June 2022, were the basis for the QA.

#### **Methodology**

- At the request of HORNE, IA and BOR management provided information in a detailed planning document checklist and answered questions related to internal audit governance, staff, management, and process.
- Key stakeholders (IA staff, BOR senior management, and the Audit Committee Chair) were sent surveys and the results were tabulated by HORNE. Summarized survey results were shared with IA as part of the QA.
- Prior to and as part of the on-site portion of the QA, HORNE held meetings with IA and BOR management to discuss the status of preparation of planning materials, identification of key stakeholders to be interviewed, and finalization of logistics related to the QA.
- To accomplish the QA objectives, HORNE reviewed information prepared by IA at the assessment team's request; conducted interviews with selected key stakeholders, including the Audit Committee chair, senior management of BOR, external examiners, and IA management and staff; reviewed a sample of audit projects and associated workpapers and reports; reviewed survey data received from BOR stakeholders and IA management and staff; and prepared diagnostic tools consistent with the methodology established for a QA in the *Quality Assessment Manual for the Internal Audit Activity*.

## EXTERNAL ASSESSMENT REVIEW OF INTERNAL AUDIT

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### *Categories of Observations Identified in the QA*

Observations identified during the QA are divided into three categories:

- **Successful Internal Audit Practices** – Areas where IA is operating in a particularly effective or efficient manner when compared to the practice of internal auditing demonstrated in other internal audit activities. The identification of these items is intended to provide IA stakeholders with actions IA is doing in a leading practice manner when compared to other internal audit activities.
- **Gaps to Conformance with the Standards or the Code of Ethics** – Areas identified during the QA where the assessment team has concluded that IA is operating in a manner that falls short of achieving one or more major objectives, with the Standards or the Code of Ethics that results in an opinion for an individual standard of "partially conforms" or "does not conform." These items include recommendations offered by HORNE for actions to be implemented for achieving "generally in conformance" with the Standard and include an IA response to address the gap.
- **Opportunities for Continuous Improvement** – Observations of opportunities to enhance the efficiency or effectiveness of IA's infrastructure of processes. These items do not indicate a lack of conformance with the Standards or the Code of Ethics, but rather offer suggestions on how to better align with criteria defined in the Standards or the Code of Ethics. These operational ideas are based on the experiences of the external assessment team from working with other internal audit activities.

The following provides the observations identified during the QA.

### Successful Internal Audit Practices

1. The IA charter language aligns with the International Professional Practice Framework's mandatory elements.
2. The IA outsourcing arrangement assists in supporting IA's independence. The TPF's size and breadth of experience allows it to leverage technical expertise to support audits across disciplines and helps ensure staff have the necessary training.
3. The Chief Audit Executive ("CAE") has a "seat at the table" with BOR management that allows for IA to best execute its role.
4. IA's reporting structure (functionally to the Audit Committee and administratively to the Commissioner of Higher Education) provides IA with sufficient access to raise issues as needed.
5. The Quality Assurance & Improvement Program ("QAIP") leverages good tools to assess Standards, provide interpretations, and evidence approach to compliance.
6. IA's conformance to the Standards and the Code of Ethics allows it to use the language in IA's reports 'conforms with the International Standards for the Professional Practice of Internal auditing' which helps elevate IA's value to BOR.
7. IA's annual risk assessment approach leverages wide engagement across BOR management and the Board providing opportunities to fully understand the risks facing BOR.

## **EXTERNAL ASSESSMENT REVIEW OF INTERNAL AUDIT**

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8. IA audit reports are concise, with recommendations and comments being viewed by BOR management as value-added. IA's root cause assessment reflected in the audit reports demonstrate a willingness by IA to delve into an understanding of the true nature of the cause of an issue and assess the needed actions to appropriately address the risk.
9. The TPF performs timely follow-up reviews to validate and issue formal reports on the status of actions taken to remediate issues identified. BOR management responses to issues identified are meaningful and demonstrate genuine commitment to timely resolution.

### **Gap to Conformance with the Standards or the Code of Ethics**

As part of the QA, an assessment was performed against each of the 52 Standards and the Code of Ethics. The QA team identified one Standard which was assessed as 'Partially Conforms'. The following provides a summary of the identified gap and IA's response:

Standard 2040 "Policies and Procedures" states that the CAE must establish policies and procedures to guide the internal audit activity. The QA team was able to obtain comfort through review of IA's audit workpaper support, discussions with IA management and staff, and other select documentation, that IA operates with a level of policies and procedures that allow it to create consistent and adequately supported audits and overall general compliance with the Standards. However, given there was a lack of clarity of alignment of the TPF's policies and procedures and how they were used in the execution of the audits, the QA team concluded that there was only partial conformance with Standard 2040.

HORNE suggests that IA develop specific operating procedures that align the TPF's current operating policies and procedures to its internal audit specific activities. Additionally, mapping the operating procedures to the Standards and Code of Ethics would further document conformance.

### **IA Response/Action Plan:**

IA will evaluate current policies and procedures and make updates as necessary to ensure clarity of alignment with respect to how they are used in execution of audits, including mapping the policies and procedures to the IIA Standards and Code of Ethics.

### **Opportunities for Continuous Improvement**

BOR's IA function has sufficient access to staff with the necessary technical knowledge and understanding of the Standards and the Code of Ethics. IA has access to suitable audit tools and implements appropriate practices to execute its function. Consequently, the following comments and recommendations are intended to build on this foundation already in place in IA.

1. Establish an Internal Audit Strategic Plan which may assist in guiding IA as it matures and may help provide a perspective of what an 'End State' Internal Audit may look like.
2. Continue to educate BOR management on the value that IA can bring to the organization, IA's roles and responsibilities, and IA's ability to assist BOR management with consulting opportunities.
3. Establish a separate Audit Committee Charter.

## **EXTERNAL ASSESSMENT REVIEW OF INTERNAL AUDIT**

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4. Expand the documented Annual Risk Assessment Plan and related reporting to the Audit Committee and senior BOR management including:
  - Presentation of the full audit universe and risk ratings
  - Roll-forward of auditable entities (i.e., changes in auditable entities period over period)
  - Extent of auditable entity coverage (e.g., last time entities were audited; entities subjected to 'process assessments' vs 'full internal audits') (Standards 2010 and 2020)
5. Clear documentation on an annual basis of the TPF's independence from BOR to the Audit Committee. (Standard 1110)
6. Establish an annual assessment by the Audit Committee of IA's performance which would help evidence their oversight of IA. (Standard 1110)
7. Clearer documentation of engagement team members understanding of IIA Standards and Code of Ethics. (Standard 1200)
8. Consider implementing post-engagement client surveys to help assess IA's performance and identify opportunities for improvement. (Standard 2000)
9. For individual audit engagements, continue to enhance documentation of the individual engagement risk assessment, including for example utilizing a management questionnaire to enhance the planning and scoping process. (Standard 2200)
10. Enhance IA's audit reports including:
  - Explicitly acknowledging satisfactory performance, where appropriate
  - Clearly delineating consulting and assurance activities
  - Defining "Substantially Remediated" in follow-up audits
  - Consistently including timeframe for remediation and name of responsible party for issues. (Standard 2060)
11. Enhancement opportunities for the QAIP process include:
  - Formally document the QAIP program, including for example the QAIP framework, expected QAIP procedures, frequency of execution and reporting requirements for on-going monitoring and periodic self-assessments to the Audit Committee (Standards 1311 and 1320)
  - Evidence that BOR remains responsible for internal auditing activities (Standard 2070)
12. For issues that were identified by IA, consider implementing the following:
  - Monitoring on an interim basis, the status of actions taken by management to remediate higher risk issues that remain open
  - Establishing a clear process for adjusting an issue's targeted remediation date
  - Periodically reporting to the Audit Committee, the status of issues, including a roll-forward of issue counts (e.g., open issues at the beginning of the period, new issues, closed/remediated issues and ending issues) and highlighting past due issues or changes to remediation dates (Standard 2500)

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## EXTERNAL ASSESSMENT REVIEW OF INTERNAL AUDIT

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### IA Response/Action Plan:

The BOR appreciates the comprehensive insights and opportunities for continuous improvement provided by HORNE. In collaboration with the Audit Committee and senior management, BOR will evaluate each of the enhancement opportunities provided and implement actions, as appropriate, to ensure internal audit is best positioned to meet the needs of the BOR, the Audit Committee, and key stakeholders.

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**EXTERNAL ASSESSMENT REVIEW OF INTERNAL AUDIT**


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**Attachment A – Evaluation Summary and Rating Definitions**

	GC	PC	DNC
Overall Evaluation	X		

Attribute Standards (1000 through 1300)	GC	PC	DNC
1000 Purpose, Authority, and Responsibility	X		
1010 Recognizing Mandatory Guidance in the Internal Audit Charter	X		
1100 Independence and Objectivity	X		
1110 Organizational Independence	X		
1111 Direct Interaction with the Board	X		
1112 Chief Audit Executive Roles Beyond Internal Auditing	X		
1120 Individual Objectivity	X		
1130 Impairment to Independence or Objectivity	X		
1200 Proficiency and Due Professional Care	X		
1210 Proficiency	X		
1220 Due Professional Care	X		
1230 Continuing Professional Development	X		
1300 Quality Assurance and Improvement Program	X		
1310 Requirements of the Quality Assurance and Improvement Program	X		
1311 Internal Assessments	X		
1312 External Assessments	X		
1320 Reporting on the Quality Assurance and Improvement Program	X		

**EXTERNAL ASSESSMENT REVIEW OF INTERNAL AUDIT**

Attribute Standards (1000 through 1300)		GC	PC	DNC
1300	Quality Assurance and Improvement Program - continued			
1321	Use of "Conforms with the <i>International Standards for the Professional Practice of Internal Auditing</i> "	X		
1322	Disclosure of Nonconformance	X		

Performance Standards (2000 through 2600)		GC	PC	DNC
2000	Managing the Internal Audit Activity	X		
2010	Planning	X		
2020	Communication and Approval	X		
2030	Resource Management	X		
2040	Policies and Procedures		X	
2050	Coordination and Reliance	X		
2060	Reporting to Senior Management and the Board	X		
2070	External Service Provider and Organizational Responsibility for Internal Auditing	X		
2100	Nature of Work	X		
2110	Governance	X		
2120	Risk Management	X		
2130	Control	X		
2200	Engagement Planning	X		
2201	Planning Considerations	X		
2210	Engagement Objectives	X		
2220	Engagement Scope	X		

**EXTERNAL ASSESSMENT REVIEW OF INTERNAL AUDIT**

Performance Standards (2000 through 2600)		GC	PC	DNC
2200	Engagement Planning - continued			
2230	Engagement Resource Allocation	X		
2240	Engagement Work Program	X		
2300	Performing the Engagement	X		
2310	Identifying Information	X		
2320	Analysis and Evaluation	X		
2330	Documenting Information	X		
2340	Engagement Supervision	X		
2400	Communicating Results	X		
2410	Criteria for Communicating	X		
2420	Quality of Communication	X		
2421	Errors and Omissions	X		
2430	Use of "Conducted in Conformance with the <i>International Standards for the Professional Practice of Internal Auditing</i> "	X		
2431	Engagement Disclosure of Nonconformance	X		
2440	Disseminating Results	X		
2450	Overall Opinions	X		
2500	Monitoring Progress	X		
2600	Communicating the Acceptance of Risks	X		

Code of Ethics		GC	PC	DNC
	<b>Code of Ethics</b>	X		

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## EXTERNAL ASSESSMENT REVIEW OF INTERNAL AUDIT

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### RATING DEFINITIONS

**GC – "Generally Conforms"** means that the assessor has concluded that the relevant structures, policies, and procedures of the activity, as well as the processes by which they are applied, comply with the requirements of the individual standard or elements of the Code of Ethics in all material respects. For the sections and major categories, this means that there is general conformity to a majority of the individual Standard or element of the Code of Ethics and at least partial conformity to the others within the section/category. There may be significant opportunities for improvement, but these should not represent situations where the activity has not implemented the Standards or the Code of Ethics and has not applied them effectively or achieved their stated objectives. As indicated above, general conformance does not require complete or perfect conformance, the ideal situation, or successful practice, etc.

**PC – "Partially Conforms"** means that the assessor has concluded that the activity is making good-faith efforts to comply with the requirements of the individual standard or elements of the Code of Ethics or a section or major category but falls short of achieving some major objectives. These will usually represent significant opportunities for improvement in effectively applying the Standards or the Code of Ethics and/or achieving their objectives. Some deficiencies may be beyond the control of the internal audit activity and may result in recommendations to senior management or the board of the organization.

**DNC – "Does Not Conform"** means that the assessor has concluded that the internal audit activity is not aware of, is not making good-faith efforts to comply with or is failing to achieve many or all of the objectives of the individual standard or element of the Code of Ethics or a section or major category. These deficiencies will usually have a significantly negative impact on the internal audit activity's effectiveness and its potential to add value to the organization. These may also represent significant opportunities for improvement, including actions by senior management or the board.

# **Louisiana Board of Regents**

## **Internal Audit Charter**

### **INTRODUCTION**

As defined by the Institute of Internal Auditors, Internal Audit is an independent, objective assurance and consulting activity designed to add value and improve the operations of Louisiana Board of Regents (hereafter referred to as Board of Regents). Internal Audit assists Board of Regents in accomplishing its goals and objectives by providing a systematic, disciplined approach to evaluate and improve the effectiveness of governance, risk management and internal control processes.

### **ROLE**

The internal audit activity and its responsibilities are established by the Audit Committee. The Audit Committee consists of no less than five voting members that are independent of the Board of Regents staff and collectively possess sufficient knowledge of audit, finance, higher education, information technology, law, governance, risk and control. The internal audit activity's role is to examine and evaluate the adequacy and effectiveness of Board of Regents' governance, risk management, and internal controls, as well as the quality of performance in carrying out assigned responsibilities to achieve Board of Regents' goals and objectives. The internal audit activity furnishes impartial, independent analyses, appraisals, recommendations, and pertinent comments on the business activities of Board of Regents.

The Chief Audit Executive will be the contract manager for the outsourced internal audit provider, and will be responsible for ensuring internal audits and other agreed activities are conducted in compliance with this Charter and the Consulting Contract.

Management of each Board of Regents' divisions has the responsibility to ensure that assets are properly safeguarded, internal controls are established and are sufficient to ensure compliance with applicable laws and regulations, and procedures are sufficient to detect errors and fraud in a timely manner. Management is also responsible for providing input into the risk assessment and audit plan and for ensuring that internal audit findings are resolved in a timely manner.

### **PROFESSIONALISM**

The internal audit activity will govern itself by adhering to the Institute of Internal Auditor's mandatory guidance, which includes the Definition of Internal Auditing, the Code of Ethics, and the *International Standards for the Professional Practice of Internal Auditing (Standards)*. This mandatory guidance provides principles and fundamental requirements that allow for the evaluation of the effectiveness of the internal audit activity's performance.

### **AUTHORITY**

The internal audit activity is authorized to full and unrestricted access to Board of Regents' records, personnel, and physical properties pertinent to the engagement being conducted. The internal audit activity will uphold accountability and confidentiality in regards to safeguarding records and sensitive information. All employees are requested to assist the internal audit activity in fulfilling its roles and responsibilities. The internal audit activity will also have free and unrestricted access to the members of the Board of Regents.

### **ORGANIZATION**

The internal audit activity reports functionally to the Audit Committee of Board of Regents and administratively to the Commissioner of Higher Education. Board of Regents Audit Committee will:

- Review and approve the internal audit charter.

## **Louisiana Board of Regents Internal Audit Charter**

- Review and approve the risk based internal audit plan, including all major changes to the plan.
- Review and approve the internal audit budget and resource plan.
- Receive communications on the internal audit activity's performance relative to its plan and other matters.
- Review and approve decisions regarding the appointment and removal of the outsourced internal audit provider.
- Make appropriate inquiries of management and the internal audit activity to determine whether there is inappropriate scope or resource limitation.
- Receive communications on any complaints reported through the Louisiana Legislative Auditor (LLA) Hotline or other reporting mechanisms as designed and implemented by the Board of Regents and coordinate with Board of Regents external audit staff on any matters reported where incorrect, inaccurate or misleading data may have been submitted to the Board of Regents or the Institution Management Boards.

The outsourced internal audit provider will communicate and interact directly with the Audit Committee, including in executive sessions and between Audit Committee meetings, as appropriate.

### **INDEPENDENCE AND OBJECTIVITY**

While the internal audit activity will remain free from interference in the Board of Regents and will provide recommendations related to matters of audit selection, scope, procedures, frequency, timing, or report content and best practices; the Audit Committee of Board of Regents and Commissioner of Higher Education will make a final decision related to audit plan, scope and budget as detailed in the Consulting Contract with the outsourced internal audit provider.

Internal auditors will have no direct operational responsibility or authority over any of the activities audited. Accordingly, they will not implement internal controls, develop procedures, install systems, prepare records, or engage in any other activity that may impair the internal auditor's judgment.

Internal auditors will exhibit the highest level of professional objectivity in gathering, evaluating, and communicating information about the activity or process being examined. Internal auditors will make a balanced assessment of all the relevant circumstances and not be unduly influenced by their own interests or by others in forming judgments.

### **RESPONSIBILITIES**

The scope of internal auditing encompasses, but is not limited to, the examination and evaluation of the adequacy and effectiveness of Board of Regents' governance, risk management, and internal controls as well as the quality of performance in carrying out assigned responsibilities to achieve Board of Regents stated goals and objectives. This includes:

- Facilitating an annual risk assessment process to evaluate risk related to specific auditable areas of the Board of Regents, Louisiana Office of Student Financial Assistance (LOSFA), and Louisiana Universities Marine Consortium (LUMCON), including any agency or program focused audit and compliance areas. The primary purpose of this process is to assess and prioritize focus on the organization's high risk areas in developing the internal audit plan.
- Evaluating risk exposure relating to achievement of Board of Regents' strategic objectives.
- Evaluating the reliability and integrity of information and the means used to identify, measure, classify, and report such information.

## **Louisiana Board of Regents Internal Audit Charter**

- Evaluating the systems established to ensure compliance with those policies, plans, procedures, laws, and regulations which could have a significant impact on Board of Regents.
- Evaluating the means of safeguarding assets and, as appropriate, verifying the existence of such assets.
- Evaluating the effectiveness and efficiency with which resources are employed.
- Evaluating operations or programs to ascertain whether results are consistent with established objectives and goals and whether the operations or programs are being carried out as planned.
- Monitoring and evaluating governance processes.
- Monitoring and evaluating the effectiveness of Board of Regents' risk management processes.
- Performing consulting and advisory services related to governance, risk management and control as appropriate for Board of Regents.
- Reporting periodically on the internal audit activity's purpose, authority, responsibility, and performance relative to its plan.
- Reporting significant risk exposures and control issues, including fraud risks, governance issues, and other matters needed or requested by Board of Regents.
- Reviewing and investigating any matters related to the integrity of Board of Regents management.
- Evaluating specific operations at the request of Board of Regents management or Audit Committee, as appropriate.
- Advising the Audit Committee on matters within the scope of its authority.

### **INTERNAL AUDIT PLAN**

At least annually, the outsourced internal audit provider will submit to senior management and the Audit Committee an internal audit plan for review and approval based on the results of the risk assessment. The internal audit plan will consist of a work schedule based on the annual budgeted hours for the next fiscal/calendar year. The outsourced internal audit provider will communicate the impact of resource limitations and significant interim changes to senior management and Board of Regents.

The internal audit plan will be developed based on a prioritization of the audit universe by facilitating a risk-based methodology, including input of senior management and the Audit Committee. The outsourced internal audit provider will review and adjust the plan, as necessary, in response to changes in Board of Regents' business, risks, operations, programs, systems, and controls. Any significant deviation from the approved internal audit plan will be communicated to senior management and the Audit Committee through periodic activity reports, and approval will be obtained by the Audit Committee for such changes.

The outsourced internal audit provider will supply professional internal audit staff with sufficient knowledge, skills, experience, and professional certifications to meet the requirements of this Charter.

### **REPORTING**

A written report will be prepared and issued by the outsourced internal audit provider following the conclusion of each engagement and will be distributed as appropriate. Internal audit results will also be communicated to the Audit Committee.

Management's response with corrective actions taken or to be taken in regards to specific findings and recommendations, whether included within the original audit report or provided thereafter (i.e. within thirty days) will include a timetable for anticipated completion of action to be taken and an explanation

## **Louisiana Board of Regents Internal Audit Charter**

for any corrective action that will not be implemented. The outsourced internal audit provider will evaluate management's corrective action plan to determine if identified risk is being adequately addressed.

The outsourced internal audit provider will be responsible for appropriate follow-up on engagement findings and recommendations. All significant findings will remain in an open issues file until cleared.

The outsourced internal audit provider will periodically report to senior management and the Audit Committee on the internal audit activity's purpose, authority, and responsibility, as well as performance relative to its plan. Reporting will also include significant risk exposures and control issues, including fraud risks, governance issues, and other matters needed or requested by senior management and the Audit Committee.

### **QUALITY ASSURANCE AND IMPROVEMENT PROGRAM**

The internal audit activity will maintain a quality assurance and improvement program that covers all aspects of the internal audit activity. The program will include an evaluation of the internal audit activity's conformance with the Definition of Internal Auditing and the Standards and an evaluation of whether internal auditors apply the Code of Ethics. The program also assesses the efficiency and effectiveness of the internal audit activity and identifies opportunities for improvement.

The outsourced internal audit provider will communicate to senior management and the Audit Committee on the internal audit activity's quality assurance and improvement program, including results of ongoing internal assessments and external assessments conducted at least every five years.

### **APPROVAL AND AMENDMENT OF CHARTER**

The Audit Committee will review the Internal Audit Charter on an annual basis and approve changes as required.

### **Internal Audit Activity Charter**

Approval date \_\_\_\_\_

\_\_\_\_\_  
Outsourced Internal Audit Provider

\_\_\_\_\_  
Chairman of the Audit Committee

\_\_\_\_\_  
Commissioner of Higher Education

*Collis B. Temple, III*  
*Chair*

*Gary N. Solomon, Jr.*  
*Vice Chair*

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*Catarena M. Lobré, Student*

**BOARD OF REGENTS**

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**AGENDA**  
**FACILITIES AND PROPERTY COMMITTEE**

Wednesday, August 24, 2022  
11:10 a.m.

Claiborne Building, 1<sup>st</sup> Floor  
Thomas Jefferson Rooms A&B 1-136  
1201 North Third Street  
Baton Rouge, LA 70802

- I. Call to Order
- II. Roll Call
- III. Consent Agenda
  - A. Small Capital Projects Report
    - 1. BPCC: Building L Trench Repairs
    - 2. Fletcher: Sub-Base Crane Piling and Concrete Foundation Improvements
    - 3. LDCC-West Monroe: Pre-Engineered Metal Building
    - 4. LSU A&M: Alex Box Exterior Concourse Stair Repairs
    - 5. LSU A&M: Chemical Engineering Building Shop 164 Renovations
    - 6. LSU A&M: Child Care Center Playground Renovations
    - 7. LSU A&M: Nelson Memorial Building Renovations
    - 8. LSU A&M: PERTT Electrical Improvements Phase II
    - 9. LSU A&M: Residential College Boiler Replacement
    - 10. LSU A&M: UREC New Challenge Course
    - 11. LSU HSCNO: AHSON 3<sup>rd</sup> Floor Coffee Kiosk
    - 12. LSU HSCNO: Lions Eye Center 1<sup>st</sup> Floor Restroom Renovation
    - 13. LSU HSCNO: MEB 4<sup>th</sup> Floor Restroom Renovation
    - 14. LSU-S: Pool Closure
  - B. Third Party Projects Report
    - 1. NSU: Athletic Fieldhouse
    - 2. NSU: Prather Coliseum Interior Renovations
- IV. Act 959 Projects: SUBR Global Innovation and Welcome Center, T.H. Harris Learning Lobby, Outdoor Classroom/Amphitheatre, and New Public Safety Building
- V. Other Business
- VI. Adjournment

Committee Members: Darren G. Mire, Chair; Robert W. Levy, Vice Chair; Randy L. Ewing; Charles R. McDonald; Felix R. Weill; Catarena M. Lobré (*student member*); LCTC System Representative; LSU System Representative; SU System Representative; UL System Representative

Staff: Chris Herring, Associate Commissioner for Facilities and Planning & Emergency Management

## AGENDA ITEM III. A & B.

### Small Capital Projects & Third-Party Project Reports

#### Small Capital Projects Report

In accordance with the Facilities Policy, small capital project proposals are reviewed by staff, approved where appropriate, and thereafter reported at the next meeting of the Facilities and Property Committee. Pursuant to R.S. 39:128, Board of Regents (BoR) staff may internally approve small capital projects ranging from \$175,000 to \$1,000,000 and report these approvals to the Board during a subsequent meeting.

All projects were approved by their respective systems or management boards and submitted for consideration. Staff approved the following small capital projects since the previous report:

#### **1. Bossier Parish Community College (BPCC): Building L Trench Repairs – Bossier City, LA**

This project will move existing welding booths within Building L on BPCC's campus. The project scope calls for the removal of existing conduit and wire from utility trenches, filling in the existing trenches and pouring a new slab, and selective demolition to facilitate the relocation of the welding booths. **The total project cost is \$ 208,782 and will be funded from a Center for Advanced Manufacturing and Engineering Technology grant through Louisiana Economic Development.**

#### **2. Fletcher Technical Community College (Fletcher): Sub-Base Crane Piling and Concrete Foundation Improvements – Schriever, LA**

The purpose of this project is to provide a reliable foundation to house a training crane on Fletcher's main campus. The project scope includes driving forty-eight 45-foot treated timber pilings as well as pouring the concrete pile cap foundation. The project will allow Fletcher to erect the new training crane on the site once the foundation improvements are complete. **The total project cost is \$183,750 and will be funded through a Rapid Response Grant from the Louisiana Workforce Commission (LWC).**

#### **3. Louisiana Delta Community College (LDCC) – West Monroe: Pre-Engineered Metal Building – West Monroe, LA**

This project will construct a new pre-engineered metal building on LDCC's West Monroe campus. The new building will be used to house the institution's training equipment. The project constructs approximately 5,000 square feet (SF) of space at a cost of \$36.39/SF, for a total project cost of \$183,439. **The project will be funded through a combination of operational funds and a LWC Rapid Response grant.**

#### **4. Louisiana State University and A&M College (LSU): Alex Box Exterior Concourse Stair Repairs – Baton Rouge, LA**

The four primary stairways from the ground level to the grandstand concourse are in need of repair. The stairways currently exhibit rusting to the structural steel framing, risers, and tread runs. The project scope involves repairs to the grand stairs from the ground level to the concourse and the two grand stairs along the first and third base lines from the ground level to the concourse. **The total project cost is \$216,000 and will be funded from maintenance reserve account revenues.**

#### **5. Louisiana State University and A&M College: Chemical Engineering Building Shop 164 Renovations – Baton Rouge, LA**

This project modifies existing space within Suite 164 of LSU's Chemical Engineering Building. The project scope includes demolition of a 10' x 12' area of brick wall at the north side of area 164B, demolition of a portion of masonry/concrete wall, and demolition of interior partitions, doors, and frames around two existing rooms. The project also includes abatement of piping where required and repair and patching as needed. The project renovates 7,300 SF of space at a cost of \$37.68/SF, for a total project cost of \$275,000. **The project will be funded from LSU's Engineering Excellence Fund revenues.**

#### **6. Louisiana State University and A&M College: Child Care Center Playground Renovations – Baton Rouge, LA**

The existing playground in LSU's Child Care Center requires repair and the center desired an area with better features suited to meet the children's needs. The proposed design will improve the drainage, accessibility, and useable space for the children. The project scope involves the demolition of the existing playground, sidewalks, and failing drainage system. New drainage, sidewalks, synthetic turf, and play equipment will be installed along with repairs to the existing fence. The project renovates 7,500 SF of space at a cost of \$33.34/SF, for a total project cost of \$250,000. **The project will be funded from American Rescue Plan Act funding.**

#### **7. Louisiana State University and A&M College: Nelson Memorial Building Renovations – Baton Rouge, LA**

This project will upgrade outdated finishes in and outside of LSU's Nelson Memorial Building to bring the facility up to university standards. The project scope includes cleaning of all exterior surfaces, the application of a new waterproofing system to the exterior masonry, replacement of select exterior windows and all perimeter window sealant caulking and gaskets, and the replacement of all exterior door perimeter sealant caulking. The project will also prime and repaint interior surfaces and exterior wood surfaces (for example, fascia, wood decking, beams, trim, etc.), replace interior ceiling finishes and flooring throughout, and upgrade all existing restrooms. The project renovates 3,420 SF of space at a cost of \$81.63/SF, for a total project cost of \$279,150. **The project will be funded from operational funds.**

**8. Louisiana State University and A&M College: Petroleum Engineering Research, Training, and Testing (PERTT) Laboratory Electrical Improvements Phase II – Baton Rouge, LA**

This project is the 2<sup>nd</sup> phase of LSU's work to upgrade the PERTT Laboratory to meet current electrical codes and standards. Earlier work improved the site grounding, and the current phase will upgrade the electrical service equipment and lighting. **The total project cost is \$280,000 and will be funded with auxiliary revenues.**

**9. Louisiana State University and A&M College: Residential College Boiler Replacement – Baton Rouge, LA**

The existing boilers in LSU's Residential College are no longer operational and there are currently rental boilers on-site. This project will remove the existing boilers and heat exchangers and install new boilers. Ventilation and piping will be modified as necessary to accommodate the new equipment. **The total project cost is \$460,000 and will be funded with auxiliary revenues.**

**10. Louisiana State University and A&M College: New University Recreation (UREC) Challenge Course – Baton Rouge, LA**

LSU UREC's current challenge course is small and does not meet current student demand. This project will create a new and expanded course to fulfill current demand. The project scope includes installation of new course elements, zip lines, and climbing exhibits. **The total project cost is \$250,000 and will be funded with auxiliary revenues.**

**11. Louisiana State University Health Sciences Center New Orleans (HSCNO): Allied Health/School of Nursing (AHSON) 3<sup>rd</sup> Floor Coffee Kiosk – New Orleans, LA**

The original coffee kiosk on the 3<sup>rd</sup> floor of LSU HSCNO's AHSON building required replacement due to its age and deterioration in recent years. The old kiosk also did not meet current code requirements. The project scope involves installing new millwork, a new electrical panel, conduit and outlets, as well as handwashing, prep and three compartment sinks. The new kiosk will support the updated equipment and code-required utilities. **The total project is \$175,000 and will be funded with operational funds.**

**12. Louisiana State University Health Sciences Center New Orleans: Lions Eye Center 1<sup>st</sup> Floor Restroom Renovation – New Orleans, LA**

The current restrooms on the 1st floor of HSCNO's Lions Eye Center are outdated and undersized. The restrooms have not been renovated since the facility was originally constructed. The project scope includes construction of new men's and women's restrooms on the 1st floor. The restrooms will be located and sized to meet current occupancy and accessibility requirements. The project renovates approximately 1,300 SF at a cost of \$346.16/SF, for a total project cost of \$450,000. **The project will be funded with operational funds.**

### **13. Louisiana State University Health Sciences Center New Orleans: Medical Education Building (MEB) 4<sup>th</sup> Floor Restroom Renovation– New Orleans, LA**

The current restrooms on the 4th floor of HSCNO's MEB building are outdated and undersized. The restrooms have not been renovated since the facility was originally constructed and the existing tile is damaged in many areas requiring replacement. The project scope includes renovating the men's and women's restrooms on the 4<sup>th</sup> floor as well as construction of a gender-neutral restroom. The restrooms will be resized within the existing footprint to allow for current occupancy requirements, and the finishes and fixtures will be replaced to meet current accessibility requirements. The project renovates approximately 800 SF at a cost of \$347.50/SF, for a total project cost of \$278,000. **The project will be funded with operational funds.**

### **14. Louisiana State University – Shreveport (LSU-S): Pool Closure – Shreveport, LA**

The pool within LSU-S' Health and Physical Education building has been leaking consistently for many years and is at the end of its useful life. Currently the pool is losing 1" of water every day. The project scope involves removing the current pool structure, infilling the area, and pouring a new slab to eliminate the ongoing problems caused by the leaking. **The total project cost is \$318,000 and will be funded with operational funds.**

#### **Third-Party Project Report**

In accordance with the revisions made to the Facilities Policy during the October 25, 2017 meeting of the Board of Regents, third-party project proposals are reviewed by staff, approved where appropriate, and thereafter reported at the next meeting of the Facilities and Property Committee. Pursuant to the revised policy, BoR staff may approve third-party projects funded without the issuance of debt, similar to the small capital project approval process.

All projects were approved by their respective systems or management boards and submitted for consideration. Staff approved the following third-party projects since the previous report:

### **1. Northwestern State University (NSU): Athletic Fieldhouse – Natchitoches, LA**

The University of Louisiana System Board of Supervisors (ULS), on behalf of NSU, submitted a third-party project for the purpose of performing interior renovations to the NSU Athletic Fieldhouse. NSU will enter into a ground lease with the Demons Unlimited Foundation who will be responsible for the project. The project scope includes the installation of new flooring, weight equipment, and new paint throughout. Other work deemed necessary will also be completed. Once the project is complete, the lease will expire and all improvements will be donated to the University. **The Foundation has secured private donations to cover the estimated \$138,000 project cost.**

### **2. Northwestern State University: Prather Coliseum Interior Renovations – Natchitoches, LA**

The ULS submitted a second third-party project on behalf of NSU for the purpose performing interior renovations to Prather Coliseum. NSU will enter into a ground lease with the Demons

Unlimited Foundation who will be responsible for the project. The project scope includes painting, the installation of new restroom and shower fixtures, flooring and other related work. **The total project cost is \$100,000 and will be funded with donations secured by the Foundation.** Once the project is complete, the lease will expire and all improvements will be donated to the University.

### **STAFF RECOMMENDATION**

**Senior Staff recommends approval of the consent agenda, including the small capital and third-party projects reports, as presented.**

### **AGENDA ITEM IV.**

#### **Act 959 Projects**

Act 959 of 2003 permits institutions to initiate certain capital projects not exceeding \$5M that are funded with self-generated/auxiliary revenues, grants, donations, local or federal funds. The Southern University System, on behalf of Southern University and A&M College (SUBR), submitted four Act 959 projects for the main campus in Baton Rouge. The first project involves construction of a new 12,000 SF Global Innovation and Welcome Center. The new building will house the Office of Sponsored Research and the Office for International Students while also serving as a Welcome Center for campus visitors. The facility will contain meeting/lecture rooms, conference rooms, and a large auditorium that can also be used as a social distancing compliant classroom. The total project cost is \$5M and will be funded from a combination of federal Historically Black Colleges and Universities (HBCU) dollars from the Higher Education Emergency Relief Fund (HEERF) and self-generated revenues.

The second project involves creation of a Learning Lobby within T. H. Harris Hall. The project scope involves enclosing the walkways and a portion of the courtyard adjacent to the facility. The newly enclosed space will be conditioned, and new furniture, fixtures, and equipment will be installed to provide an area where individual and collaborative student activities may take place. The total project cost is \$1.5M and will be funded with federal HBCU dollars from HEERF.

The third project involves construction of a new 1,500 seat outdoor classroom and lecture space/amphitheatre. The total project cost is \$2M and will be funded with federal HBCU dollars from HEERF. The location of the amphitheatre will be recommended by the architect once the design process is initiated. The final Act 959 project submitted on behalf of SUBR is related to construction of a new Public Safety Building. The current campus police station will be relocated in preparation for the construction of the new School of Business and Professional Accountancy building. All campus police operations will be relocated to the new facility. The total project cost is \$1.5M and will be funded with federal HBCU dollars from HEERF.

### **STAFF RECOMMENDATION**

**Senior Staff recommends approval of the Act 959 projects submitted by the Southern University System, on behalf of Southern University and A&M College, to construct the Global Innovation**

**and Welcome Center, a new T. H. Harris Learning Lobby, an Outdoor Classroom/Amphitheatre, and a New Public Safety Building.**

*Collis B. Temple, III*  
*Chair*

*Gary N. Solomon, Jr.*  
*Vice Chair*

*Sonia A. Pérez*  
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*Blake R. David*  
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**AGENDA**  
**ACADEMIC AND STUDENT AFFAIRS COMMITTEE**

Wednesday, August 24, 2022  
11:20 a.m.

Claiborne Building, 1<sup>st</sup> Floor  
Thomas Jefferson Rooms A&B 1-136  
1201 North Third Street  
Baton Rouge, Louisiana

- I. Call to Order
- II. Roll Call
- III. Consent Agenda
  - A. Terminations
  - B. Routine Staff Approvals
- IV. Academic Programs
  - A. AAS Electrical Construction – Nunez CC
  - B. AAS Instrumentation – Nunez CC
  - C. AAS Medical Assistant – South Louisiana CC
  - D. BFA Musical Theatre – Northwestern State U
  - E. BS Cardiovascular Technology – LSU Health Sciences Center Shreveport
  - F. BS Nonprofit Administration – LSU Shreveport
  - G. BS Occupational Physiology – LSU Shreveport
- V. 2022-2023 Course Articulation Matrix
- VI. Revised Minimum Admissions Standards
- VII. Other Business

## VIII. Adjournment

Committee Members: Blake R. David, Chair; Stephanie A. Finley, Vice Chair; Wilbert D. Pryor; Gary N. Solomon, Jr.; Terrie P. Sterling; Judy A. Williams-Brown; Catarena M. Lobré (*student member*); LCTC System Representative; LSU System Representative; SU System Representative; UL System Representative  
Staff: Dr. Tristan Denley, Deputy Commissioner for Academic Affairs and Innovation

**AGENDA ITEM III.A.**  
**Program Terminations**  
**Louisiana State University and A&M College**

**Staff Summary**

**GC in Fisheries Science and Assessment:**

Since the program was established in 2015, enrollment has remained low and it has only produced six graduates and has failed to attract students from outside those already enrolled in the Department of Oceanography and Coastal Sciences. The institution has determined that the Graduate Certificate is an insufficient credential for the field with employers preferring a full graduate degree.

**GC in Teaching and Learning in the Health Professions:**

The program was designed to provide pedagogical training for faculty primarily veterinary faculty. There is demand for such a program and only a few such programs available, but the institution was unable to secure adequate internal faculty to support the program and it was therefore never fully implemented or marketed. The institution intends to revisit the concept and build a narrower program focus and stronger implementation plan in the future.

**STAFF RECOMMENDATION**

**Senior Staff recommends approval of the termination of the following degree programs:**

- 1. GC Fisheries Science and Assessment**
- 2. GC Teaching and Learning in the Health Professions**

**AGENDA ITEM III.B.**  
**Routine Academic Requests & Staff Approvals**

Institution	Request
LA Tech	Request to change the name of the BS Medical Technology (CIP 51.1005) to BS Medical Laboratory Science following recommendation from the program's accrediting body. <b>Approved.</b>
LA Tech	Request to establish an Undergraduate Certificate (UC) in Cybersecurity (CIP 11.1003) with a progress report due October 1, 2023. <b>Approved.</b>
LSU A&M	Request to change the CIP of the MS and PhD in Geography from 45.0701: Geography to 30.4401: Geography and Environmental Studies to better reflect program content and department research. <b>Approved.</b>
LSU Shreveport	Request to establish a 100% online Undergraduate Certificate in Nonprofit Administration, which will be administered by the institution's Regents approved Institute for Nonprofit Administration and Research. <b>Approved.</b>
McNeese State U	Request for approval to establish the following certificate programs that lead to teacher add on certifications with progress reports due October 1, 2023: <ul style="list-style-type: none"> <li>• GC English Language Learners (CIP 13.1401)</li> <li>• GC Special Education Mild/Moderate Gr 1-5 (CIP 13.1017)</li> <li>• GC Special Education Mild/Moderate Gr 6-12 (CIP 13.1019)</li> <li>• PMC Education Technology Leadership (CIP 13.0501)</li> <li>• PMC Reading Specialist (CIP 13.1315)</li> </ul> <b>Approved.</b>
Northwestern State U	Request to establish a Post Baccalaureate Certificate (PBC) in Ultrasound (CIP 51.0910) with a progress report due October 1, 2023. <b>Approved.</b>
Southeastern Louisiana U	Request to offer the existing Bachelor of General Studies (CIP 24.0102) and Post-Baccalaureate Certificate in Business Administration (CIP 52.0201) via 100% online. <b>Approved.</b>
UL Monroe	Request to move the School of Construction Management from within the School of Management in the College of Business and Social Sciences to a standalone unit within the College reporting directly to the College Dean to comply with accreditation guideline recommendations. No administrative costs are associated with the change. <b>Approved.</b>
U New Orleans	Request to change the name of the Department of English and Foreign Languages to the Department of Language and Literature. <b>Approved.</b>

## AGENDA ITEM IV.A.

### Proposed Associate of Applied Science in Electrical Construction Nunez Community College

#### Background Information

Nunez Community College (Nunez) has requested Board of Regents' approval to offer an Associate of Applied Science (AAS) in Electrical Construction. The program proposal was approved by the Louisiana Community and Technical College System (LCTCS) Board of Supervisors and submitted to the Board of Regents for consideration. The proposal was then circulated to Chief Academic Officers statewide for review.

#### Staff Summary

The proposed AAS in Electrical Construction is a 65-credit hour program developed to provide students the opportunity to earn a degree while acquiring the knowledge and skills needed to succeed in a high-wage high-demand technical field. Students will learn to build, install, maintain, and repair electrical systems that provide heat, light, and/or power for residential, commercial, and industrial structures through courses offering a combination of theory and hands-on learning. The addition of general education courses will expand educational options for graduates as these courses will transfer to baccalaureate degree programs if students wish to pursue further education and increase opportunities for advancement in the workplace.

- Value:** Per Regent's policy, this program meets the criteria of a Quality Credential of Value.
  - Same or Similar In-state Programs:** Nunez and SOWELA offer programs in Electrical Construction at the certificate and diploma level, but this will be the first associate-level degree program of its kind.
  - Workforce Demand and Job Opportunities:** According to the Louisiana Workforce Commission, Electrician occupations over the next ten years have four-star ratings and state median annual salaries are reported as \$60k. The projected ten-year growth across the state in these occupations is reported as 1,480.
  - Student Enrollment:** Projected enrollment is based on enrollment in the institution's CTS in Electrical Construction at Nunez. The college has implemented a five-year Strategic Enrollment Plan and new marketing strategy for advertising, which is expected to contribute to program growth.

	Year 1	Year 2	Year 3	Year 4	Year 5
<b>Projected Enrollment</b>	11	17	23	33	39
<b>Projected Graduates</b>	0	7	12	18	24

- Resources:** The addition of this program will have minimal fiscal impact. The program will utilize existing curriculum, facilities, library resources, and student support services.

	Current	Needed	Additional Costs
<b>Faculty</b>	Nunez currently employs the faculty needed to teach all core courses and the 15 credit hours of general education courses.	Nunez plans to hire one new adjunct faculty member within the first five years to support growing enrollment.	Yr. 3+ \$25K
<b>Physical (Facilities, Equipment, Library, &amp; Technology)</b>	Existing facilities are adequate to support the program.	No additional resource needs projected.	\$0
<b>Student Support</b>	Existing resources will meet the needs of the program for the foreseeable future.	No additional resource needs projected.	\$0

**3. Master Plan Priorities:** The following aspects of the proposal directly address priorities or goals of the statewide attainment goal and 2030 Master Plan.

- Accessibility: Sections will be offered during both day and night for working students. All general education courses will be offered in several modalities including face-to-face, online, hybrid, and virtual live.
- Affordability: Nunez general education courses utilize open educational resources.
- Partnerships: Electrical Construction at Nunez is part of the GNO Inc. Mechatronics Apprenticeship training program. As part of the organization's "GNOu" initiative, this program is designed to enhance and prepare students to be fully qualified in multiple aspects of advanced manufacturing technology.
- Work-based learning: Nunez currently has internships with PBF (Chalmette Refining), Domino Sugar, Laitram, Intralox, Elmer's and Zatarain's. Several students in these programs are hired as full-time employees after completion of the program.
- Other program attributes that contribute to closing the achievement gap with underserved populations: By adding the AAS, Nunez will be able to offer Electrical Construction as a Fast Forward Program with the Louisiana Department of Education and through Dual Enrollment. This will allow Nunez to contribute to closing the achievement gap with underserved populations including low income, minority, and adult learners.

#### **Staff Analysis**

Data from the Louisiana Workforce Commission indicate that Nunez's proposed AAS in Electrical Construction program is needed and valuable for the college's service region and the state. The program will allow Nunez to meet the needs of industry while expanding educational options for students through the transferability of the program's general education courses.

#### **STAFF RECOMMENDATION**

**Senior Staff recommends approval of the proposed Associate of Applied Science in Electrical Construction (CIP 46.0302) at Nunez Community College, with a progress report due June 1, 2024.**

## AGENDA ITEM IV.B.

### Proposed Associate of Applied Science in Instrumentation Nunez Community College

#### Background Information

Nunez Community College (Nunez) has requested Board of Regents' approval to offer an Associate of Applied Science (AAS) in Instrumentation. The program proposal was approved by the Louisiana Community and Technical College System (LCTCS) Board of Supervisors and submitted to the Board of Regents for consideration. The proposal was then circulated to Chief Academic Officers statewide for review.

#### Staff Summary

The proposed AAS in Instrumentation is a 64-credit hour program that provides classroom and hands-on training allowing students to develop the knowledge and skills to successfully perform the tasks required of an entry-level Instrument Fitter and Technician. Instrument Fitters and Technicians perform key installation and maintenance functions across several industries and are trained in piping, tubing, fasteners, and working with metal production. Instrumentation technicians and fitters must be familiar with electrical systems, craft-specific drawings and must be experts in the hand and power tools specific to their trade. The addition of general education courses will expand educational options for graduates as these courses will transfer to baccalaureate degree programs if students wish to pursue further education and increase opportunities for advancement in the workplace.

1. **Value:** Per Regent's policy, this program meets the criteria of a Quality Credential of Value.
  - a. Same or Similar In-state Programs: While other statewide community colleges also offer associate-level programs in Instrumentation, the proposed program at Nunez was developed in partnership with local industry to meet their workforce demands in the Nunez service area.
  - b. Workforce Demand and Job Opportunities: According to the Louisiana Workforce Commission Instrumentation occupations over the next ten years have four-star ratings and state median annual salaries are reported as \$62k. The projected total openings over ten years in Region 1 is 1230, with annual total openings of 123.
  - c. Student Enrollment: Projected enrollment is based on expansion of the successful technical diploma in Instrumentation at Nunez, employer demand for graduates, and the college's new marketing plan for advertising.

	Year 1	Year 2	Year 3	Year 4	Year 5
<b>Projected Enrollment</b>	8	14	20	30	36
<b>Projected Graduates</b>	0	4	7	10	14

2. **Resources:** The addition of this program will have minimal fiscal impact. The program will utilize existing curriculum, facilities, library resources, and student support services.

	Current	Needed	Additional Costs
<b>Faculty</b>	Nunez currently employs the faculty needed to teach all core courses and the 15 credit hours of general education courses.	Nunez plans to hire one new adjunct faculty member within the first five years to support growing enrollment.	Yr. 3+ \$25K
<b>Physical (Facilities, Equipment, Library, &amp; Technology)</b>	Existing facilities are adequate to support the program.	No additional resource needs projected.	\$0
<b>Student Support</b>	Existing resources will meet the needs of the program for the foreseeable future.	No additional resource needs projected.	\$0

**3. Master Plan Priorities:** The following aspects of the proposal directly address priorities or goals of the statewide attainment goal and 2030 Master Plan.

- Accessibility: Sections will be offered during both day and night for working students. All general education courses will be offered in several modalities including face-to-face, online, hybrid, and virtual live.
- Affordability: Nunez general education courses utilize open educational resources.
- Partnerships (with industry, other institutions): Instrumentation at Nunez is part of the GNO Inc. Mechatronics Apprenticeship training program. As part of the organization's GNOu initiative, this program is designed to enhance and prepare students to be fully qualified in multiple aspects of advanced manufacturing technology.
- Work-based learning (paid internships, apprenticeships, etc.): Nunez currently has internships with PBF (Chalmette Refining), Domino Sugar, Laitram, Intralox, Elmer's and Zatarain's. Several students in these programs are hired as full-time employees after completion of the program.
- Other program attributes that contribute to closing the achievement gap with underserved populations: By adding the AAS, Nunez will be able to offer Instrumentation as a Fast Forward Program with the Louisiana Department of Education and through Dual Enrollment. This will allow Nunez to contribute to closing the achievement gap with underserved populations including low income, minority, and adult learners.

#### **Staff Analysis**

The proposed AAS in Instrumentation will allow Nunez to meet the needs of industry in its region while expanding educational options for graduates with the inclusion of transferrable general education courses. Nunez partnerships with industry ensure the program content will meet employer needs and support employment of graduates.

#### **STAFF RECOMMENDATION**

**Senior Staff recommends approval of the proposed Associate of Applied Science in Instrumentation (CIP 15.0404) at Nunez Community College, with a progress report due June 1, 2024.**

## AGENDA ITEM IV.C.

### Proposed Associate of Applied Science in Medical Assistant South Louisiana Community College

#### Background Information

South Louisiana Community College (SLCC) has requested Board of Regents' approval to offer an Associate of Applied Science (AAS) in Medical Assistant (MA). The program proposal was approved by the Louisiana Community and Technical College System (LCTCS) Board of Supervisors and submitted to the Board of Regents for consideration. The proposal was then circulated to Chief Academic Officers statewide for review.

#### Staff Summary

The proposed AAS in Medical Assistant was developed to prepare students for employment in private and large group physician's offices, clinics, hospitals, medical records, laboratories, and insurance companies. Supervised and preceptor-based clinical externships are included in the curriculum. The MA profession is a vital part of the medical community with these professionals now working in expanded roles in urgent care clinics and covid testing centers. Upon completion of the program, graduates will be eligible to sit for the national certification exams for Medical Administrative Assistant, Clinical Medical Assistant, and Certified Coding Associate. The addition of the 15 general education hours creates greater opportunities for graduates who are interested in furthering their education in other areas of the medical field.

1. **Value:** Per Regent's policy, this program meets the criteria of a Quality Credential of Value.
  - a. Same or Similar In-state Programs: The only other AAS MA is currently offered at Bossier Parish Community College in north Louisiana. There are presently no AAS MA programs available in the Acadiana region.
  - b. Workforce Demand and Job Opportunities: Louisiana Workforce Commission (LWC) projections indicate that in the Acadiana Region, within ambulatory health care services, hospitals, and nursing and residential facilities, the average employment for medical assistants in the health care sector is around 11,000 jobs with a 7% projected increase over the next 10 years.
  - c. Student Enrollment: Students routinely reach out to the SLCC Admissions Office requesting information about the Medical Assistant program. Currently, the CTS program has 103 students enrolled. Enrollment projections are based on initially retaining 40% of the CTS students to go on and complete the AAS, with enrollment growth projected as the program becomes more well-known.

	Year 1	Year 2	Year 3	Year 4	Year 5
<b>Projected Enrollment</b>	40	60	70	70	70
<b>Projected Graduates</b>	18	27	35	39	42

2. **Resources:** The addition of this program will have minimal fiscal impact. One existing full-time faculty will serve as the program coordinator. The program will utilize existing facilities, library resources, and student support services.

	Current	Needed	Additional Costs
<b>Faculty</b>	SLCC currently employs the faculty needed to teach the general education courses.	SLCC plans to hire adjuncts as needed to staff classes in the first 5 years of the program's expansion.	Yr. 1+ \$4,300
<b>Physical (Facilities, Equipment, Library, &amp; Technology)</b>	Existing facilities are adequate to support the program.	No additional resource needs projected.	\$0
<b>Student Support</b>	Existing resources will meet the needs of the program for the foreseeable future.	No additional resource needs projected.	\$0

**3. Master Plan Priorities:** The following aspects of the proposal directly address priorities or goals of the statewide attainment goal and 2030 Master Plan.

- Accessibility: The college is offering the MA program in a hybrid format which allows for students to connect to didactic classes virtually. SLCC has a laptop loan program to assist students with technology needs.
- Affordability: Previously earned IBCs will be considered for credit for prior learning, equivalent courses from other colleges will be granted transfer credit. OERs will be used when available.
- Partnerships (with industry, other institutions): With the opening of the New Iberia Campus, exam tables have already been received through in-kind donation from industry partners. Introduction letters were sent to local Physician's Offices and Urgent Care Clinics to encourage industry partnership.
- Work-based learning (paid internships, apprenticeships, etc.): The curriculum includes an internship course where students will have access to virtual clinical coding assignments. This will provide students with a 360-degree learning experience in the medical coding field and the experience they need to pass their first medical coding certification exam.
- Other program attributes that contribute to closing the achievement gap with underserved populations: By adding the AAS MA, SLCC will offer a pathway program not offered at any public college in the Acadiana region, narrowing the achievement gap with underserved populations including low income, minority, and adult learners.

### **Staff Analysis**

SLCC's proposed AAS MA will further the mission of the college by opening access to higher levels of training for students interested in medical careers. CAOs from around the state support implementation of the proposed program. The program will benefit citizens of the Acadiana region by providing a low-cost, high-quality education in a field that is in high demand.

### **STAFF RECOMMENDATION**

**Senior Staff recommends approval of the proposed Associate of Applied Science in Medical Assistant (CIP 51.0801) at South Louisiana Community College, with a progress report due June 1, 2024.**

## AGENDA ITEM IV.D.

### Proposed Bachelor of Fine Art in Musical Theatre Northwestern State University

#### Background Information

Northwestern State University (NSU) requests Board of Regents approval to establish a Bachelor of Fine Art (BFA) in Musical Theatre. The proposal was approved by the University of Louisiana System (ULS) Board of Supervisors then submitted to Regents for consideration. The proposal was then circulated to Chief Academic Officers statewide for review.

#### Staff Summary

At the recommendation of the National Association of Schools of Theatre, the primary accreditor for theatre programs, NSU converted the BA Theatre into a BS program in 2006, reducing the number of required hours in the program from 140 to 120 and focusing program structure on pre-professional training courses and activities. NAST also recommended eventually transitioning the program's concentrations to standalone BFA programs, which started with the 2018 shift of program concentrations into a BFA in Dance and BFA in Production and Design, and will continue with the proposed BFA in Musical Theatre. The revised BFA curriculum will include courses that provide students with the knowledge and skills required in professional musical theatre and related professions including an increased focus on performance technical training in singing, dancing, and acting.

1. **Value:** Per Regent's policy, this program meets the criteria of a Quality Credential of Value.
  - a. **Same or Similar In-state Programs:** The proposed program will be the only standalone BFA in Musical Theatre offered by a public institution in Louisiana. UL Lafayette offers a BFA with concentrations in dance or theatre but does not include a focus on musical theatre.
  - b. **Workforce Demand and Job Opportunities:** The proposed program provides students with skills for performing arts and related careers with a focus on musical theatre such as teaching, administration and management, or continuation on to graduate study. The US Bureau of Labor Statistics lists the job growth outlook for related careers as higher than average such as actor (32%), dancer and choreographer (31%), and director/producer (24%) as much higher than average 2020-2030.
  - c. **Student Enrollment and Completion:** NSU reports that current theatre concentration graduates have seen a slight decline in enrollment and completion as students increasingly prefer the BFA and are less likely to enroll in the NSU BS program or enroll in the BFA Dance program instead. Enrollment in musical theatre courses, however, has increased. The institution anticipates that with the transition to the more desirable BFA and increased visibility of the standalone program will lead to an overall increase in productivity for the program. NSU also surveyed high school student performers to gauge interest in the program and plan to recruit from high school performance programs throughout the state and broader region including through NSU's annual Louisiana Thespians Festival for high school students from across the state.

	Year 1	Year 2	Year 3	Year 4	Year 5
<b>Total Enrollment</b>	20	28	35	43	45
<b>Program Graduates</b>	-	-	14	17	20

## 2. Resources

Program implementation will require no additional resources since all facilities and faculty are already in place for the existing concentration.

	<b>Current</b>	<b>Needed</b>	<b>Additional Costs</b>
<b>Faculty</b>	Eight existing full time and adjunct faculty at NSU will be sufficient to support the program in its first 2 years.	Additional adjunct faculty and graduate assistant support may be needed starting in year 3.	Yr. 3+ \$77,000
<b>Physical (Facilities, Equipment, Library, &amp; Technology)</b>	Existing facilities are sufficient to offer the program.	No additional resource needs projected.	\$0
<b>Student Support</b>	Existing student support resources are sufficient for the proposed program.	No additional resource needs projected.	\$0

**3. Master Plan Priorities:** The following aspects of the proposal directly address priorities or goals of the statewide attainment goal and 2030 Master Plan.

- Accessibility: Due to the nature of the program, major course work will be in person. Online course options for the remainder of the curriculum will be made available when possible.
- Affordability: The program is designed to prepare students directly for musical theatre professions reducing overall training costs for students not enrolled in a BFA program. All students who meet GPA requirements receive performance scholarships.
- Partnerships: NSU has a Memorandum of Understanding (MOU) in place with Bossier Parish Community College to support student pathways and is in the process of formalizing an MOU with Paris Community College in Texas for a 2+2 pathway from AA in Theatre to the proposed BFA. The institution also has a partnership with the New Orleans Center for Creative Arts.
- Work-based Learning: Practice-based learning is a key component of the BFA. Several public performance opportunities are integrated into the curriculum.
- Other program attributes that contribute to closing the achievement gap with underserved populations: The program and its faculty are closely connected with the community and an advisory board ensuring both representation and opportunities for underserved populations of students and community members.

### Staff Analysis

In recent years, NSU has focused attention on its performance arts programs to better meet the needs of students and the industry. The proposed BFA leverages existing strengths at the institution while responding to both accreditor recommendations and changes in industry needs. The program's unique focus in the state is expected to draw students to the institution from throughout the region. Staff will monitor program growth and outcomes for graduates through the program's implementation over the next several years.

### STAFF RECOMMENDATION

**Senior Staff recommends approval of the proposed Bachelor of Fine Arts in Musical Theatre (CIP 50.0509) at Northwestern State University with a progress report due June 1, 2024.**

## AGENDA ITEM IV.E.

### Proposed Bachelor of Science in Cardiovascular Technology Louisiana State University Health Sciences Center Shreveport

#### **Background Information**

Louisiana State University Health Sciences Center Shreveport (LSU HSC-S) requests Board of Regents approval to establish a Bachelor of Science (BS) in Cardiovascular Technology. The proposal was approved by the Louisiana State University (LSU) Board of Supervisors then submitted to Regents for review. The proposal was then circulated to Chief Academic Officers statewide for feedback. Regents staff worked with the institution to address issues raised during the review.

#### **Staff Summary**

In 2020, heart disease was the number one cause of death in Louisiana responsible for 28% of deaths in the state. The purpose of the BS in Cardiovascular Technology at LSU HSC-S is to prepare students to work side-by-side with interventional cardiologists to assist in the diagnosis and treatment of cardiovascular disease. This program will provide students with the latest training required to assist in cardiac and peripheral catheterization. Graduates of the program will be eligible to sit for the national board exam administered by Cardiovascular Credentialing International (CCI) and earn the Registered Cardiovascular Invasive Specialist credential (RCIS). The Society of Cardiovascular Angiography and Interventions (SCAI) recently updated the best practices for the cardiac catheterization lab to include the RCIS requirement. Graduates will also be trained to work with cardiologists, cardiovascular nurses, and other highly skilled healthcare specialists to perform sophisticated tests to assist with diagnosis and allow the qualification and quantification of cardiac disorders.

- 1. Value:** Per Regent's policy, this program meets the criteria of a Quality Credential of Value.
  - a. **Same or Similar In-state Programs:** LSU of Alexandria offers a BS in Health Professions with related concentrations in Cardiovascular Technology and Cardiac Devices Sales and Marketing. The BS in Cardiovascular Sonography program offered at Louisiana State University Health Sciences Center in New Orleans is accredited by the Commission on Accreditation of Allied Health Education Programs (CAAHEP). The proposed BS in Cardiovascular Technology differs from these programs because it encompasses three of the five specialty areas in the field of Cardiovascular Technology in one degree: invasive cardiovascular technology, noninvasive vascular technology, and adult echocardiography.
  - b. **Workforce Demand and Job Opportunities:** LSU HSC-S developed the proposed program in collaboration with industry partners to fill the need for cardiac sonographers and catheterization lab technicians. According to the U.S. Bureau of Labor Statistics, overall employment is expected to grow 12% for diagnostic medical sonographers and cardiovascular technologists from 2019-2029, faster than average for all occupations. According to the US Department of Labor's CareerOneStop.org, the projected employment for cardiovascular technologists and technicians will increase 8% from 2018-2028 in Louisiana, which is more than the 5% change projected nationally.
  - c. **Student Enrollment and Completion:** LSU HSC-S engaged with employers and surveyed current students in related programs at LSU HSC-S, LSU Shreveport, Centenary College, Bossier Parish Community College, and Louisiana Delta Community College to gauge student interest in the program. The institution intends to enroll 8 students in the first year growing slowly to ensure capacity to employ adequate faculty as the program grows. The program is expected to eventually grow to a sustainable 26 total students enrolled per year.

	Year 1	Year 2	Year 3	Year 4	Year 5
<b>Total Enrollment</b>	8	18	22	26	26
<b>Program Graduates</b>	-	8	10	12	14

## 2. Resources

The first year of the program will be primarily supported by current faculty. One additional full-time faculty member will be hired as the program director for approximately \$100,000. Another \$65,000 has been allocated for teaching stipends for current faculty or additional adjunct support. Approximately \$12,000 per year is budgeted to cover lab facility needs, travel and program supplies. Tuition revenue is expected to exceed costs by year two with projected enrollment.

	Current	Needed	Additional Costs
<b>Faculty</b>	Nine current full-time faculty and several adjunct faculty at the institution are available to teach in and support the program.	One additional full-time faculty member will be hired as program director. Additional stipends will be added for existing faculty teaching in the program.	Yr. 1+ \$165,000
<b>Physical (Facilities, Equipment, Library, &amp; Technology)</b>	Existing facilities and online infrastructure are sufficient to launch the program.	Facility and supply needs are budgeted at \$10,000 per year.	Yr. 1+ \$10,000
<b>Student Support</b>	Existing student support resources will be adequate for the proposed program.	No additional resource needs projected.	\$0

**3. Master Plan Priorities:** The following aspects of the proposal directly address priorities or goals of the statewide attainment goal and 2030 Master Plan.

- Accessibility: The program will initially be offered primarily face-to-face. However, given the interest from prospective students to engage in the program part time and as working adults, the institution is exploring hybrid options and alternative scheduling.
- Affordability: Some course textbooks, access to various electronic journal databases, and point-of-care medical resources are provided free to LSH HSC-S students. Many employer partners provide scholarships or tuition programs for employees to enroll in this and related programs.
- Partnerships: The institution has received a letter of support to develop an MOU with LSU Shreveport (LSU-S) to establish LSU-S as the primary feeder program to the proposed BS. The institution has received letters of support from several area partners that already collaborate with the institution to support the proposed program including Allegiance Health Management, Cardiovascular Institute of the South, Christus Shreveport-Bossier, several Ochsner regional divisions, and Willis-Knighton Health System.
- Work-based Learning: LSU HSC-S has multiple regional clinical contracts that provide paid learning opportunities for students and is working to add more.
- Other program attributes that contribute to closing the achievement gap with underserved populations: LSU HSC-S aims to increase diversity in the healthcare professions. The new Allied Health Education and Discovery Scholar tuition waiver program is targeted to reward students from underrepresented groups for academic success, demonstration of leadership, and commitment to community service.

### **Staff Analysis**

LSU HSC-S developed the proposed program in direct response to needs expressed by industry partners, and the program has been designed to include avenues to industry-based credentials in one of many growing healthcare fields. The institution is well suited to prepare professionals in the field serving the greater Shreveport-Bossier region and beyond. A partnerships with the region's community colleges and LSU Shreveport will provide a strong pipeline for the program and greater opportunities for students on multiple educational pathways increasing access and affordability.

### **STAFF RECOMMENDATION**

**Senior Staff recommends approval of the proposed Bachelor of Science in Cardiovascular Technology (CIP 51.0901) at Louisiana State University Health Sciences Center Shreveport with a progress report due June 1, 2024.**

## AGENDA ITEM IV.F.

### Proposed Bachelor of Science in Nonprofit Administration Louisiana State University Shreveport

#### Background Information

Louisiana State University Shreveport (LSUS) requests Board of Regents approval to establish a Bachelor of Science (BS) in Nonprofit Administration. The Louisiana State University (LSU) Board of Supervisors approved the proposal and submitted it to Regents for consideration. Chief Academic Officers statewide reviewed the proposal and Regents staff worked with the institution to address issues raised during the review process. The proposal also included a proposed Undergraduate Certificate (UC) in Nonprofit Administration, which has been granted approval by Regents staff.

#### Staff Summary

The proposed program will prepare students for nonprofit organization management through courses that provide knowledge and skills in strategic planning, board governance, resource development, financial management, cultural competency, program development, and volunteer management. Graduates will be prepared for employment in the nonprofit sector including but not limited to: volunteer coordinator, program administrator, fundraising executive, grant writer, and executive director/CEO. Students will also have the content knowledge to pursue the Certified Nonprofit Professional Credential, which is the only nationally recognized credential in nonprofit management that requires specific course completion, a baccalaureate from an accredited institution, a minimum of 300 internship hours or comparable professional experience, participation in a conference, and other leadership and service activities. The Bachelor of Science in Nonprofit Administration will be housed in the Institute for Nonprofit Administration and Research (INAR) in the College of Arts and Sciences, which is a Board of Regents-designated Institute, dedicated to expanding the mission of conducting research and disseminating knowledge about nonprofit organizations. The Institute also offers nonprofit educational programs including the MS Nonprofit Administration, professional development seminars, and quality research and statistical analysis.

**1. Value:** Per Regent's policy, this program meets the criteria of a Quality Credential of Value.

- a. Same or Similar In-state Programs: The proposed program will be the only standalone undergraduate nonprofit administration program in the state. LSUS also offers the only standalone nonprofit administration master's degree. Nonprofit administration and related courses are available embedded in other programs throughout the state, but the proposed program will provide a unique focus and offer in depth study.
- b. Workforce Demand and Job Opportunities: According to a 2020 Johns Hopkins report, employment in the nonprofit sector in Louisiana is nearly the same as employment in manufacturing. In the Shreveport-Bossier area approximately 2,000 nonprofits employ almost 20,000 workers. Executives from the area's largest nonprofit organizations including the Red Cross, Boy Scouts, Providence House, 4-H, YWCA, Holy Angels, North Louisiana Economic Development, Volunteers of America, and Volunteers for Youth Justice have all expressed support for the program. Nonprofit administration related positions identified as four and five star jobs by the Louisiana Workforce Commission are Social Service Manager, Medical and Health Services Manager and Administrative Services Manager. The US Bureau of Labor Statistics identifies Public Relations and Fundraising Manager as having higher than average growth 2020-2030 and an annual median salary of \$119,860.

c. **Student Enrollment and Completion:** In addition to drawing new first-year students to the institution, LSUS anticipates that the program will be a significant draw for associate-degree graduates from local two-year institutions including Southern University Shreveport and Bossier Parish Community College, especially those graduating from general studies and business programs. LSUS surveyed students in related programs and courses at the institution and found significant interest in the proposed degree.

	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Year 4</b>	<b>Year 5</b>
<b>Total Enrollment</b>	25	35	40	40	40
<b>Program Graduates</b>	-	-	20	30	35

## 2. Resources

Seven full-time faculty currently teach in the MS Nonprofit Administration program through the LSUS Institute for Nonprofit administration. One additional full-time faculty member will be hired to support the proposed program as well as adjunct faculty as needed. No other major resources will be needed for the program.

	<b>Current</b>	<b>Needed</b>	<b>Additional Costs</b>
<b>Faculty</b>	Seven existing faculty will support the program.	One additional full-time faculty member will be hired in the first year to support the program. Additional adjuncts will be hired as needed.	Yr. 1+ \$72,000
<b>Physical (Facilities, Equipment, Library, &amp; Technology)</b>	Existing facilities and online infrastructure are sufficient to offer the program.	No additional resource needs projected.	\$0
<b>Student Support</b>	Existing student support resources will be adequate for the proposed program.	No additional resource needs projected.	\$0

## 3. Master Plan Priorities:

The following aspects of the proposal directly address priorities or goals of the statewide attainment goal and 2030 Master Plan.

- **Accessibility:** LSUS will offer at least 20% of required courses online.
- **Affordability:** As with the MS Nonprofit administration, the program will ensure at least 50% of the course utilize affordable education resource materials and several courses in the program will not require textbooks. The program is also designed to support transfer students who have completed an associate degree at a regional community college.
- **Partnerships:** The proposed program was developed in direct collaboration with local nonprofit partners including the Red Cross, North Louisiana Economic Development, and Volunteers for Youth Justice. These and several other area organizations have committed to support the program and its students and graduates.
- **Work-based Learning:** Service learning is a critical component of the proposed program and work-based learning will be required of all students.
- **Other program attributes that contribute to closing the achievement gap with underserved populations:** Several nonprofit organizations in the Shreveport-Bossier area are committed to missions that serve the underserved populations of the region. Graduates of the program will be well prepared to increase the success of those organizations in supporting the needs of the area.

### **Staff Analysis**

Nonprofit administration is recognized as a standalone discipline apart from business due to the differences in structure, financial reporting and management, and mission of nonprofit organizations. LSUS' Institute for Nonprofit Administration provides a strong foundation through its research and industry connections for the proposed program. The institution has provided clear evidence of regional employer support and the need for professionals in this field.

### **STAFF RECOMMENDATION**

**Senior Staff recommends approval of the proposed Bachelor of Science in Nonprofit Administration (CIP 52.0206) at Louisiana State University Shreveport with a progress report due June 1, 2024.**

## AGENDA ITEM IV.G.

### Proposed Bachelor of Science in Occupational Physiology Louisiana State University Shreveport

#### **Background Information**

Louisiana State University Shreveport (LSUS) requests Board of Regents approval to establish a Bachelor of Science (BS) in Occupational Physiology. The Louisiana State University (LSU) Board of Supervisors approved the proposal and submitted it to Regents for consideration. Chief Academic Officers statewide reviewed the proposal and Regents staff worked with the institution to address issues raised during the review process.

#### **Staff Summary**

The proposed BS in Occupational Physiology is a 120-credit hour program designed to prepare students for entry into advanced graduate studies in Physical Therapy, Occupational Therapy, Athletic Training, Exercise Science and Environmental Science. Occupational and environmental physiology is an emerging field of study that explores the effects of environmental work conditions on the body's physiological systems. This program will prepare students to effectively monitor physiological demands as they relate to environmental stressors and exercise, and design and implement physiological interventions to ensure safety in both controlled and uncontrolled environments. Students will also be prepared for immediate entry into professional areas such as the U.S. Navy and U.S. Airforce and careers specializing in training and educating firefighters, law enforcement, and operational physiologist as well as personal training and strength and conditioning. The program will be delivered in a face-to-face format. Students will utilize the institution's new Atmospheric Chamber to test human subjects in different environmental conditions that mimic the conditions in the field. In addition, students will use the new LSUS Cyber-Collaboratory facility to solve real-world problems associated with prosthetic design, injury prevention, recovery, and occupational and environmental stressors.

1. **Value:** Per Regents' policy, this program meets the criteria of a Quality Credential of Value.
  - a. Same or Similar In-State Programs: While several programs in the state offer degrees related to exercise science, LSUS's program would be the first bachelor's degree in Occupational Physiology.
  - b. Workforce Demand and Job Opportunities:
    - The Louisiana Workforce Commission (LWC) lists Environmental and Health Scientists and Specialists as a 4-star job. The Louisiana employment projections for Exercise Physiologists is expected to increase 11% by 2029, Exercise Trainers and Group Fitness Instructors to increase to 12% by 2026, Physical Therapist to 18% and Occupational Therapist to nearly 21% by 2029.
    - The Bureau of Labor Statistics (BLS) reports that overall employment of Occupational/Exercise Physiologists is projected to grow 13% from 2020 to 2030, faster than average for all occupations.
  - c. Student Enrollment and Completion: Initial enrollment is based upon moving students from four current concentrations of Exercise Science, Strength and Conditioning, Pre-Occupational Therapy, and Pre-Physical Therapy from the BS in Public Health program and placing them into the proposed BS in Occupational Physiology. The current concentrations graduate approximately 22 students per year, and the proposed bachelor's degree expects similar numbers. The institution anticipates enrolling approximately 80 students the first year increasing to nearly 140 by year five.

	Year 1	Year 2	Year 3	Year 4	Year 5
<b>Projected Enrollment</b>	80	92	106	122	140
<b>Projected Graduates</b>	0	5	20	23	27

**2. Resources:** The institution has made significant renovations in the Health and Physical Education building to create a Human Performance Laboratory (HPL) that contains a Human Physiology Lab, Motion Analysis Lab, and Motor Behavior Lab. The HPL is equipped with over \$800,000 of new equipment that will be used extensively under the proposed degree program. The institution has projected expendable supply needs and equipment cost of approximately \$12,000 over a four-year period. Beginning in year three, student scholarships will be added at a cost of \$5,000 increasing to \$10,000 in year four. Tuition revenues for each year of the program is expected to cover the additional costs associated with the program. Several external grant proposals are currently under review for potential funding at LSUS (i.e., BORSF Undergraduate Enhancement and LBRN).

	Current	Needed	Additional Costs
<b>Faculty</b>	Six existing faculty in the Department of Kinesiology and Health Sciences will support the launch of the new program.	No additional faculty needed.	\$0
<b>Physical (Facilities, Equipment, Library, &amp; Technology)</b>	Existing resources will meet the needs for program implementation.	Expendable supply needs added in years 2-4. Projected equipment needs in year 4.	Yr. 2 \$2,000 Yr. 3 \$4,000 Yr. 4 \$10,500
<b>Student Support</b>	Existing resources will meet the needs of the program for the foreseeable future.	Projected addition of student scholarships in years 3 and 4.	Yr. 3 \$5,000 Yr. 4 \$10,000

**3. Master Plan Priorities:** The following aspects of the proposal directly address priorities or goals of the statewide attainment goal and 2030 Master Plan.

- Accessibility: Due to the nature of the program, major course work will be in person. Online course options for the remainder of the curriculum will be made available when possible.
- Affordability: The general education courses will utilize open educational resources.
- Partnerships: LSUS is currently collaborating with three other universities including Utah State University, Clemson University, and The University of Tennessee on a grant proposal with the U.S. Department of Commerce. In addition, several collaborative research efforts exist between LSUS and LSUHSC (i.e., LA Space and Sport Medicine Residency Fellowship in the Department of Family Medicine.) These projects will provide additional clinical experiences for students along with the partnerships with local industry, police, fire, military, and safety at work organizations.
- Work-based Learning: Most of the coursework is clinically based and includes laboratory experiences. The program will work with local fire, rescue and law enforcement agencies to provide opportunities for students to gain insight into the environmental physiological stressors of the field.
- Other program attributes that contribute to closing the achievement gap with underserved populations: The proposed program will capture a diverse group of students interested in working in various science fields.

### **Staff Analysis**

The proposed BS in Occupational Physiology curriculum will allow LSUS to meet the needs of the region and will prepare students for immediate employment or entry into advanced graduate studies in Physical Therapy, Occupational therapy, Athletic Training, Exercise Science and Environmental Science. Strong enrollment in the existing concentrations along with student interest indicates that LSUS should be able to meet the enrollment targets to support the program.

### **STAFF RECOMMENDATION**

**Senior Staff recommends approval of the proposed Bachelor of Science in Occupational Physiology (CIP 26.0901) at Louisiana State University Shreveport with a progress report due June 1, 2024.**

## AGENDA ITEM V.

### Academic Year 2022-2023 Course Articulation Matrix and Louisiana Common Course Catalog

#### Staff Summary

The Board of Regents developed the Course Articulation Matrix (Matrix) in 2003 as a resource for students who plan to transfer to public postsecondary institutions in Louisiana and aid those institutions in awarding appropriate course credits to transfer students. The matrix is a comprehensive list of course equivalencies among public and private postsecondary institutions, primarily in the general education core subject areas.

In response to ACT 356 (2009), which required the implementation of a statewide common course numbering system “to facilitate program planning and the transfer of students and course credits between and among institutions,” the *Louisiana Common Course Catalog* (LCCC) was developed. The LCCC includes a statewide rubric, common course numbers, and basic descriptions of common content to be covered for each course on the matrix. The common course descriptions, developed and reviewed by faculty from throughout the state, ensure that a student who transfers with a course from one institution will succeed in a subsequent course at another. The yearly review process for the matrix and the common course catalog are concurrent and approved for the academic year.

The 2022-23 Matrix accurately reflects the current statewide articulation of those academic courses approved by at least five public postsecondary institutions. The matrix will be posted on the Regents’ website as a spreadsheet so that columns can be manipulated for better utility.

In 21-22, Regents staff convened the Statewide Articulation and Transfer Council (SATC) on topics related to the matrix. Regents collaborated with SATC on actions associated with the Articulation Matrix concerning 1) Universal Transfer Legislation, and 2) New General Education rubrics developed by Board Staff for use in the matrix. In the May 2022 SATC meeting, the council committed to working with the Board of Regents on these ongoing issues to ensure that transfer students will not have to re-take general education coursework due to articulation issues.

ACT 308 (2022) of this past 2022 Louisiana Legislative Session substantively clarified and expanded ACT 356 (2009) around the transfer of students and articulation of credit amongst public postsecondary institutions. This new legislation specifically addressed articulation and transfer of general education coursework to ensure that students who complete the general education core at one institution can universally transfer those courses to all statewide public postsecondary institutions.

#### Staff Analysis

The approval process for the matrix began in Summer 2022 when the Chief Articulation Officers (CARTO), with faculty input, reviewed the matrix and the statewide common course descriptors. Throughout this period, institutions submitted changes (e.g., new courses to be added, changed course numbers, or revisions when courses were dropped from the matrix and campus catalog) and were instructed on implementing the new general education rubrics.

For each general education course, campuses were instructed to provide the institutional exact equivalent course whenever that equivalent course was taught on that campus. Whenever there was no exact equivalent for a general education course, campuses were asked to affirm that the institution would recognize that course as satisfying the appropriate number of student credit hours towards that general education category, and so fulfill a programmatic degree requirement – this is indicated on the matrix by one of the new Regents general education rubrics.

This year's version of the matrix includes numerous course rubric and number changes. Regents staff will continue to work with that campus's Chief Articulation Officers and faculty representatives from each institution to further refine the matrix throughout the year.

Additionally, legislative mandates required by ACT 308 (2022) will be ongoing as Regents staff and SATC work with campus Chief Articulation Officers (CARTO) to further align course articulations as exact equivalents rather than transferring by title and ensure fully functioning of the new Universal Transfer Pathways.

The Articulation Matrix and the Louisiana Common Course Catalog are available upon request or may be accessed on the BoR website through the *Quick Links*: “[Course Articulation Matrix](#)” upon final approval from the Regents.

The Articulation Matrix and LCCC provide a valuable and necessary service to students, advisors, and faculty across the state. With the expansion of these initiatives brought on by ACT 308 (2022), it is clear that substantive and robust review efforts will continue refining and expanding these tools.

#### **STAFF RECOMMENDATION**

**Senior Staff recommends approval of the Academic Year 2022-2023 Course Articulation Matrix and the Louisiana Common Course Catalog, authorizing BoR staff to continue to work with the institutions to expand and update the Matrix and the Catalog throughout the year.**

## **AGENDA ITEM VI.**

### **Expanding Admission Pathways for Louisiana Public Postsecondary Institutions**

#### **Revised Minimum Admissions Standards**

##### **Staff Summary**

The Board of Regents developed a set of university admissions standards as part of its Master Plan for Public Postsecondary Education in 2001. Those standards set minimum admissions criteria that required:

- the completion of a high school curriculum as required by TOPS
- threshold GPA or ACT score aligned with institutional role (flagship, statewide, or regional)
- college-level mathematics and English course placement requirements

This admission framework became effective in 2005 and was fully implemented at all universities by 2010. Over the next five years, admissions standards were adjusted to the current 19-unit core curriculum and the GPA requirement moved to apply to only those core courses. Since then, there has been little change to the university minimum admissions requirements.

Admissions pathways have been developed to align with the principles of the Master Plan Louisiana Prospers (2019), and position Louisiana's colleges and universities to move the state toward the 2030 goal. The changes clarify the admission pathways for all students who intend to enter or re-enter Louisiana's public colleges and universities, regardless of their higher education path. Community colleges remain open admissions institutions, and new university admissions pathways have been added that value early college educational experiences.

##### **Staff Analysis**

Expanding admission pathways to postsecondary institutions in Louisiana is critical to the state's efforts to develop talent and reach the Master Plan goal of doubling the number of credentials awarded annually in our state by 2030.

The most significant proposed change to the policy is the introduction of early college admission pathways for first-year students. These new pathways align with the Master Plan's emphasis on early college experiences and are designed to further support the significant work underway in Louisiana to promote and increase early college opportunities for high school students. The addition of early college admission pathways demonstrates the value of that work and offers opportunities to increase the state's college-going and college success rates.

First-time, first-year admission standards remain a combination of high school curricular requirements and achievement. Two expansions in this area of the policy are proposed:

- expanded admission pathways for students who graduate high school with 17 or 18 units of the high school core curriculum; and
- the addition of HiSET or NRS scores for admission, for those students who earn alternative high school qualifications.

Additionally, the policy calls for one transfer expansion, adding the technical associate's degree to the list of credentials students may use to begin their journey to a bachelor's degree or beyond. The clarified language of this section creates a framework to encourage transfer partnerships between community colleges and universities.

The policy recommends a new admission category for HBCU institutions to align with the HBCU designation approved by the Board in June 2020.

Lastly, given the recent revisions to AA Policy 2.18: Gateway mathematics and English Course Placement Requirements, which expand the statewide implementation of corequisite education in those subjects, two provisions are recommended for removal from the admission policy: the corequisite pilot language and the provision expanding the institutional ability to accept students who would otherwise be counted as exceptions, provided they are enrolled in gateway college-level math and English courses and earn appropriate grades. Board passage of the revised policies on placement requirements (March 2022) makes these provisions unnecessary.

Staff have worked with the systems on these proposed expansion recommendations.

### **Summary of Proposed Policy Revisions**

The following is a bullet-point summary of the proposed admissions expansions and deletions that, with approval, would be implemented in the Board of Regents Minimum Admissions Standards. The changes to the current admission standards are highlighted in blue in the attached policy.

#### **New Additions**

- Early college admissions pathways for first-year students are introduced;
- Pathways that recognize for admission HiSET or NRS scores of those students who earn alternative high school qualifications are introduced;
- Expanded admission pathways for students who graduate high school with 17 or 18 units of the high school core curriculum are introduced;
- A new admission category for HBCU institutions is introduced; and
- AAS degrees are included for transfer.

#### **Removals**

- The corequisite pilot provision has been removed; and
- The provision that eliminates exceptional status for students who earn appropriate grades has been removed.

#### **Unchanged Elements**

- Minimum ACT and GPA thresholds for first-time, first-year students remain unchanged;
- Developmental placement requirements for mathematics and English remain unchanged; and
- Required credit hour, GPA, mathematics and English standards for transfer students remain unchanged;
- Allowable Admission Exceptions remain unchanged.

### **STAFF RECOMMENDATION**

**Senior Staff recommends approval of these expanded admission pathways and other proposed revisions to the Minimum Admissions Standards for admission decisions effective Fall 2023.**

## LOUISIANA BOARD OF REGENTS

### Minimum Admission Standards

The Board of Regents establishes minimum admission standards for first-year and transfer students to Louisiana public colleges and universities. Two-year institutions are open admission and therefore have no academic requirements for entry. Four-year institutions may adopt additional, more specific or rigorous requirements for admission.

#### **Definitions**

**First-Time First-Year Student:** A *first-time first-year student* is a student who has never attended any college (or other postsecondary institution) after completing high school. This includes students enrolled in the fall term who attended college for the first time in the prior summer term. It also includes students who entered with advanced standing (college credit earned before high school completion including dual enrollment).

**Transfer Student:** A *transfer* student is a student who enrolls at an institution for the first time who has previously attended another postsecondary institution as a first-time first-year student. This includes new students enrolled in the fall term who transferred into the institution the prior summer. Students classified as first-time first-year and re-entry should be excluded.

**Re-entry Student:** A *re-entry* (re-admitted) student has previously enrolled at an institution, left that institution, and is re-enrolling at the same institution.

**Adult Student:** An *adult student* is age 25 or over. Institutions may establish separate admission standards for adult students but must adhere to math and English placement requirements by institution type.

**Institution Type:** Admissions standards vary by institution type. Louisiana's public institutions fall into the following categories:

**Flagship:** LSU A&M

**Statewide:** LA Tech, UL Lafayette, UNO

**Regional:** LSU-A, LSU-S, McNeese, Nicholls, Northwestern, Southeastern, UL Monroe

**HBCU:** Grambling, Southern Baton Rouge, Southern New Orleans

**Two-year (open admission):** Baton Rouge CC, Bossier Parish CC, Central Louisiana TCC, Delgado CC, L. E. Fletcher TCC, Louisiana Delta CC, LSU-E, Northshore TCC, Northwest Louisiana TCC, Nunez CC, River Parishes CC, South Louisiana CC, SOWELA TCC, SUSLA

**Core Curriculum:** The TOPS Opportunity and BoR Core curriculum is a 19-credit set of high school courses that meet the requirements of the TOPS Opportunity Scholarship.

**Early College:** College credit earned before completing high school or during the summer immediately following high school graduation, including dual enrollment, AP, IB, or CLEP. Credit hours for AP, IB or CLEP are contingent on the student achieving an appropriate score.

## Minimum Admission Standards for First-Time First-Year Students

Two-year institutions are open admission and therefore have no academic requirements for entry.

<b>Two-year:</b> Baton Rouge CC, Bossier Parish CC, Central Louisiana TCC, Delgado CC, L. E. Fletcher TCC, Louisiana Delta CC, LSU-E, Northshore TCC, Northwest Louisiana TCC, Nunez CC, River Parishes CC, South Louisiana CC, SOWELA TCC, SUSLA
No academic requirements for admission to the institution. Individual courses or programs may have academic requirements.

Admissions requirements for first-time first-year students to four-year institutions include:

- A. Completion of a High School Curriculum, AND
- B. Additional Requirements by Institution Type

**A. Completion of a High School Curriculum:** Meet requirements of one of the following four options.

<b>1) 19-Unit Core<sup>1</sup></b>
Cumulative GPA of 2.0
<b>2) 17-18 Units of the Core<sup>1,2</sup></b>
Cumulative GPA of 2.0
<b>AND</b>
Core GPA .5 higher than institution min. <b>OR</b> ACT Composite 3 points higher than institution min.
<b>OR</b>
Institutional early college requirement with GPA .25 higher than institution min.
<b>3) Alternative HS Credential</b>
HiSET: 15 on any subtest <b>AND</b> 4 on HiSET Essay <b>OR</b> NRS: Score level 6 on NRS approved assessment
<b>AND</b>
Institution minimum ACT (applies to flagship and statewide only)
<b>4) Graduation from a non-US secondary institution<sup>3</sup></b>
Students must have completed a recognized secondary program comparable to a U.S. high school preparatory core.

<sup>1</sup>TOPS Opportunity Scholarship Core HS Curriculum

<sup>2</sup>For **out of state students**, institutions may substitute a maximum of three qualifying core courses. The course substitutions and confirmation of the out-of-state college prep core must be noted in the record.

<sup>3</sup>Additional requirements for **international students** can be found on page 5.

## B. Additional Requirements by Institution Type

The following requirements apply to students under the age of 25. Institutions may set different minimum admission requirements for students aged 25 and over.

<b>Flagship: LSU</b>				
GPA on the Core at least 3.0	<b>OR</b>	Associate Degree <b>OR</b> 18 early college academic credit hours with at least 2.5 GPA	<b>OR</b>	ACT at least 25 <b>OR</b> SAT equivalent
<b>AND</b>				
Meets minimum placement requirements for standalone mathematics <b>AND</b> English (AA 2.18)				
<b>Statewide: LA Tech, UL Lafayette, UNO</b>				
GPA on the Core at least 2.5	<b>OR</b>	Associate Degree <b>OR</b> 15 early college academic credit hours with at least 2.25 GPA	<b>OR</b>	ACT at least 23 <b>OR</b> SAT equivalent
<b>AND</b>				
Meets minimum placement requirements for standalone mathematics <b>AND</b> English (AA 2.18)				
<b>Regional: LSU-A, LSU-S, McNeese, Nicholls, Northwestern, Southeastern, UL Monroe</b>				
GPA on the Core at least 2.0	<b>OR</b>	Associate Degree <b>OR</b> 12 early college academic credit hours with at least 2.0 GPA	<b>OR</b>	ACT at least 20 <b>OR</b> SAT equivalent
<b>AND</b>				
Meets minimum placement requirements for standalone mathematics <b>OR</b> English (AA 2.18)				
<b>HBCU: Grambling, Southern BR, Southern NO</b>				
GPA on the Core at least 2.0	<b>OR</b>	Associate Degree <b>OR</b> 9 early college academic credit hours with at least 2.0 GPA	<b>OR</b>	ACT at least 20 <b>OR</b> SAT equivalent

## Minimum Admission Standards for Transfer Students

Students who leave an institution and wish to re-enroll at the same institution should contact the institution's admissions office for guidance. All other students switching institutions must meet requirements of one of the following five options. Students may transfer at any time if they meet admissions requirements described above for first-time first-year students.

<b>1) Meet First-Time First-Year Admission Requirements (0+ college credits earned)</b>										
Meet first-year first-time student admission requirements <b>AND</b> be in good standing with the previous institution.										
<b>2) Bridge Program (12+ college credits earned)</b>										
A minimum of 12 college-level credit hours from a Partnership Community College - University First-Year Bridge Program <sup>4</sup> .										
<b>AND</b>										
Completed a college-level general education English <b>AND</b> a college-level general education mathematics course with a grade of at least "C" in both.										
<b>3) Earned College Credits (24+ college credits earned)</b>										
Earned the minimum college-level academic credit hours and meet the minimum GPA on college-level academic courses for the institution type:										
<table border="1"><tr><td><b>Flagship</b></td><td>At least 30 credit hours <b>AND</b> 2.5 GPA</td></tr><tr><td><b>Statewide</b></td><td>At least 24 credit hours <b>AND</b> 2.25 GPA</td></tr><tr><td><b>Regional</b></td><td>At least 18 credit hours <b>AND</b> 2.0 GPA</td></tr><tr><td><b>HBCU</b></td><td>At least 18 credit hours <b>AND</b> 2.0 GPA</td></tr><tr><td><b>2-Year</b></td><td>No minimum requirements for transfer.</td></tr></table>	<b>Flagship</b>	At least 30 credit hours <b>AND</b> 2.5 GPA	<b>Statewide</b>	At least 24 credit hours <b>AND</b> 2.25 GPA	<b>Regional</b>	At least 18 credit hours <b>AND</b> 2.0 GPA	<b>HBCU</b>	At least 18 credit hours <b>AND</b> 2.0 GPA	<b>2-Year</b>	No minimum requirements for transfer.
<b>Flagship</b>	At least 30 credit hours <b>AND</b> 2.5 GPA									
<b>Statewide</b>	At least 24 credit hours <b>AND</b> 2.25 GPA									
<b>Regional</b>	At least 18 credit hours <b>AND</b> 2.0 GPA									
<b>HBCU</b>	At least 18 credit hours <b>AND</b> 2.0 GPA									
<b>2-Year</b>	No minimum requirements for transfer.									
<b>AND</b>										
Completed a college-level general education English <b>AND</b> a college-level general education mathematics course with a grade of at least "C" in both.										
<b>4) Have an Associate Degree</b>										
Completed an associate degree (AAS, AA, AS, AALT, or ASLT) or higher.										
<b>5) Adult Student (over age 25)</b>										
Meets the institution's admissions requirement for adult students.										
<b>AND</b>										
Meets minimum placement requirements for standalone mathematics <b>OR</b> English (AA 2.18).										

<sup>4</sup>Minimum standards for transfer besides the 12 college credits that include English and mathematics are left to the college-University parties. Bridge agreements may require more credits and/or higher GPA.

## **Additional Requirements for International Students**

Students who graduated from a non-US high school must meet the following requirements in addition to regular admission requirements by institution type.

### **1) Demonstrate English Language Proficiency**

Students from non-English-speaking countries or from non-English curriculum schools must demonstrate college-level English proficiency before admission.<sup>6</sup> All records must be in or officially translated into English.

<b>English Proficiency for International Students</b>	
TOEFL (paper-based)	550
TOEFL IB	79
IELTS	6.5
Duolingo	100
ACT English	18
SAT ERW	500
ACCUPLACER NG Writing	250
Credit for a college-level English course equivalent to CENL 1013 or CENL 1023.	

### **2) Be Admissible to Comparable Institution**

Students must qualify for admission to a comparable university in their respective country as verified by that country's Ministry of Education.

<sup>5</sup>When comparable core courses are not evident, institutions must cite a nationally recognized resource (e.g., AACRAO, WES) demonstrating that the applicants have completed a program of study that would recommend them for admission to a comparable university in their country.

<sup>6</sup>Upon admission, students may be required to enroll in credit-bearing (but not-for-degree-credit) English as a Second Language coursework as determined by the institution.

## **Provisional Admission**

Students should be fully admitted at the time they enroll. At their discretion, institutions may offer provisional admission to first-time first-year students in anticipation of the students meeting the admission standards by the time they begin classes as first-time first-year students. Institutions must have evidence that students meet all admission requirements, and the student record must reflect the final admission information showing eligibility for admission by the end of the first semester or term.

## **Admission by Exception**

Any student who does not meet admission criteria as described above may be admitted by exception if the institution deems the student prepared to do satisfactory academic work at the institution to which they are applying. BoR will conduct regular audits of admission by exception to ensure compliance with this policy.

In addition to the BoR's minimum admission standards, institutions may adopt more specific or rigorous requirements for admission. When a student is admitted by exception to the institution's standards but still meets the BoR's minimum requirements, that student will not be classified as an admission by exception by BoR.

### **Allowable First-Year Exceptions**

Institutions may admit by exception the following allowable percentage of first-year students who do not meet the BoR's minimum admission standards. The calculation of the number of first-year students representing the allowable percentage may be calculated from the previous year's (semester/term) entering class reported as enrolled as of the end of the semester/term.

Flagship:	4% (LSU)
Statewide:	6% (LA Tech, UL Lafayette, UNO)
Regional:	8% (LSU-A, LSU-S, McNeese, Nicholls, Northwestern, Southeastern, UL Monroe)
HBCU:	8% (Grambling, Southern BR, Southern NO)

### **Additional Exceptions for Non-Resident (Out-of-State and International) Students**

A supplemental non-resident exception allowance provides institutions with an opportunity to further develop a geographically and culturally diverse class without restricting opportunities for equivalent exceptions that could otherwise be afforded to qualified Louisiana residents. To achieve this, institutions may enroll a maximum of one hundred (100) non-resident exceptions in addition to the maximum allowance provided in policy.

### **Summer Provisional Programs & Exception Status**

First-time first-year students admitted by exception for the fall semester who participate in a university summer provisional program and successfully complete at least six (6) credits of college-level coursework, including at least one English or Math course (students with placement deficiencies in English and Math must complete both), and achieve at least a 2.3 Summer GPA and a grade of "C" or higher in English/Math, may be recoded as 'Not an Exception' for the Summer term. (Note: Summer and Fall first-time first-year students are combined as one entering cohort for IPEDS and BoR reporting.)

### **Allowable Transfer Exceptions**

Institutions may admit by exception an allowable percentage of transfer students who do not meet the minimum transfer admission standards. The number of transfer students representing the allowable percentage may be calculated from the previous year's semester/term entering transfer class reported as enrolled as of the end of the semester/term.

Flagship:	4% (LSU)
Statewide:	8% (LA Tech, UL Lafayette, UNO)
Regional:	10% (LSU-A, LSU-S, McNeese, Nicholls, Northwestern, Southeastern, UL Monroe)
HBCU:	10% (Grambling, Southern BR, Southern NO)

**Penalties for Exceeding Exceptions Limits**

Based on audit findings, BoR may take action as it deems appropriate when the number of exceptions to the minimum standards exceeds the allowance. Penalties will be graduated in accordance with the degree, repetition, and/or systemic nature of the violation, as BoR determines.

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*Felix R. Weill*  
*Judy A. Williams-Brown*  
*Catarena M. Lobré, Student*

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**AGENDA**

**STATEWIDE PROGRAMS COMMITTEE**

*Wednesday, August 24, 2022*  
*12:05 p.m.*

*Claiborne Building, 1<sup>st</sup> Floor*  
*Thomas Jefferson Rooms A&B 1-136*  
*1201 North Third Street*  
*Baton Rouge, Louisiana*

I. Call to Order

II. Roll Call

III. Consent Agenda

- A. Approval of Initial Rulemaking – Rulemaking to amend Sections 509, 703, 705, 803, 805, and 2103 and to add Chapter 24 of the Scholarship and Grant Program rules to implement the provisions of Act 447, Act 463, Act 681, and Act 502 of the 2022 Regular Session of the Louisiana Legislature.\*
- B. TOPS Exceptions - Regulatory provisions that require students to remain continuously enrolled and to earn the annual credit hours required during the academic year.
- C. TOPS Home Study Exceptions - Statutory provision that requires a student to begin a home study program no later than the conclusion of the tenth grade.

IV. Receive the Cost of College Report by VELA Institute.

V. Other Business

VI. Adjournment

\* *Act 447 – Adds Geometry to TOPS Tech Core Curriculum (Begins with 2027 High School Graduates); Act 463 – Implements Geaux Teach Program; Act 681 – Implements Proclamation 183 JBE 2021 (Hurricane Ida Exceptions); Act 502 – Adds two Computer Science courses as an alternative to Foreign Language courses to the TOPS Opportunity, Performance, and Honors core curriculum (Begins with 2027 High School Graduates)*

Committee Members: Randy L. Ewing, Chair; Charles R. McDonald, Vice Chair; Stephanie A. Finley, Darren G. Mire, Wilbert D. Pryor, Felix R. Weill, Catarena M. Lobré (*student member*).

## **Agenda Item III.A.**

### **Consent Agenda: Initial Rulemaking**

Rulemaking to amend Sections 509, 703, 705, 803, 805, and 2103 and to add Chapter 24 of the Scholarship and Grant Program rules to implement the provisions of Act 447, Act 463, Act 681, and Act 502 of the 2022 Regular Session of the Louisiana Legislature.

#### **Background:**

This rulemaking implements the provisions of House Bill 207, House Bill 346, Senate Bill 178, and Senate Bill 191 of the 2022 Regular Session of the Louisiana Legislature, as follows:

- Act 447
  - Section 803: Adds Geometry as a required core curriculum course for students completing the TOPS Tech core curriculum beginning with 2027 high school graduates.
- Act 463
  - Adds Chapter 24 to the Administrative Rules to implement the Geaux Teach Program, a new program to provide financial assistance to students pursuing a teaching degree at Louisiana's colleges and universities.
- Act 681
  - Implements Proclamation 183 JBE 2021
  - Section 509: Provides an ACT deadline of December 31, 2021, for 2021 high school graduates if the student provides documentation that he was registered for an ACT exam that was canceled due to Hurricane Ida. Allows for exceptions to this deadline if the student was registered for a test that was cancelled due to Hurricane Ida and the student was unable to schedule a test prior to the deadline due to circumstances beyond his control.
  - Sections 703 and 803 provide exceptions to the initial eligibility requirements for TOPS Opportunity, Performance and Honors Awards and TOPS Tech Awards, respectively:
    - Defines displaced student as one who was living in or attending a public or nonpublic high school or who was attending a home study program and living in Jefferson, Lafourche, Livingston, Plaquemines, St. Charles, St. Helena, St. James, St. John the Baptist, Tangipahoa, or Terrebonne Parish on August 27, 2021;
    - Displaced student shall not have to meet the core curriculum requirement if certified by the principal that the student was unable to meet the requirement because the course/courses were not available at the school attended;
    - Displaced student who graduates from an out of state high school shall not be required to have a higher ACT score; and
    - Provides an exception to the 2-year residency requirement.
  - Sections 705 and 805 provide exceptions to the continuing eligibility requirements for students whose home of record was located in or who attended school in Jefferson, Lafourche, Livingston, Plaquemines, St. Charles, St. Helena, St. James, St. John the Baptist, Tangipahoa, or Terrebonne Parish on August 27, 2021.
    - Steady academic progress
    - Continuation GPA
    - Extends period of suspension on a one for one basis for each semester a student is unable to enroll/complete due to the effects of Hurricane Ida.
  - Section 2103: Provides that TOPS-eligible students who were unable to enroll for the first-time as a full-time student by the applicable deadline, to enroll as full-time students, to maintain continuous enrollment in school, or to earn 24 hours during the 2021-2022 academic year (TOPS) may submit a request for exception in accordance with the normal exception procedures.

- Act 502
  - Section 703: Provides that a student may choose to complete two computer science courses rather than two foreign language courses to complete the TOPS Opportunity, Performance, and Honors core curriculum beginning with 2027 high school graduates

**LOSFA Advisory Board Recommendation**

**The LOSFA Advisory Board recommends that the Board of Regents authorize the Executive Director of LOSFA to publish a Notice of Intent to make these rules permanent.**

### **Agenda Item III.B.**

#### **Consent Agenda: TOPS Exceptions**

Requests for exception to the TOPS regulatory provisions that require students to remain continuously enrolled and to earn the annual credit hours required during the academic year.

#### **Background:**

Sections 705.A.6 and 7 of the TOPS administrative rules require TOPS recipients to continue to enroll in the fall and spring semesters of each academic year, to remain enrolled throughout the semester, and to earn the annual credit hours required by the end of the academic year. Section 2103.E authorizes the governing body to grant an exception to these requirements when the student/recipient has exceptional circumstances that are beyond their immediate control and that necessitate full or partial withdrawal from or non-enrollment in an eligible postsecondary institution.

Twelve requests for exceptions were reviewed and approved by the LOSFA Advisory Board at its meeting on July 26, 2022. The students have presented facts and circumstances that the students believe justify the granting of an exception as an exceptional circumstance.

#### **LOSFA Advisory Board Recommendation**

**The LOSFA Advisory Board recommends approval of TOPS requests for exception as presented.**

### **Agenda Item III.C.**

#### **Consent Agenda: TOPS Home Study Exceptions**

Requests for exception to the TOPS statutory provision that requires a student to begin a home study program no later than the conclusion of the tenth grade.

The TOPS statute requires that a student begin a home study program no later than the conclusion of the tenth-grade year. Act 95 of the 2021 Regular Session of the Louisiana Legislature implemented a provision which allows the administering agency to grant exceptions to this requirement when a student provides documentation that the transfer to a home study program later than the statutorily provided time frame was beyond the student's control.

Two requests for an exception to the deadline to begin a home study program were reviewed and approved by the LOSFA Advisory Board at its meeting on July 26, 2022. The students have presented facts and documentation that the students believe justify the granting of an exception as an exceptional circumstance.

#### **LOSFA Advisory Board Recommendation**

**The LOSFA Advisory Board recommends approval of the requests for exception to the deadline to begin a home study program no later than the conclusion of the tenth grade year.**

#### **Agenda Item IV.**

##### **Receive the Cost of College Report by VELA Institute**

Vela Institute is a non-profit organization dedicated to increasing access to evaluation, analytics and data tracking to education partners to improve student and community outcomes. Established in 2017, Vela Institute accomplishes its mission through applied research, data analytics, and the use of evidence-based practices. In Spring 2022, LOSFA contracted with the VELA Institute to help LOSFA and policymakers understand student perceptions of the value of postsecondary education and their ability to pay for it, Vela Institute developed a series of focus groups and surveys to assess perceptions of the value of college, accessibility of financial aid, and enrolling in postsecondary education.

##### **LOSFA Advisory Board Recommendation**

**The LOSFA Advisory Board recommends that the Board of Regents receive the Cost of College Report by VELA Institute.**



# The Cost of College: Perceptions of Financial Aid and College Affordability

First Look June 2022: Qualitative Analysis for Louisiana Office of Student Financial Assistance



**Vela Institute**  
Illuminating Education

## The Challenge

Given the public health and economic challenges of the past two years, as a result of COVID-19, students are enrolling in postsecondary education at reduced rates<sup>1</sup> and not taking full advantage of financial aid.

According to a report published by the National College Attainment Network<sup>2</sup> “the high school class of 2021 left an estimated \$3.75 billion in Pell Grants on the table by not completing the Free Application for Federal Student Aid (FAFSA).” Given these declines, the importance of having a post-secondary credential, and the impact that COVID-19 has had on underrepresented students<sup>3</sup>, it is critical to gather insights from a wide range of stakeholders to get their perspectives regarding the challenges and barriers of accessing financial aid and enrolling in postsecondary education.

## Understanding Perceptions

To help Louisiana Office of Student Financial Assistance (LOFSA) and policymakers understand student perceptions of the value of postsecondary education and their ability to pay for it, Vela Institute developed a series of focus groups and surveys to assess perceptions of the value of college, accessibility of financial aid, and enrolling in postsecondary education.

Five distinct groups participated in either a focus group or a survey in Spring 2022

1. 12th Graders
2. High School Counselors
3. Parents
4. Postsecondary Students That Accepted the Taylor Opportunity Program for Students (TOPS) Awards
5. Postsecondary Students That Did Not Accept TOPS Awards

## Analysis and Results

The data was collected from a total of 563 respondents. Thematic analysis of the focus group data and descriptive analytics of the survey data provided insight into the perceptions and knowledge high school students, postsecondary students, parents, and counselors have of the steps required to navigate the process of applying to, paying for, and enrolling in postsecondary education.

<sup>1</sup>Nadworny, E. (January, 2022). *More Than One Million Fewer Students are in College: Here's How That Impacts the Economy*. NPR

<sup>2</sup>AlQaisi, R., Breen, S., & DeBaun, B. (January, 2022). *\$3.75 Billion in Pell Grants Goes Unclaimed for High School Class of 2021*. NCAN

<sup>3</sup>U.S. Department of Education, Office of Civil Rights. (June, 2021). *Education in a Pandemic: The Disparate Impacts of COVID-19 on America's Students* U.S. Department of Education, Office of Civil Rights.

## Respondents Expressed



**VALUE:** Families need college affordability and financial aid information from trusted sources to understand the value of college as an investment and the resources and aid available.

- Almost 85% of both high school and postsecondary students aspire to attend college. Most students are getting information from their family, yet almost half of parents don't believe college is an investment.
- 81.2% of all students reported that their family helped them make the decision about what to do after high school, which included whether or not to attend college.
- 44.4% of parents do not believe that college is an investment in their child's future with 91.7% of those parents not being able to accurately identify the increased lifetime earnings a college degree affords.
- Counselors identified providing in-depth and accurate information to parents/families as they assist their students through the college-going process as the most important outreach need.



**AFFORDABILITY:** Students and families believe they cannot afford the cost of college and need guidance to help them access financial aid to make it possible to afford college.

- 47.9% of high school seniors report they will struggle to afford college and 44.4% of parents agree that even if their child gets into college, they will struggle to afford it.
- 42.5% of all students report difficulty with the FAFSA. Some respondents are not aware of the FAFSA or that it is a high school graduation requirement.
- Counselors find that students underestimate the cost of college.
- 59.3% of postsecondary students report that even with some financial aid, they continue to struggle to pay for college.



**TIMELINE:** Students and families need scholarship and financial aid information earlier in the college-going process to make informed decisions about college attendance.

- Counselors report that more scholarship information, cost of college, and admissions requirements are needed as resources to share with students and parents as early as possible.
- 87.5% of all students' report cost as a factor when deciding where to go to college.
- Students report the primary reason for declining a TOPS award is to attend college out of state with the secondary reason being to work to help support family.

## Recommendations

Based on these findings and evidence-based practices found in literature review, policymakers in Louisiana may consider the following interventions to support students as they go through the college-going process and pay for college. Providing this support will help Louisiana students earn a post-secondary credential, be better prepared to enter the workforce, and make stronger contributions to the Louisiana economy.



### VALUE:

*Invest in school- and community-based support personnel and parent-led counseling/outreach*

This will help students and their families understand the value of a college degree and to navigate the complicated college-going and financial aid processes.<sup>4</sup>



### AFFORDABILITY:

*Provide direct, targeted outreach and mailings about college affordability*

Targeted outreach with families, early and throughout college, by using ACT/GPA data to explain TOPS and other scholarship/grant-based aid eligibility, and to educate on the true cost of college, how scholarships work, and to reduce the burden of taking out student loans.

Research showing there is a positive relationship between perceptions of affordability and college completion support the efficacy of this intervention.<sup>5,6</sup>



### TIMELINE:

*Communicate state financial aid estimates before May 1st*

This will help students and families understand the true cost of college before typical college decisions are required.

Given that most students who choose to attend an out-of-state college had made their decision before May 1st and attending out-of-state college was the top reason for declining a TOPS award, informing students earlier could help keep students enrolling in-state.<sup>7</sup>

<sup>4</sup>Dynarski, S., Nurshatayeva, A., Page, L. C., & Scott-Clayton, J. (2022). *Addressing Non-Financial Barriers to College Access and Success: Evidence and Policy Implications*, Economics of Education Review, working paper 30054.

<sup>5</sup>U.S. Department of Education, National Center for Education Statistics. (2020). *College Affordability Views and College Enrollment*.

<sup>6</sup>Lindsay C. Page & Judith Scott-Clayton. (2016). *Improving College Access in the United States: Barriers and Policy Responses*. Economics of Education Review, vol 51, pages 4-22.

<sup>7</sup>Caroline M. Hoxby & Sarah Turner. (May, 2015). *What High-Achieving Low-Income Students Know about College*. American Economic Review, American Economic Association, vol. 105(5), pages 514-17

*Collis B. Temple, III*  
*Chair*

*Gary N. Solomon, Jr.*  
*Vice Chair*

*Sonia A. Pérez*  
*Secretary*

*Kim Hunter Reed, Ph.D.*  
*Commissioner of*  
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*Blake R. David*  
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**AGENDA**

**PLANNING, RESEARCH and PERFORMANCE COMMITTEE**

Wednesday, August 24, 2022

12:25 p.m.

Claiborne Building, 1<sup>st</sup> Floor  
Thomas Jefferson Room A&B 1-136  
1201 North Third Street  
Baton Rouge, Louisiana

I. Call to Order

II. Roll Call

III. Consent Agenda

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

1. Renewal Applications

- a. Alcorn State University
- b. Embry-Riddle Aeronautical University
- c. San Joaquin Valley College
- d. United States University
- e. Upper Iowa University
- f. Walden University

B. Proprietary Schools Advisory Commission

1. Change of Ownership Applications

- a. Acadiana Area Career College-Lafayette, LA
- b. Blue Cliff College-Alexandria, LA
- c. Blue Cliff College-Lafayette, LA
- d. Blue Cliff College-Metairie, LA
- e. Blue Cliff College-Metairie-Satellite Location, LA

2. Initial Applications

- a. Smith Institute of Massage Therapy-Shreveport, LA
- b. OceanPointe Dental Assisting Academy of Prairieville-Prairieville, LA
- c. 160 Driving Academy-Shreveport, LA
- d. Synergy Massage Institute-New Orleans, LA
- e. Kingdom Technical College-Shreveport, LA

3. Renewal Applications

- a. Ben D. Johnson Education Center, Natchitoches, LA – License #2300
- b. CDL Mentors of Baton Rouge Truck Driving School, Baton Rouge, LA – License #2319

- c. Delta College of Arts & Technology, Baton Rouge, LA – License #857
- d. Diesel Driving Academy-Baton Rouge, Baton Rouge, LA – License #717
- e. Global Trucking Academy, LLC, Marksville, LA – License #2245
- f. Holmes Healthcare Training Center, Corp. New Orleans, LA – License #2301
- g. Integrated Education Solutions, LLC, Violet, LA – License #2292
- h. Lincoln College of Technology, Nashville, TN – License #2051
- i. Louisiana Institute of Massage Therapy, Lake Charles, LA – License #2180
- j. McCann School of Business, Monroe, LA – License #2294
- k. Med-Advance Training, Baton Rouge, LA – License #2272
- l. Oak Park School of Dental Assisting, LLC, Lake Charles, LA – License #2118
- m. OceanPointe Dental Academy of Hammond, Hammond, LA – License #2332
- n. Operation Spark, New Orleans, LA – License #2347
- o. Ouachita Truck Driving Academy, LLC, Sterlington, LA – License #2050
- p. Petra College, INC., Hammond, LA – License #2215
- q. Precision Welding Testing & Training, Geismar, LA – License #2293
- r. Remington College-Lafayette, Lafayette, LA—License #2152
- s. Remington College-Shreveport, Shreveport, LA—License #2153
- t. Safe Road Truck Driving Academy, New Orleans, LA—License #2333
- u. Skillz Academy, New Orleans, LA—License #2334

4. Approval of Final Rulemaking – Approval to publish the final rule change in the Louisiana Register’s September publication.
5. Appointment of Mr. Chris Broadwater to the Advisory Commission on Proprietary Schools

IV. Amendments to the Uniform Policy on Power-Based Violence

V. Other Business

VI. Adjournment

Committee Members: Terrie P. Sterling, Chair; Judy A. Williams-Brown, Vice Chair; Stephanie A. Finley; Robert W. Levy; Charles R. McDonald; Sonia A. Pérez; Wilbert D. Pryor; Felix R. Weill  
Staff: Susannah Craig, Deputy Commissioner for Strategic Planning and Student Success

### **Agenda Item III.A.1.a**

#### **Alcorn State University Division of Nursing Natchez, Mississippi**

#### **BACKGROUND**

Alcorn State University (Alcorn) is not incorporated in Louisiana. The university was first licensed by the Board of Regents in 1993. The institution is a publicly-supported university headquartered in Alcorn, Mississippi, with its nursing school located in Natchez. Alcorn is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools as well as the Accreditation Commission for Education in Nursing.

#### **ACADEMIC PROGRAM**

Alcorn currently offers associate, bachelor's, and master's degrees in nursing through the institution's Natchez, Mississippi facility. The nursing programs are professionally accredited by the National League for Nursing. Instruction provided in Louisiana is limited to nursing practicum experiences. The institution reports an enrollment of 3 students in the doctoral program, master's program and certificate program.

#### **FACULTY**

Two faculty are involved in practicum experiences at Louisiana sites. A full-time faculty member holds a doctorate degree and a part-time faculty member holds a master's degree.

#### **FACILITIES**

Practicum experiences are completed at hospital and clinical facilities in Central and East Louisiana.

#### **STAFF RECOMMENDATION**

**Given the scope of the programs and the credentials of its faculty, the institution's campus, program accreditation, and the general oversight by the home campus, Senior Staff recommends approval of the application for license *renewal* from Alcorn State University.**

**Agenda Item III.A.1.b**  
**Embry-Riddle Aeronautical University**  
**Daytona Beach, Florida**

**BACKGROUND**

Embry-Riddle Aeronautical University (Embry Riddle) first registered with the Board of Regents in 1987. The institution is headquartered in Daytona Beach, Florida and provides educational programs at the associate, bachelor's, and master's degree levels. The institution is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools.

**ACADEMIC PROGRAM**

Embry-Riddle currently offers certificate, associate, bachelor's and master's degrees in aeronautical-related fields (professional aeronautics, aviation maintenance, technical management, aeronautical science and management, unmanned systems, systems management, engineering, etc.).

<b>Degree Level</b>	<b>LA Unduplicated Enrollment</b>
Master's	24
Bachelor's	117
Associate	6
Certificate	1
Non-Degree	9
Total	157

**FACULTY**

Embry-Riddle employs 12 faculty members to support its operations at Barksdale Air Force Base, one faculty member on a full-time basis. All faculty hold master's degrees from institutions with recognized accreditation and four faculty are also trained at the doctoral level.

**FACILITIES**

Embry-Riddle currently utilizes space at Barksdale Air Force Base for administrative and instructional purposes. Embry-Riddle's computer multimedia and telecommunication facilities are made available to faculty and students for instructional and research purposes.

**STAFF RECOMMENDATION**

**Given its regional accreditation, the credentials of its faculty and the scope of its current operations at Barksdale AFB, the Senior Staff recommends that the Board of Regents approve license *renewal* for Embry-Riddle Aeronautical University, located in Daytona Beach, Florida.**

## **AGENDA ITEM III.A.1.c**

### **San Joaquin Valley College Visalia, CA**

#### **BACKGROUND**

San Joaquin Valley College (SJVC) is not incorporated in the State of Louisiana. SJVC is a private for-profit junior college with fifteen campuses in California and an online division. SJVC is accredited by the Accrediting Commission for Community and Junior Colleges.

#### **ACADEMIC PROGRAM**

San Joaquin Valley College prepares graduates for professional careers by offering Certificates of completion, associate and bachelor's degrees in business, medical and technical career fields. San Joaquin does not currently have any students enrolled in Louisiana.

#### **FACULTY**

San Joaquin Valley College has 13 full-time faculty and 54 part-time faculty that support programs available in the Louisiana online operations. 16 of these faculty hold doctoral degrees, 45 faculty members have master's degrees and another 3 hold a bachelor's degree.

#### **FACILITIES**

San Joaquin Valley College provides online instruction to Louisiana students.

#### **STAFF RECOMMENDATION**

**Given the scope of the programs and the credentials of its faculty, and program accreditation, the general oversight by the home campus, Senior Staff recommends that the Board of Regents approve the application for license *renewal* from San Joaquin Valley College.**

## **AGENDA ITEM III.A.1.d**

### **United States University San Diego, CA**

#### **BACKGROUND**

United States University (USU) is not incorporated in the State of Louisiana. USU is a private, for-profit university in San Diego, CA. USU is regionally accredited by the Western Association of Schools and Colleges (WASC) Senior College and University Commission and the California Bureau for Private Postsecondary Education.

#### **ACADEMIC PROGRAM**

United States University offers 26 academic programs that lead to undergraduate and graduate degrees in health sciences, business, information technology, education and nursing. The institution currently has 15 students in its Louisiana Unduplicated Headcount Enrollment at the master's level and one at the bachelor's level.

#### **FACULTY**

United States University has 13 full-time faculty at the doctorate level and 330 part-time faculty at various degree levels, but the majority (196) holding a doctorate.

#### **FACILITIES**

United States University provides online instruction to Louisiana students.

#### **STAFF RECOMMENDATION**

**Given the scope of the programs and the credentials of its faculty, the institution's campus, program accreditation, and the general oversight by the home campus, Senior Staff recommends approval of the application for license *renewal* from United States University.**

## **AGENDA ITEM III.A.1.e**

### **Upper Iowa University Fayette, IA**

#### **BACKGROUND**

Upper Iowa University (UIU) is not incorporated in the State of Louisiana and first registered with the Board of Regents in 1976. UIU is a private university headquartered in Fayette, Iowa. The University is accredited by the Higher Learning Commission (HLC).

#### **ACADEMIC PROGRAM**

The university offers 26 academic programs that lead to undergraduate and graduate degrees. UIU's programs include business, criminal justice, health and human services, psychology, social science, public administration, and criminal justice. The institution currently has 505 students in its Louisiana Unduplicated Headcount Enrollment.

<b>Degree Level</b>	<b>LA Unduplicated Enrollment</b>
Master's	82
Bachelor's	383
Associate	39
Certificate	1
Total	505

#### **FACULTY**

Upper Iowa University (UIU) has 104 part-time faculty that all hold a master's degree or higher.

#### **FACILITIES**

Upper Iowa University (UIU) offers classroom or laboratory instruction in Louisiana at five locations:

- Alexandria
- Baton Rouge
- DeRidder
- Fort Polk
- New Orleans

#### **STAFF RECOMMENDATION**

**Given the scope of the programs and the credentials of its faculty, the institution's campus, program accreditation, and the general oversight by the home campus, Senior Staff recommends approval of the application for license renewal from Upper Iowa University.**

## **AGENDA ITEM III.A.1.f**

### **Walden University Minneapolis, MN**

#### **BACKGROUND**

Walden University (WU) is not incorporated in the State of Louisiana. WU is an online for-profit university headquartered in Minnesota. The University is accredited by the Higher Learning Commission (HLC). WU has earned specialized accreditations from the following organizations: Council on Social Work Education, Council for Accreditation of Educator Preparation, Accreditation Council for Business Schools and Programs, Council for Accreditation of Counseling and Related Educational Programs, Global Accreditation Center for Project Management, and Accreditation Board for Engineering and Technology (ABET).

#### **ACADEMIC PROGRAM**

Walden University (WU) offers 160 academic programs that lead to undergraduate and graduate degrees. Fields of study include business administration, education, health science, criminal justice, information technology, psychology, marketing and communication. The institution currently has 514 students in its Louisiana Unduplicated Headcount Enrollment.

<b>Degree Level</b>	<b>LA Unduplicated Headcount Enrollment</b>
Doctorate	147
Master's	260
Bachelor's	98
Associate	0
Certificate	6
Other	3
<b>Total</b>	<b>514</b>

#### **FACULTY**

Walden University (WU) has a total of 3,110 full-time and part-time faculty at various degree levels.

#### **FACILITIES**

Walden University (WU) provides online instruction to Louisiana students.

#### **STAFF RECOMMENDATION**

**Given the scope of the programs and the credentials of its faculty, the institution's campus, program accreditation, and the general oversight by the home campus, Senior Staff recommends approval of the application for license *renewal* from Walden University (WU).**

*Collis B. Temple, III*  
Chair

*Gary N. Solomon, Jr.*  
Vice Chair

*Sonia A. Pérez*  
Secretary

*Kim Hunter Reed, Ph.D.*  
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**Minutes**  
**Board of Regents' Proprietary Schools Advisory Commission**  
**July 12, 2022**

The Louisiana Board of Regents' Proprietary Schools Advisory Commission met Tuesday, July 12, 2022, in Room 1-155 in the Claiborne Building. Prior to calling the meeting to order, new commission member Susana Schowen, appointed by Louisiana Community and Technical College System was administered the oath of office. Chair James Fontenot called the meeting to order at 10:10 a.m. The roll was then called, and a quorum was established. There were no public comments to be read.

**Commission Members Present**

Melanie Amrhein, Vice Chair  
Sherrie Despino  
James Fontenot, Chair  
Randy Plaisance  
Susana Schowen

**Staff Members Present**

Courtney Britton  
Chandra Cheatham  
Dr. Susannah Craig  
Mighan Johnson  
Antonio Williams

**Commission Members Absent**

Jada Lewis  
Carmen Million  
James Dorris

**Guests Present**

(See Appendix)

The first item of business was the approval of minutes from the Commission's meeting of May 10, 2022.

**On motion of Sherrie Despino, seconded by Randy Plaisance, the Proprietary Schools Advisory Commission unanimously adopted the minutes of the May 10, 2022 Proprietary Schools Advisory Commission meeting.**

The next agenda item considered by the Commission was the change of ownership applications for schools recently purchased by Education Management. The schools are Acadiana Career College-Lafayette, Louisiana, Blue Cliff

College-Alexandria, Alexandria, LA, Blue Cliff College-Lafayette, Lafayette, LA, Blue Cliff College-Metairie, Metairie, LA, Blue Cliff College-Metairie Satellite Location, Metairie, LA, They were represented by DeKenya Douglas, COO, and LaShawn Colligan. Ms. Chandra Cheatham, Board of Regents, reviewed the materials for the Commission members, informing them that the institutions offer a variety of courses in the following areas: Clinical Medical Assisting, Massage Therapy, Health Information Management Billing and Coding, Clinical Administrative Medical Assisting, Medical Office Administration, etc. The applications met all legal and administrative requirements to be approved for a change of ownership and new licenses.

The discussion focused on how often change of ownerships occurs and the purpose for change of ownership, the history of the school, any possible name changes, Houma campus closure, and plans for potential new location of Blue Cliff College-Baton Rouge in 2023. Following the discussion,

**on motion of Melanie Amrhein, Vice Chair, seconded by Sherrie Despino, the Proprietary Schools Advisory Commission unanimously voted that the Board of Regents approve the change of ownership applications for Acadiana Career College, Lafayette, Louisiana, Blue Cliff College, Alexandria, LA, Blue Cliff College, Lafayette, LA, Blue Cliff College, Metairie, LA, and Blue Cliff College-Satellite Location, Metairie, LA.**

The next item considered by the Commission was the initial license application from Smith Institute of Massage Therapy Continuing Education. The school will be located in Shreveport, Louisiana. The school was represented by its owner, Ms. Mariquita Smith. Ms. Mighan Johnson, Board of Regents, reviewed the materials for the Commission members, informing them that the institution was proposing to offer one program: Massage Therapy Express (560 clock hours). The application met all legal and administrative requirements to be approved for an initial license.

Discussion included the school owner's training history, purpose for opening the school, the need for a school in the Shreveport area, and future plans for more instructors to expand the school, as well as financial discussion, recruiting efforts and advertising. Following the discussion,

**on motion of Sherrie Despino seconded by Susie Schowen, the Proprietary Schools Advisory Commission unanimously voted that the Board of Regents approve the initial license application for Smith Institute of Massage Therapy Continuing Education, LLC, Shreveport, Louisiana.**

The next item considered by the Commission was the initial license application from 160 Driving Academy - Shreveport. The school will be in Shreveport, Louisiana. The school was represented by Tess Cavalier, Director of Compliance and Real Estate. Mr. Antonio Williams reviewed the materials for the Commission members, informing them

that the institution was proposing to offer one program: Class A CDL (160 clock hours). The application met all legal and administrative requirements to be approved for an initial license.

The commission then discussed the opening of the New Orleans area school last year, the company's history, the market for drivers and the company's partnerships to supply several large retailers and businesses with drivers. Following the discussion,

**on motion of Melanie Amrhein, seconded by Susana Schowen, the Proprietary Schools Advisory Commission unanimously voted that the Board of Regents approve the initial license application for 160 Driving Academy - Shreveport, in Shreveport, Louisiana.**

The next item considered by the Commission was the initial license application from OceanPointe Dental Assisting Academy of Prairieville, LLC. The school will be in Prairieville, Louisiana. The school was represented by Dr. Neil Oza, Owner. Mr. Williams reviewed the materials for the Commission members, informing them that the institution was proposing to offer one program: Dental Assisting (161 clock hours). The application met all legal and administrative requirements to be approved for an initial license.

The commission then discussed most recent graduating class job placements for Dr. Oza's Hammond location, the location of the new school and the hosting site practice, the future possibility of night classes. Following the discussion,

**on motion of Sherrie Despino, seconded by Melanie Amrhein, the Proprietary Schools Advisory Commission unanimously voted that the Board of Regents approve the initial license application for OceanPointe Dental Assisting Academy of Prairieville, LLC, Prairieville, Louisiana.**

The next item considered by the Commission was the initial license application from Synergy Massage Institute. The school will be in Metairie, Louisiana. The school was represented by the owner, Erin Warner. Mr. Williams reviewed the materials for the Commission members, informing them that the institution was proposing to offer one program: Massage Therapy (500 clock hours). The application met all legal and administrative requirements to be approved for an initial license.

The commission then discussed history of the school owner and their first proprietary school location opened last year, the most recent graduating classes job placements for that location and the need to duplicate the model in other areas, and the school's low student/teacher ration. Following the discussion,

**on motion of Sherrie Despino, seconded by Susana Schowen, the Proprietary Schools Advisory Commission unanimously voted that the Board of Regents approve the initial license application Synergy Massage Institute, Metairie, LA.**

The next item considered by the Commission was the initial license application from Kingdom Technical College. The school will be located in Shreveport, Louisiana. The school was represented by its manager Latesha Heard and instructor, Mr. DeCarlos Heard. Mr. Williams reviewed the materials for the Commission members, informing them that the institution was proposing to offer three programs: Welder 1 (600 clock hours), Welder 2 (1000 clock hours) and Welder 3 (1500 clock hours). The application met minimum requirements to be approved for an initial license.

Following further discussion regarding loss of the school's previous license, the background of school staff, curriculum history, job prospects, school equipment and the school's financial capabilities,

**on motion of Melanie Amrhein, seconded by Susana Schowen, the Proprietary Schools Advisory Commission unanimously voted that the Board of Regents approve the initial license application for Kingdom Technical College, Shreveport, Louisiana.**

The next agenda item considered by the Commission was operating license renewals. Over the previous two months, 21 schools submitted complete renewal applications. Ms. Britton noted one school, Advanced Healthcare Institute of Prairieville, LA, chose to not renew their license. The school has submitted copies of student transcripts digitally to the Board of Regents.

**On motion of Melanie Amrhein, seconded by Susana Schowen, the Proprietary Schools Advisory Commission unanimously voted that the Board of Regents renew the licenses of the following proprietary schools:**

Ben D. Johnson Educational Center, Natchitoches, LA – License #2300  
CDL Mentors of Baton Rouge Truck Driving School, Baton Rouge, LA – License #2319  
Delta College of Arts & Technology, Baton Rouge, LA – License #857  
Diesel Driving Academy, Baton Rouge, LA – License #717  
Global Trucking Academy, Marksville, LA – License #2245  
Holmes Healthcare Training Center, New Orleans, LA – License #2301  
Integrated Education Solutions, Violet, LA – License #2292  
Lincoln College of Technology, Nashville, TN – License #2051  
Louisiana Institute of Massage Therapy, Lake Charles, LA – License #2180  
McCann School of Business, Monroe, LA – License #2294  
Med-Advance Training, Baton Rouge, LA – License #2272  
Oak Park School of Dental Assisting, Lake Charles, LA – License #2118  
OceanPointe Dental Academy of Hammond, Hammond, LA – License #2332  
Operation Spark, New Orleans, LA – License #2247  
Ouachita Truck Driving Academy, Sterlington, LA – License #2050  
Petra College, Inc., Hammond, LA – License #2215  
Precision Welding Testing & Training, Geismar, LA – License #2293  
Remington College, Lafayette, LA – License #2152  
Remington College, Shreveport, LA – License #2153  
Safe Road Truck Driving School, New Orleans, LA – License #2333  
Skillz Academy, New Orleans, LA – License #2334

The next agenda item was an update on program approvals. Chair Fontenot reminded the Commission that program approvals were being shared for informational purposes only. No questions were brought forward regarding the following program approvals.

**Academy of Acadiana**

New Iberia, LA

- Added Program  
*Medical Assistant - 480.0 clock hours*

**Advance Nurse Training**

New Orleans, LA

- Amended Program  
*Clinical Medical Assistant - 720.0 clock hours*

**Baton Rouge Dental Assistant Academy – South**

Baton Rouge, LA

- Added Program  
*Dental Assistant Hybrid - 180.0 clock hours*

**Charity Institute of Careers**

Lafayette, LA

- Amended Program  
*Phlebotomy - 600.0 clock hours*

**Compass Career College**

Hammond, LA

- Amended Programs  
*Medical Assistant (Hybrid) – 750.0 clock hours*  
*Medical Billing and Coding (Hybrid) – 750.0 clock hours*
- Added Programs  
*Phlebotomy Technician (Hybrid) – 150.0 clock hours*  
*Medical Office Specialist (Hybrid) – 200.0 clock hours*  
*Shielded Metal Arc Welding (SMAW) – 280.0 clock hours*  
*Gas Metal Arc Welding (GMAW) and Flux Core Arc Welding (FCAW) – 280.0 clock hours*  
*Gas Tungsten Arc Welding (GTAW) – 385.0 clock hours*  
*Aluminum Welding – 245.0 clock hours*

**Cross Road CDL Academy**

Harvey, LA

- Added Program  
*Class A CDL - 600.0 clock hours*

**Delta Arts & Technology**

Baton Rouge, LA

- Amended Program  
*Medical Office Health Information Technician - 794.0 clock hours*

**Delta Arts & Technology**

Lafayette, LA

- Amended Program

*Medical Office Health Information Technician - 794.0 clock hours*

**Durham Transport**

Shreveport, LA

- Added Program

*Class B CDL - 80.0 clock hours*

**ITI**

Baton Rouge, LA

- Amended Program

*Drafting & Design Technology (AOS) – 96.5 quarter credit hours*

**Lafayette Dental Assistant School**

Lafayette, LA

- Amended Programs:

*Dental Assistant Hybrid - 180.0 clock hours*

**Shreveport Dental Assistant School**

Shreveport, LA

- Amended Programs:

*Dental Assistant Hybrid - 180.0 clock hours*

For the other business items, a discussion of the upcoming rule changes was held and Ms. Courtney Britton updated the commission on the board's vote regarding the previous meeting's adjudicatory hearing results. The next meeting of the Proprietary Schools Advisory Commission is scheduled for Tuesday, September 13, at 10:00 a.m., in Room 1-155 of the Claiborne Building. There being no further business, the meeting adjourned at 11:14 a.m.

**APPENDIX A**  
**GUESTS**

LaShawn Colligan	Blue Cliff College / Education Management
Tess Cavellier	160 Driving Academy
DaKenya Douglas	Blue Cliff College
LaTesha Heard	Kingdom Technical College
DeCarlos Heard	Kingdom Technical College
Amanda LaGroue	LA Department of Justice
Neil Oza	OceanPointe Dental
Mariquita Smith	Smith Institute
Erin Warner	Synergyg Massage Institute

## **Agenda Item III.B.4**

### **Approval of Final Rulemaking**

Authorize publication of final rulemaking to amend Section 2301 of the Proprietary Schools rules to allow for changes to Proprietary Schools forms to increase efficiency and agility, as well as ensure alignment with the upcoming online platform implementation.

#### **Background:**

Administrative Code Title 28 Part III, Section 2301, currently lists every form approved by the Advisory Commission on Proprietary Schools and the individual items contained on each form. If staff and/or the Commission decide that an additional data element is needed on an existing form or that a new form should be created, the Rulemaking process outlined in the Administrative Code must be followed.

In addition, many Proprietary Schools forms currently require notarization by rule, even when not required by law (R.S. 17:3140). To meet this current requirement, during the application process licensed schools would still have to submit multiple forms with physical notarization, nullifying the hoped-for process improvements gained through the new online license application platform, EDvera.

Initial Rulemaking was approved and published in June 2022 and during the public comments period, no official public comments were received. Senator Jackson and school owner, Billy Clark, did reach out to Program Administrator, Courtney Britton to inquire whether that these changes would lessen the amount of data collected or remove prescriptive elements of the law. Both individuals were assured that the changes were limited to the forms themselves and that data collection and other requirements were addressed in other parts of law and rule. Any data or form that is currently required to be collected will still be collected. Only the collection vehicles will be modified by these rule changes.

Given there were no other concerns, formal public comments or requests for a hearing, final rulemaking can be printed in the September issue of the Louisiana Register.

#### **STAFF RECOMMENDATION**

**Senior Staff recommends that the Board of Regents authorize the publication of Final Rulemaking regarding the Proprietary Schools rules change.**

*Collis B. Temple, III*  
Chair

*Gary N. Solomon, Jr.*  
Vice Chair

*Sonia A. Pérez*  
Secretary

*Kim Hunter Reed, Ph.D.*  
Commissioner of  
Higher Education



*Blake R. David*  
*Randy L. Ewing*  
*Stephanie A. Finley*  
*Robert W. Levy*  
*Phillip R. May, Jr.*  
*Charles R. McDonald*  
*Darren G. Mire*  
*Wilbert D. Pryor*  
*T. Jay Seale, III*  
*Terrie P. Sterling*  
*Felix R. Weill*  
*Judy A. Williams-Brown*  
*Catarena M. Lobre, Student*

**BOARD OF REGENTS**  
P. O. Box 3677  
Baton Rouge, LA 70821-3677  
Phone (225) 342-4253, FAX (225)  
342-9318  
[www.regents.la.gov](http://www.regents.la.gov)

ELECTRONIC RETURN RECEIPT REQUESTED  
August 15, 2022

Electronic Rule Submission

To: Senator Page Cortez, President of the Senate  
Representative Clay Schexnayder, Speaker of the House

Re: Rulemaking – Summary Report  
Proprietary Schools

On June 10, 2022, we electronically forwarded the notices of intent on behalf of the Louisiana Board of Regents to amend the rules and regulations to LAC: III.2301, Proprietary Schools: Forms. The rulemaking removes redundancy in the description of the forms and form names, which are not relative to rulemaking. This streamlining will allow for expedited process improvement if a form needs to be updated and for improved function of new online systems to better serve proprietary schools in the state.

The notice of intent was duly published in the June *Louisiana Register* and a public comment period was granted with the proposed published rules. Of the 154 specific schools notified regarding the proposed change, there were no comments submitted to the Board of Regents in the proscribed manner. Senator Katrina Jackson and Delta College owner did reach out separately to inquire whether the proposed rule changes would lessen the data collected from schools or remove prescriptive elements of law and rule. Both were assured that the proposed changes only impact forms names and design, not specific requirements of rule or law. The agency wishes to advise that no hearings were requested or conducted regarding these rule changes, and we have no testimony to submit pursuant to R.S. 49:953(A)(2).

No changes have been made to the rule since the report was submitted. We anticipate publishing these rules in the September *Louisiana Register*. This information is submitted in compliance with Section 968D of the Administrative Procedure Act.

Sincerely,

Dr. Susannah Craig  
Deputy Commissioner for Strategic Planning and Student Success

**Rule  
Board of Regents  
Proprietary School Section  
Forms (LAC 28:III 2301)**

In accordance with the Administrative Procedure Act, R.S. 49:950, et seq. and Proprietary School Law, R.S. 17:3140 et seq., notice is hereby given that the Board of Regents has amended the rules and regulations to LAC 28:III.2301. These changes include removing redundancy in the description of the forms related to oversight of licensed Louisiana proprietary schools and proprietary school student records. The changes also include the removal of form names, which are not relative to rulemaking. The streamlining of the proprietary school forms section will allow for expedited process improvement if a form needs to be renamed or updated or if a new form needs to be created. The changes will also allow for improved function of new online systems to better serve proprietary schools in the state. This Rule is hereby adopted on the day of promulgation.

**Title 28  
EDUCATION  
Part III. Proprietary Schools  
Chapter 23  
Forms**

**§2301. Proprietary Schools Licensure Forms**

A. In order to obtain a new proprietary school license, an individual or organization will have to fill out forms published by the commission that include the following information:

- a. institutional contact information;
- b. programmatic information;
- c. surety information;
- d. recruitment and instructional staff information;
- e. tuition and financial documentation.

B. In order to renew a proprietary school license, an individual or organization will have to fill out forms published by the commission that include the following information:

- a. institutional contact information;
- b. programmatic information;
- c. surety information;
- d. recruitment and instructional staff information;
- e. tuition and financial documentation;
- f. student data.

C. In order for an individual or institution to amend a licensed school's data or programs, an individual or organization will have to fill out forms published by the commission that include the following information:

- a. institutional contact information;
- b. programmatic information;
- c. surety information;
- d. recruitment and instructional staff information;
- e. tuition and financial documentation.

D. In order for a former student to receive records or restitution, an individual will have to fill out forms published by the commission that include the following information:

- a. student contact and identifying information;
- b. school, program and enrollment information;
- c. tuition and payment information;
- d. direction of requested materials.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3140.2.

HISTORICAL NOTE: Promulgated by the Board of Regents, Proprietary School Section, LR 40:1688 (September 2014), amended LR 44:1005 (June 2018).

### **Agenda Item III.B.5**

#### **Appointment of Advisory Commission on Proprietary Schools Member**

Appoint new commission member to fill current vacancy.

##### **Background:**

Board appointment to the Advisory Commission on Proprietary Schools, Ms. Mary Lou Potter, recently announced she would complete her four years as a member. Commissioner of Higher Education, Dr. Kim Hunter-Reed, has recommended that the Board appoint Mr. Chris Broadwater, former State Representative, and former VP for Workforce Policy at LCTCS, to the Proprietary Schools Advisory Commission.

After his time in the Louisiana Legislature, Mr. Broadwater joined the Louisiana Community and Technical College System as Vice President of Workforce Policy and served in that role for the past four years. From May of 2022 through May of 2023, he served as the LCTCS representative to the Proprietary Schools commission. In June he joined CSRS, Inc. as Vice President and Deputy General Counsel.

#### **STAFF RECOMMENDATION**

**Given Mr. Broadwater's history of service to the state, years of experience with workforce policy and past experience with the commission, Senior Staff recommends approval of the appointment of Mr. Broadwater to the Advisory Commission on Proprietary Schools as the Board's representative.**

## **AGENDA ITEM IV.**

### **Amendments to the Uniform Policy on Power-Based Violence**

#### **Executive Summary**

The Board of Regents created a Uniform Policy on Power-Based Violence as required by Acts 439 and 472 of the 2021 Regular Legislative Session. Reinforcing BoR's commitment to maintaining safe campus cultures, this new policy was adopted in a special Board meeting on August 10, 2021.

Since its implementation last year, all public postsecondary systems and their respective institutions have adopted policies aligned to the Uniform Policy, undergone training provided by Regents, and remained statutorily compliant with administrative up-the-chain reporting and data publication requirements.

We propose the following changes to the Uniform Policy to remain consistent with state law:

- Removal of the section titled “Sex Crime Data Report”, which requires each institution’s campus police department to submit by February 15th of each year a report containing certain information required by law to the Louisiana Commission on Law Enforcement and the Administration of Criminal Justice. The change does not remove this legal requirement rather it recognizes that Regents is not responsible for enforcement or oversight of this requirement or the resulting report. (Pg. 26 of the Uniform Policy)
- ***Insertion of two additional columns*** in the administrative reporting forms: (1) category of offense (Title IX or Power-Based Violence); and (2) time it took to resolve a complaint. (Pg. 34 of the Uniform Policy)
- An update to the definition of the term “employee” to reflect the revision included Act 689 of the 2022 Regular Legislative Session, which reads, ““Employee’ does not include a student enrolled at a public postsecondary institution **whose employment is contingent upon enrollment as a student**, unless the student works for the institution in a position such as a teaching assistant or a residential advisor.” (Pg. 30 of the Uniform Policy)

#### **STAFF RECOMMENDATION**

**Senior Staff recommends approval of the amendments to the Uniform Policy on Power-Based Violence.**



# **BOR UNIFORM POLICY ON POWER-BASED VIOLENCE/SEXUAL MISCONDUCT**

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## I. INTRODUCTION

The Louisiana Board of Regents (BOR) is committed to the highest quality and most impactful educational experiences for all students attending public postsecondary institutions (Institutions) in the state. These experiences are key to Louisiana's prosperity and growth, and rely on campus environments that are safe, inclusive, and protective for the entire postsecondary education community. Leadership at all levels must collaborate on policy development and take all necessary steps to prevent discrimination, harassment, misconduct, and psychological and physical violence. Ultimately, we must fully commit to building and sustaining a strong culture of respect across campuses, systems, and the state.

This Uniform Policy on Power-Based Violence, promulgated pursuant to Act 472 of the 2021 Regular Legislative Session of the Louisiana Legislature, sets forth processes and procedures to guide public postsecondary education stakeholders in maintaining safety and protection for students and employees. Power-based violence is defined as any form of interpersonal violence intended to control or intimidate another person through the assertion of power over the person. It includes but is more expansive than sexual misconduct and Title IX misconduct (See definition in [Appendix A](#)). Act 472 directs the Board of Regents to establish uniform policies and best practices to implement measures to address the reporting of power-based violence on Institutions' campuses, the prevention of such violence, communication between Institutions regarding incidents of power-based violence, and the provision of medical and mental health care for these alleged victims.

Each Institution's Management Board shall institute policies incorporating the policies and best practices prescribed by BOR regarding the prevention and reporting of incidents of power-based violence committed by or against students of an Institution. This Policy shall be effective as of August 10, 2021. Each institution (or a Management Board for each of its member institutions) shall begin establishing policies and procedures in full compliance with this Policy and shall implement those policies no later than October 15, 2021. Each Management Board must review the policies of each of its member institutions for compliance with this Policy and applicable laws and regulations. Upon verification of such compliance, the Management Board shall forward the institutional policies no later than December 15, 2021 to the BOR.

Upon the effective date of this Policy, all institutions shall immediately begin complying with this Policy as well as the institutional policy, once adopted, under the supervision and control of their Management Boards. All policies and processes shall be posted on institutional websites as required in this Policy. Each Management Board shall ensure that its member institutions' policies comply with applicable federal and state laws and regulations and must be amended to reflect any changes to federal and state laws and regulations.

## II. POLICY STATEMENT

The Louisiana Board of Regents (BOR) prohibits discrimination on the basis of sex in any Louisiana public postsecondary institution. This policy applies to all Louisiana public postsecondary institutions in accordance with federal and state law, including Act 472 of the 2021 Legislative Session of the Louisiana Legislature (Act 472), Title IX of the Education

Amendments of 1972 (Title IX) and Title VII of the Civil Rights Act of 1964 (Title VII), the Violence Against Women Act (VAWA), The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), and other applicable laws.

*The comprehensive scope of this Policy includes procedures to address both power-based violence (which includes sexual misconduct) and Title IX conduct (see Title IX Formal Grievance Procedures).* All Institutions shall implement policies, procedures, practices, and educational programs to prevent, respond to, and redress incidents involving acts of power-based violence including sexual misconduct and Title IX conduct (See definition in Appendix A). This Policy is designed to help Institutions create and maintain safe learning, working and living environments for all individuals who participate in the institutions' activities and programs, including online instruction. It reflects BOR's strong commitment to promoting an environment that is free from power-based violence which includes sexual misconduct and Title IX conduct.

Institutions may develop supplementary procedures to further support the implementation of this Policy. However, this Policy establishes various mandatory obligations with which all institutional policies must comply.

The BOR will review, evaluate, and make any revisions or amendments to applicable power-based violence policies on an ongoing and as-needed basis.

Inquiries about the application of this policy should be directed to the relevant Institution's Title IX Coordinator, whose contact information is available on each Institution's Title IX website. Institutions shall provide additional information about Title IX on their respective Title IX websites and provide additional information about the U.S. Department of Education's Office for Civil Rights.

This Policy is not intended to infringe upon or restrict rights guaranteed by the United States Constitution, including the right to free speech under the First Amendment or the due process clauses of the Fifth and Fourteenth Amendments.

### **III. NONDISCRIMINATION**

Each Institution must publish a notice of nondiscrimination in their power-based violence policies. The notice must be distributed to all students, employees, applicants for admission and employment, and other relevant individuals. The notice must be prominently displayed on the Institution's website and included in publications of general distribution that provide information to students and employees.

Title IX is a federal law that prohibits discrimination on the basis of sex in any federally funded education program or activity. Title IX prohibits use of federal money to support sex

discrimination in education programs and provides individuals protection against such practices.

In compliance with federal law and USDOE federal guidance, including the provisions of Title VII of the Civil Rights Act of 1964 (Title VII), Title IX of the Education Amendments of 1972 (Title IX), Sections 503 and 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act (ADA) of 1990, the ADA Amendments Act of 2008, the Age Discrimination in Employment Act of 1967 (ADEA), Executive Order 11246, Executive Order 13988, the Vietnam Era Veterans Readjustment Assistance Act of 1974 as amended by the Jobs for Veterans Act, the Uniformed Services Employment and Reemployment Rights Act, as amended, and the Genetic Information Nondiscrimination Act of 2008, an Institution shall not discriminate against individuals on the basis of their race, sex, sexual orientation, gender identity, gender expression, religion, color, national or ethnic origin, age, disability, military service, covered veteran's status, or genetic information in its administration of education policies, programs, or activities; admissions policies; scholarship and loan programs; athletic or other Institution-administered programs; or employment.

As part of their commitment to maintaining a community free of discrimination, and in compliance with Title IX's mandate, Institutions should address allegations of power-based violence, including sexual harassment and sexual assault, in a timely and effective manner. Further, Institutions will provide resources as needed for affected persons (Reporters, Complainants, Respondents and third parties within an Institution's community), and will not tolerate retaliation against any person who reports or participates in the investigation of alleged power-based violence or sex/gender discrimination.

## **IV. SCOPE**

### **A. SCOPE**

This Uniform Policy (Policy) serves as BOR's overarching policy against power-based violence in all of its forms. It outlines procedures mandated by state law and identifies best practices that address both Title IX Conduct and power-based violence which includes sexual misconduct.

This Policy is intended to inform and guide the development of institutional policy to address individuals who have been affected by power-based violence, whether as a Complainant, a Respondent, or a witness, and to provide fair and equitable procedures for all parties. It is applicable to all Institutions with respect to conduct that occurs both on and off campus.

Power-based violence, which is addressed in this overarching Policy, is a broader term that covers gender/sex-based misconduct beyond the Title IX Regulations' "sexual harassment" definition. Power-based violence prohibited by this Policy includes conduct defined in Act 472. (See defined terms in [Appendix A](#).)

The accompanying Title IX Formal Grievance Procedure covers a narrower sub-set of conduct (i.e., Title IX Conduct) that must be addressed under a defined formal grievance process as required by the U.S. Department of Education under new Title IX Regulations, effective August 14, 2020. When power-based violence meets the criteria specified in the Title IX Regulations, it must be addressed under the Title IX Formal Grievance Procedure, and not this overarching Power-Based Violence Policy, to the extent the processes differ between the two policies. (See 34 C.F.R. §106.44-45.)

“Sexual harassment” is defined in the Title IX Regulations (§106.30) as conduct on the basis of sex that satisfies one or more of the following:

1. An Institution’s faculty or staff member/employee conditioning the provision of an aid, benefit, or service on an individual’s participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to education programs or activities; or
3. Sexual assault, dating violence, domestic violence, or stalking. (See defined terms in [Appendix A](#).)

The Title IX Grievance Procedure applies to an Institution’s education program activity, which is defined by the Title IX Regulations to include locations, events, or circumstances in which an Institution exercises substantial control over both the Respondent and the context in which the sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by the Institution. Under the Title IX Regulations, the Title IX Grievance Procedure does not apply to any education program or activity that does not occur in the United States (§106.44(a)).

However, power-based violence that is not covered by the Title IX Grievance Procedure, such as off-campus power-based violence alleged to have an on-campus effect or occurring during a study abroad program, may be addressed under this broader Policy.

Combined, BOR’s and Louisiana’s public postsecondary education systems and their Institutions’ policies and procedures are intended to ensure that all students impacted by an incident or Formal Complaint of power-based violence receive appropriate support and fair treatment, and that allegations of power-based violence are handled in a prompt, thorough and equitable manner.

## **B. OVERVIEW OF POLICY AND SELECTED DEFINITIONS**

Institutions will address all reports of power-based violence (“Reports”) received by the Title IX Coordinator. Each Institution is authorized under this Power-Based Violence Policy and its accompanying Title IX Formal Grievance Procedure to take certain actions to address or remedy power-based violence after receiving a Report, during an investigation, and after an investigation, even if the matter does not proceed to adjudication.

Anyone can report an incident of power-based violence to an Institution under the procedure described in [Section VII](#) of this Policy. For example, a “Reporter” can be any individual who reports to an Institution that they are a victim or survivor of power-based violence or that they have been affected by sex/gender discrimination or power-based violence (sometimes referred to as a “First-Party Reporter”) or that they have knowledge of power-based violence happening to or affecting someone else (sometimes referred to as a “Third-Party Reporter”).

A Report (verbal or written) will become a “Formal Complaint” if a First-Party Reporter files a written and signed document with the Title IX Coordinator describing an incident of power-based violence and indicating that they want the Institution to take further steps, such as conducting a full investigation and possibly holding an adjudication to resolve the alleged issue. An Institution can also convert a Report to a Formal Complaint if the Institution determines that, in order to meet its Title IX obligations to provide a safe and nondiscriminatory environment for the broader institutional community, it must take further steps to address and resolve the matter. *In such cases, the Complainant must be allowed to submit on paper (hard copy), in electronic form, or in person, whereby the individual can file a Formal Complaint by meeting with the Title IX Coordinator (or Deputy Coordinator) to provide a verbal description of the sexual misconduct which the Title IX Office will use to draft a written document that the individual will review, verify, and sign to constitute a Formal Complaint.*

A “Complainant” refers to an individual who is alleged to have been subjected to an incident of power-based violence (i.e., a First-Party Reporter or a victim or person who has otherwise been affected by power-based violence or, under the Title IX Formal Grievance Procedure governing sexual harassment, an individual who is alleged to be the victim of conduct that could constitute sexual harassment). A Complainant has certain rights under this Policy, as discussed below.

A “Respondent” refers to an individual who has been accused of conduct that could constitute power-based violence prohibited under this Policy (or, under the Title IX Formal Grievance Procedure governing sexual harassment, an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment). A student Respondent has certain rights under this Policy, as discussed below, and under the Title IX Formal Grievance Procedure when that Procedure is applicable.

A “Third Party” refers to any other participant in the process, including a witness to the incident or an individual who makes a Report on behalf of someone else.

As used throughout this Policy, references to the “Title IX Coordinator” shall include any Deputy Title IX Coordinator and any other person expressly designated by the Title IX Coordinator to act on their behalf.

Additional definitions are contained in [Appendix A](#).

## **V. SAFETY EDUCATION**

A healthy and prevention-minded campus culture allows students to learn to the best of their abilities on a safe and nurturing campus. Robust education and training programs for both students and employees are the cornerstone of these efforts and essential to building a culture in which sexual misconduct is rare and both Complainants and Respondents are well supported. Prevention depends on clear and well-communicated guidelines, underpinned by regular education on understanding of sexual misconduct and power-based violence, positive versus harassing behaviors, tools for reporting harassment and adjudicating disputes, and sanctions for violations.

Based on management board policy, the administration of each Institution, in consultation with campus or local law enforcement agencies, shall develop and distribute information to students regarding power-based violence, campus safety, and internet and cell phone safety and online content that is a potential threat to school safety.

The information shall include the following:

1. Instruction on how to identify and prevent power-based violence and how to detect potential threats to school safety exhibited online, including on any social media platform;
2. How to report incidents of power-based violence, crimes on campus, violations of the student code of conduct, and possible threats to campus safety; and
3. Where to find reports regarding campus safety.

The information shall be distributed as part of new student orientation and shall be posted on an easily accessible page of each Institution's website.

The reporting process for possible threats to the campus shall, at a minimum, include:

- I. A standardized form to be used by students, faculty, and other personnel to report potential threats. The form shall request, at a minimum, the following information:
  - a. Name of Institution, person, or group being threatened;
  - b. Name of student, individual, or group threatening violence;
  - c. Date and time the threat was made; and
  - d. Method by which the threat was made, including the social media outlet or website where the threat was posted, a screenshot or recording of the threat, if available, and any printed evidence of the threat.
- II. A process for allowing anonymous reporting and for safeguarding the identity of a person who reports an incident of power-based violence or a safety threat.

Each Institution shall adopt a policy to implement the provisions of this Section. That policy must require that for every report of an incident of power-based violence or a safety threat received the actions taken by the Institution and the campus law enforcement agency or security officers be documented. The policies shall also provide for guidelines on referring the reports to the appropriate law enforcement agencies.

## VI. RETALIATION PROHIBITION

Retaliation is expressly prohibited under this Policy. Retaliation includes, but is not limited to, intimidation, harassment, threats, or other adverse action or speech against the person who reported the misconduct, the parties, and their witnesses.

The BOR, system management boards, and Louisiana's postsecondary Institutions expressly prohibit retaliation against anyone who: 1) in good faith reports what they believe is power-based violence, 2) cooperates with an investigation or proceeding under this Policy, or 3) opposes conduct that they believe to violate this Policy. However, an individual who reports an incident of power-based violence or participates in an investigation or proceeding and has perpetrated or assisted in the perpetration of committing the power-based violence reported, is still subjected to an investigation for a potential violation of this policy and may be subject to disciplinary action.

Institutions will not only take steps to prevent retaliation but will also take strong corrective action if it occurs. Anyone who believes they have been retaliated against should immediately report it to the Title IX Coordinator, who will treat it as a Report. Any individual found to have retaliated against another individual will be in violation of this Policy and will be subject to disciplinary action. Employees who are mandatory reporters (i.e., Responsible Employees) under this Policy are required to report retaliation.

Anyone who knowingly makes a false accusation of unlawful discrimination, harassment, or retaliation of any form will be subject to an investigation for a potential violation of this Policy and may be subject to disciplinary action, up to and potentially including termination for employees and expulsion for students.

## VII. REPORTING POWER-BASED VIOLENCE

An Institution's policy should provide that *anyone* can report an incident of power-based violence (to include Sexual Misconduct and Title IX Conduct).

A Report can be made by any individual who has:

1. Experienced or been affected by power-based violence (i.e., First-Party Reporter);  
or
2. Knowledge of or witnessed power-based violence happening to or affecting someone else (i.e., Third-Party Reporter).

**Institutions should strongly encourage all individuals to report incidents of power-based violence even if the individual does not intend to pursue a Formal Complaint.** In addition, the Institution should take prompt action to provide Supportive Measures for the safety and well-being of any affected person as well as the campus community.

## A. REPORTING INCIDENTS OF POWER-BASED VIOLENCE

To make a Report, a reporting individual should report the incident to the **Title IX Coordinator or Deputy Coordinator**. Institutions are required to make available contact information for the Title IX Coordinator and any Deputy Coordinator(s), as well as methods for reporting power-based violence. Reporting methods may vary by Institution but shall include, at a minimum, in-person reporting, reporting by mail, and reporting via email.

The alleged victim shall have a right to obtain a copy of any Report made that pertains to the alleged victim.

After making a Report, an individual may choose to file or request a Formal Complaint and pursue resolution (under this policy or the Title IX Formal Grievance Procedure, as applicable) or, if applicable, an Informal Resolution involving the Respondent; may choose to be involved or not be involved in an Institution's investigation and any related proceedings; or may choose to end involvement in the process.

### a. ONLINE REPORTING

Institutions shall provide an online reporting system to collect anonymous disclosures of incidents of power-based violence and crimes, and track patterns of power-based violence and crimes on campus. (See additional information about confidential and anonymous reporting in Section D.) The online system shall also include information regarding how to report an incident of power-based violence or crime to a Responsible Employee and law enforcement and how to contact a Confidential Advisor.

## B. MANDATORY REPORTING FOR EMPLOYEES

An employee who receives a direct statement regarding or witnesses an incident of power-based violence committed by or against a student is a Responsible Employee (unless they are designated specifically as a Confidential Advisor). A Responsible Employee shall promptly report the incident to the Institution's Title IX Coordinator. (See [Appendix A](#) for definition of Responsible Employee.)

A Responsible Employee must report the following to the Title IX Coordinator:

1. The identity of the alleged victim;
2. The identity of the alleged perpetrator;
3. The type of power-based violence or retaliation alleged to have been committed;
4. Any other information about witnesses, location, date, and time that the incident occurred; and
5. Any other relevant information.

However, according to state law a Responsible Employee is not required to make a report if information involving power-based violence was received in the following circumstances:

1. During a public forum or awareness event in which an individual discloses an incident of power-based violence as part of educating others;
2. Disclosure made in the course of academic work consistent with the assignment; or
3. Disclosure made indirectly, such as in the course of overhearing a conversation.

If an individual chooses to make an initial report to an employee other than the Title IX Coordinator, that employee must refer the information to the Title IX Coordinator because the Title IX Office bears responsibility for responding to reports of power-based violence. Once the information is received by the Title IX Coordinator, it should constitute a Report.

BOR recommends as a best practice that, if an employee believes an individual may intend to share any information regarding an instance of power-based violence, the employee should seek to confirm that the reporting party understands the employee's obligations as a mandatory reporter. If the reporting party would prefer to speak with a confidential resource, the employee should direct the reporting party to a confidential resource. Institutions must provide a list of confidential resources in their policies.

## **C. CONFIDENTIAL AND ANONYMOUS REPORTING**

In accordance with state law, unless waived in writing by the alleged victim, the identity of an alleged victim of an incident reported under R.S. 17:3399.13 is confidential and not subject to disclosure except to:

1. A person employed by or under contract with the Institution to which the report is made, if the disclosure is necessary to conduct the investigation of the report or any related hearings;
2. A law enforcement officer as necessary to conduct a criminal investigation of the report;
3. A person alleged to have perpetrated the incident, to the extent required by law; or
4. A potential witness to the incident as necessary to conduct an investigation of the report.

**Note:** Consistent with FERPA's prohibition on re-disclosure of confidential information, any person who receives another person's confidential information solely as a result of participation in any investigation or proceeding under this Policy is prohibited from using or disclosing such confidential information outside of such forums without express consent or for any improper purpose. This provision only applies to other people's confidential information, as a party is never restricted from discussing their own experience. This provision does not apply to any information learned outside of an investigation or proceeding under this Policy.

An alleged victim shall be advised of the right to seek a Confidential Advisor. See additional information pertaining to [Confidential Advisors](#).

## D. ADMINISTRATIVE REPORTING

In accordance with state law, an Institution's Title IX Coordinator, Chancellor, System President, and System Management Board are required to submit summarized reports on power-based violence incidents and to publish those reports on their respective websites.

- a. **Title IX Coordinator:** Not later than **October Tenth (10)** and **April Tenth (10)** of each year, the Title IX Coordinator of an Institution shall submit to the Chancellor of the Institution a written report on the reports received in accordance with the information required in [Appendix B](#).

The Title IX Coordinator of an Institution shall immediately report to the Chancellor of the Institution of an incident reported to the Coordinator if the Coordinator has cause to believe as a result of the incident that the safety of any person is in imminent danger.

- b. **Chancellor:** The Chancellor of each Institution shall submit a report to the Institution's Management Board and System President within **fourteen (14) days** of receiving the report from the Title IX Coordinator in accordance with the information required in [Appendix B](#). The report shall be posted on the Institution's website.
- c. **System President:** The System President shall submit a system-wide summary report within **fourteen (14) days** of receiving the reports from the Chancellors to the System Management Board in accordance with the information required in [Appendix B](#). The report shall be published on the website of the system.
- d. **System Management Board:** The System Management Board shall send an annual system-wide summary report to BOR by **December Thirty-First (31)** in accordance with the information required in [Appendix B](#). BOR shall post the report on its website.
- e. **Board of Regents:** BOR shall annually submit a report to the Governor, the president of the Senate, the speaker of the House of Representatives, and the Senate and House Education Committees by **January Fifteenth (15)** which shall include the statewide information. The report shall also include any recommendations for legislation. The report shall be published on BOR's website.

## E. EMPLOYEE'S FAILURE TO REPORT OR FALSE REPORTING

A Responsible Employee who is determined by the Institution's disciplinary procedures to have knowingly failed to make a Report or, with the intent to harm or deceive, made a Report that is knowingly false **shall be terminated**.

## F. STUDENT'S FALSE REPORTING

As a Best Practice BOR recommends; Any student who knowingly and in bad faith makes a false accusation of power-based violence or retaliation of any form will be subject to an investigation for a potential violation of this Policy and may be subject to disciplinary action.

## **G. IMMUNITIES AND AMNESTY**

An individual acting in good faith who reports or assists in the investigation of a report of an incident of power-based violence, or who testifies or otherwise participates in a disciplinary process or judicial proceeding arising from a report of such an incident may not be subjected to any disciplinary action by the Institution in which the individual is enrolled or employed for any violation of the Institution's code of conduct reasonably related to the incident for which suspension or expulsion from the institution is not a possible punishment.

Immunity shall not apply to an individual who perpetrates or assists in the perpetration of power-based violence.

Each Institution shall provide an amnesty policy for any student who reports, in good faith, power-based violence to the Institution. Such student shall not be sanctioned by the Institution for a nonviolent student conduct violation, such as underage drinking, that is revealed in the course of making such a report.

## **VIII. TRANSCRIPT WITHHOLDING, NOTATION & COMMUNICATION**

In accordance with state law, public postsecondary Institutions shall implement uniform transcript notation and communication policies to effectuate communication regarding the transfer of a student who is the subject of a power-based violence Formal Complaint or who has been found responsible for an incident of power-based violence pursuant to an Institution's investigative and adjudication process. The following Section(s), which include procedures relative to the withholding or notation of transcripts during the investigative and adjudication processes, were developed by BOR in consultation with the System Management Boards.

At a minimum, for any student who is the subject of a power-based violence Formal Complaint and who attempts to transfer to another institution, the Institution from which the student seeks to transfer ("Sending Institution") shall either (1) withhold the transcript of the student or (2) place a notation on the student's transcript. If the Sending Institution does not know whether the student seeks to transfer to another Institution, the student's transcript shall either be withheld or notated.

The Sending Institution shall notify the student that their transcript has been withheld or notated, and of the appeals process to have the hold or notation removed. Either the transcript is withheld or the notation remains on the transferring student's transcript until the Institution makes a determination that the transferring student is not responsible for power-based

violence or the transferring student prevails in a request to appeal the withholding of a transcript or notation pursuant to Part c of this Section, whichever occurs first.

## A. WITHHOLDING STUDENT TRANSCRIPTS

If the Sending Institution chooses to withhold upon the filing of a Formal Complaint, the Institution shall place an administrative hold on the transcript of a student who is the subject of the Formal Complaint. For any student who is the subject of a power-based violence Formal Complaint that also constitutes sexual harassment under Title IX, the Institution should commence an investigation and place a notation on the student's transcript, rather than withholding the transcript.

When a student transcript is withheld, the institution to which the student seeks to transfer ("Receiving Institution") must make a timely inquiry directed to the Sending Institution regarding the purpose of the transcript hold. Upon such an inquiry, the Sending Institution must timely disclose appropriate and factual information, consistent with the Family Education Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g.

## B. NOTATION

If the Sending Institution chooses to notate upon the filing of a Formal Complaint, the Institution *may* place a notation on the transcript of a student attempting to transfer to another institution. For any student who is the subject of a power-based violence Formal Complaint that also constitutes sexual harassment under Title IX, the Sending Institution should commence an investigation and place a notation on the student's transcript, rather than withholding the transcript.

For a transferring student who is the subject of a pending investigation, the notation on the transcript shall read: "**ADMINISTRATIVE MATTER PENDING**" or other notation sufficient to place the Receiving Institution on notice and trigger an inquiry regarding the notation directed to the Sending Institution.

For a transferring student for whom a final decision has been rendered, and the student has been found to be responsible for power-based violence, the notation on the transcript shall read: "**STUDENT FOUND RESPONSIBLE IN VIOLATION OF CODE OF CONDUCT**" or other notation sufficient to place the Receiving Institution on notice and trigger an inquiry regarding the notation directed to the Sending Institution.

When a student transcript is notated as described above, the Receiving Institution must make a timely inquiry directed to the Sending Institution regarding the purpose of the transcript notation. Upon such an inquiry, the Sending Institution must timely disclose appropriate and factual information, consistent with the Family Education Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g.

For a transferring student found to be responsible for power-based violence, the Sending Institution will determine how long the notation will remain on the student's transcript.

If a student is not found responsible, the Sending Institution must remove the notation and must send an updated version of the student's transcript to the Receiving Institution (if known).

## **C. TRANSCRIPT WITHHOLDING AND NOTATION APPEALS**

A student whose transcript has been withheld or notated as described above may request a release of the hold or an expungement of the notation for good cause shown. Cause may include, but is not limited to, when (1) a student who transferred while under investigation was found not responsible or (2) a student was initially found responsible and later evidence showed that the student was in fact not responsible. In the second instance, an Institution must send an updated version of the student's transcript.

Such request shall be submitted in writing to the appropriate decision makers, to be designated by the Institution. The Institution shall notify the requesting student of its decision no later than seven (7) business days from the date that the appeal request is made.

## **D. APPLICABILITY**

State law requires that all Louisiana public postsecondary institutions implement this Transcript, Withholding, Notation, and Communication policy; all Louisiana non-public postsecondary institutions are encouraged to implement this policy.

Nothing in this Policy shall prohibit or prevent a Sending Institution from withholding or notating the transcript of a student who is the subject of a power-based violence Formal Complaint, or who has been found responsible for power-based violence, when such student seeks to transfer to a non-public postsecondary or out-of-state institution. The BOR recognizes an obligation to ensure investigation and adjudication of all complaints of power-based violence, regardless of the type or location of the postsecondary institution where they occur. Accordingly, the BOR strongly encourages all institutions to adopt practices that fully meet this obligation.

## **IX. VICTIMS' RIGHTS POLICY**

State law requires institutions to adopt a victims' rights policy, which, at a minimum, shall provide for a process by which a victim may petition and be granted the right to have a perpetrator of an incident of power-based violence against the victim barred from attending a class in which the victim is enrolled.

Institutions are to develop a policy to address victims' rights as required by this law.

## X. IDENTIFIED BEST PRACTICES BY BOR

In addition to compliance with federal and state laws and regulations, BOR has prescribed and identified a set of best practices, in accordance with Act 472, which Institutions should implement to address the resolving of power-based violence.

Once the Title IX Coordinator learns of any Report of alleged power-based violence or sex/gender discrimination, they should implement [Supportive Measures](#) as needed and initiate an investigation into the alleged incident.

**The form of the investigation may vary depending on whether the alleged conduct falls within the scope of power-based violence/sexual misconduct or Title IX Conduct.** If the alleged power-based violence satisfies the USDOE's definition of Title IX sexual harassment (i.e., Title IX Conduct), the Title IX Coordinator should ensure investigation and adjudication of the allegation pursuant to the Title IX Formal Grievance Procedure. However, if the alleged conduct does not satisfy the USDOE's definition of Title IX Sexual Harassment, the Title IX Coordinator will refer to the part of this Policy that addresses BOR's best practices, outlined in the Sections below.

Following an investigation, the Title IX Coordinator has authority to resolve a Report, including the implementation of any Supportive Measures, and should close the case if the Report does not constitute or become a Formal Complaint.

### A. INITIAL STEPS & DETERMINATION OF APPROPRIATE PROCEDURES

After an Institution's Title IX Office has received a Report of alleged power-based violence, the Title IX Office should perform an initial assessment consistent with the information below prior to moving forward with an investigation (if one is required/requested) to determine whether the reported conduct meets the USDOE's jurisdictional and definitional requirements to be categorized as Title IX conduct. If that initial assessment reveals that the alleged conduct does meet the definition of sexual harassment as contained within the USDOE's Title IX Regulations, the investigation should proceed pursuant to the Title IX Formal Grievance Procedure. If the alleged conduct does not meet the USDOE's definition of sexual harassment, the investigation should proceed pursuant to this Policy.

### B. INITIAL CONTACT WITH POTENTIAL COMPLAINANT

After receiving a Report of power-based violence, an Institution's Title IX Office should notify the individual who is the alleged victim in the Report of the option to have an Advisor accompany them to any meeting or interview related to the power-based violence process.

In initial contact with a potential Complainant, the Title IX Office should also:

- a. Give the potential Complainant a copy of the relevant policies;
- b. Explain the process for filing a Formal Complaint with the Title IX Office;
- c. Provide the potential Complainant with information regarding the rights/responsibilities as a party in this matter;
- d. Explain the process for investigating and resolving a power-based violence Formal Complaint (including the available appeal procedures);
- e. Explain the procedural differences based on Title IX vs power-based violence conduct;
- f. Instruct the potential Complainant not to destroy any potentially relevant documentation in any format;
- g. Inform the individual of the availability of Supportive Measures with or without the filing of a Formal Complaint;
- h. Discuss the potential Complainant's expressed preference for manner of resolution and any barriers to proceeding (e.g., confidentiality concerns);
- i. Explain the prohibition against retaliation; and
- j. Communicate necessary details of the report to the campus police department for entry into the Institution's daily crime log.

## **C. SUPPORTIVE MEASURES**

If the Title IX Coordinator receives notice of alleged power-based violence, whether through online reporting or other reporting methods, the Title IX Coordinator or designee should contact the Complainant to discuss the availability of Supportive Measures with or without the filing of a Complaint (or Formal Complaint under the Title IX Grievance Procedure) and consider the Complainant's wishes with respect to Supportive Measures. Supportive Measures should also be made available to the Respondent.

Supportive Measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent regardless of whether a Complaint (or Formal Complaint) has been filed. Such measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, and increased security and monitoring of certain areas of the campus, and other similar measures.

Supportive Measures should be designed to restore or preserve access to the Institution's education program or activity, including measures designed to protect the safety of all parties and the Institution's educational environment.

## **D. FILING A FORMAL COMPLAINT**

If a potential Complainant wishes to pursue an incident of power-based violence beyond simply reporting it, they may file a Formal Complaint. The filing of a Formal Complaint means that the individual is asking an Institution to take further steps, such as a full investigation and possibly an adjudication to resolve the alleged issue. Any Complainant (i.e., an alleged victim

or survivor or someone who has otherwise been directly affected by power-based violence) may file a Formal Complaint, and the Institution will treat it as such.

An individual who is alleged to have been subjected to an incident of power-based violence (i.e., a victim or a person who has been directly affected by power-based violence) and subsequently files a Formal Complaint will be referred to as a Complainant.

Any Third-Party Reporter (i.e., someone who has knowledge of or witnessed power-based violence) may request for an Institution to treat their Report as a Formal Complaint, but that request would not make the Third-Party Reporter into a Complainant.

Similarly, the fact that the Title IX Coordinator converts a Report to a Formal Complaint does not make the Title IX Coordinator a Complainant. However, the Title IX Coordinator reserves the right to initiate a Formal Complaint in order to meet an Institution's Title IX obligations to provide a safe and nondiscriminatory environment and if the Institution determines that it must take additional steps to protect the campus community. Depending on the conduct alleged and the location of the incident, a Formal Complaint and subsequent investigation will be governed by either this Policy or the Title IX Formal Grievance Procedure.

#### a. HOW TO FILE A FORMAL COMPLAINT

Individuals seeking to file a Formal Complaint may do so with the Title IX Coordinator. Formal Complaints should be in writing, signed and include all information the individual believes to be relevant (e.g., time, location, and nature of incident, names of individuals involved, witnesses to the incident, names of other persons affected by the incident, etc.).

Individuals seeking to file a Report should be allowed to submit on paper (hard copy), in electronic form, or in person, whereby the individual can file a Formal Complaint by meeting with the Title IX Coordinator (or Deputy Coordinator) to provide a verbal description of the power-based violence which the Title IX Office will use to draft a written document that the individual will review, verify, and sign to constitute a Formal Complaint.

**Note:** If the Complaint filed satisfies the requirements of a Title IX Formal Complaint as defined by 34 CFR §106.30, the Title IX Office **should proceed under the Title IX Formal Grievance Procedure.**

#### b. WITHDRAWAL OF FORMAL COMPLAINT

Institutions should allow for a Complainant to withdraw their Formal Complaint. If a Formal Complaint is withdrawn, the Title IX Office should assess the information provided and proceed accordingly. Withdrawal of the Formal Complaint should ordinarily end the Formal Complaint and resolution process. However, the Title IX Office should reserve the right to proceed with the Formal Complaint, even after the Complainant withdraws it, in order to protect the interests and safety of the Institution's

community. In such cases, the Complainant shall be notified immediately of the Institution's decision to proceed.

## **E. POWER-BASED VIOLENCE GRIEVANCE PROCEDURE**

***This Section describes the investigation and resolution process for cases in which the Respondent is a student and in which the conduct alleged does not fall within the scope of the Title IX Conduct.***

***Note: Institutions should also include policies that address procedures for cases involving employees.***

Institutions should investigate all Reports of power-based violence reported to the Title IX Coordinator regardless of whether the Report becomes a Formal Complaint. The investigation and adjudication procedures (if needed) will be prompt, fair, and impartial.

### **a. NOTICE TO RESPONDENT**

The person alleged to have committed power-based violence is called the Respondent. The Respondent should be notified in writing that a Formal Complaint alleging power-based violence has been filed against them. The Respondent should be advised that they may have an Adviser accompany them to any meeting or interview related to the investigation and resolution process.

Within seven (7) business days of receiving notice of the Formal Complaint, the Respondent should arrange to meet with the Title IX Office. The Title IX Office is required to provide the same information that was presented to the Complainant during their initial contact (See [Section B](#)).

After reviewing the Formal Complaint and meeting with the Title IX Office and appropriate decision makers, the Respondent may choose to end the resolution process by accepting responsibility for the conduct alleged in the Formal Complaint. If the Respondent accepts responsibility for the conduct alleged in the Formal Complaint, the appropriate decision makers should determine the appropriate sanction for the Respondent. If the Respondent disputes the allegations in the Formal Complaint, the matter will proceed to an investigation.

## **F. INVESTIGATION PROCESS**

The Title IX Office should designate Investigators specifically trained in power-based violence investigations to conduct a prompt, thorough, and fair investigation. Assigned Investigators should not be the Title IX Coordinator or the Decision Makers.

The process should begin with intake meetings conducted by the Title IX Coordinator. The investigation phase should include interviewing the Complainant or Reporter, the Respondent, and any witnesses; reviewing law enforcement investigation documents if applicable; reviewing relevant student or employment files; and gathering and examining other relevant documents and evidence.

As a part of the investigation, the Institution should provide an opportunity for all parties to present written statements, identify witnesses, and submit other evidence.

Both Complainants and Respondents should be advised of the utilization of Advisors throughout the investigation process. Parties should be advised that Advisors are not permitted to participate directly in Resolution Hearings or Informal Resolution Conferences, except to the extent an Advisor's participation is required during Title IX grievance hearings; they may be present solely to advise or support the party and are prohibited from speaking directly to the Investigator, the power-based violence Adjudicator, other parties, or witnesses.

## **G. FINDINGS & INVESTIGATIVE REPORT**

At the conclusion of the investigation, Investigators should prepare a report (the "Investigative Report") summarizing and analyzing the relevant facts determined through the investigation, with reference to any supporting documentation or statements. The report should be delivered to the Title IX Coordinator, who should analyze the report to ensure that the investigation was prompt, impartial, thorough, and consistent with this Policy. Before the Investigative Report is finalized, the Complainant and Respondent should be given the opportunity to review one another's statements and may also be provided with a written summary of other information collected during the investigation if the information is requested and the Title IX Office deems it appropriate to disclose.

A Complainant or Respondent should submit any comments about their own statement, or on any investigation summary that might be provided, to the Investigators within five (5) calendar days after the statement or summary was provided. Following the receipt of any comments submitted, or after the five-day comment period has lapsed without comment, the Investigators should address any identified factual inaccuracies or misunderstandings, as appropriate.

The final Investigative Report should provide a summary of the Investigators' impressions, including context for the evidence collected, but should not make a final determination as to whether a violation of the Power-Based Violence Policy occurred, reserving that decision (and any sanctions) for the appropriate decision maker(s). The parties should be provided with a copy of the final Investigative Report simultaneously.

## **H. RESOLUTION**

### **a. INFORMAL RESOLUTION**

For Formal Complaints with a student Respondent, at the discretion of the Title IX Coordinator, the parties should be advised of their option to pursue an Informal Resolution as an alternative to a Formal Resolution. An Informal Resolution should involve a remedies-based, non-judicial process designed to eliminate or address potential power-based violence. This process should aim to assure fairness, to facilitate communication, and to maintain an equitable balance of power between the parties. Institutions should not compel face-to-face confrontation between the parties or participation in any particular form of Informal Resolution.

The Title IX Coordinator should make an initial decision about whether a case qualifies for an Informal Resolution. If both parties then agree to pursue that path, the Institution will halt any investigation or scheduled Resolution Hearing so that the parties can explore the possibility of Informal Resolution. Participation in an Informal Resolution is voluntary, and either party can request to end the Informal Resolution process at any time and commence or resume the investigation process. If the parties agree to a resolution during an Informal Resolution process, the Title IX Coordinator should oversee its implementation, the Formal Complaint should be deemed withdrawn, and the matter should be terminated. An appeal of the process and its result should not be permitted. The resolution should be considered binding, and its breach would give rise to a new Formal Complaint.

### **b. FORMAL RESOLUTION**

Institutions must provide for a process to resolve Formal Complaints. That process should be delineated in their policy. Institutions should avoid the “single investigator” or “sole investigator” model and ensure that the Title IX Coordinator and investigator(s) do not serve as the decision-maker(s) for a Formal Complaint.

## **I. SANCTIONS**

Institutions should describe the range of sanctions for employees and students.

## J. GRIEVANCE PROCEDURE APPEALS

Institutions' policies should provide an appeal process that is equally available to the parties and includes the procedures and permissible basis for the Complainant and Respondent to appeal.

Appeals should only be raised on one or more of the following grounds, for example:

- a. a procedural irregularity that affected the outcome of the matter;
- b. to consider new facts or information that were not known or knowable to the appealing party before or during the time of the resolution and that are sufficient to alter the decision;
- c. the Title IX Coordinator, Investigator, or Adjudicator(s) had a conflict of interest or bias that affected the outcome of the matter;
- d. the decision reached was not supported by a preponderance of evidence; or
- e. the sanctions were disproportionate to the findings.

As to all appeals the Institution should, at a minimum:

1. Notify the other party in writing when the appeal is filed and implement appeal procedures equally for both parties;
2. Ensure the decision maker(s) for the appeal **is/are not** the same individual(s) who reached the determination regarding responsibility or dismissal, the Investigator(s) or the Title IX Coordinator;
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of or challenging the outcome;
4. Issue a written decision describing the result of the appeal and the rationale for the result; and
5. Provide a written decision simultaneously to both parties.

## XI. TRAINING

### A. RESPONSIBLE EMPLOYEES

Each Institution shall require annual training for each of its (i) Responsible Employees; (ii) individuals who are involved in implementing the Institution's student grievance procedures, including each individual responsible for resolving Formal Complaints of reported power-based violence or power-based violence policy violations; (iii) Title IX Coordinator(s); and (iv) employees who have responsibility for interviewing any alleged victims of power-based

violence. Each Institution shall ensure that the individuals and employees receive the training described in this Subsection no later than the beginning of the 2022-2023 academic year.

No later than January 1, 2022, BOR, in coordination with the attorney general and in consultation with state or local victim services organizations, shall develop the annual training program required in this Section. BOR shall annually review the annual training program and revise it as needed.

## **B. CONFIDENTIAL ADVISORS**

Each Institution shall designate individuals who shall serve as Confidential Advisors, such as health care staff, clergy, staff of a women's center, or other such categories. Such designation shall not preclude the Institution from partnering with national, state, or local victim services organizations to serve as Confidential Advisors or in other confidential roles.

Prior to designating a person as a Confidential Advisor, the person shall complete a training program that includes information on power-based violence (including "sexual harassment" under Title IX, as well as other types of power-based violence falling outside Title IX's jurisdictional requirements), trauma-informed interactions, Title IX requirements, state law on power-based violence, and resources for victims. The Confidential Advisor shall also complete annual training relative to power-based violence and Title IX. The initial and annual training shall be developed by the Attorney General in collaboration with BOR and shall be provided through online materials.

Each Institution's website shall provide the contact information for obtaining a Confidential Advisor.

The Confidential Advisor to an alleged victim of power-based violence shall inform the alleged victim of the following:

1. The rights of the alleged victim under federal and state law and the policies of the Institution;
2. The alleged victim's reporting options, including the option to notify the Institution, the option to notify local law enforcement, and any other reporting options;
3. If reasonably known, the potential consequences of those reporting options;
4. The process of investigation and disciplinary proceedings of the Institution;
5. The process of investigation and adjudication of the criminal justice system;
6. The limited jurisdiction, scope, and available sanctions of the institutional student disciplinary proceeding, and that it should not be considered a substitute for the criminal justice process;
7. Potential reasonable accommodations that the Institution may provide to an alleged victim; and

8. The name and location of the nearest medical facility where an alleged victim may have a rape kit administered by an individual trained in sexual assault forensic medical examination and evidence collection, and information on transportation options and available reimbursement for a visit to such a facility.

The Confidential Advisor may, as appropriate, serve as a liaison between an alleged victim and the Institution or local law enforcement, when directed to do so in writing by an alleged victim who has been fully and accurately informed about what procedures shall occur if information is shared, and assist an alleged victim in contacting and reporting to a Responsible Employee or local law enforcement.

The Confidential Advisor shall:

1. be authorized by the Institution to liaise with appropriate staff at the Institution to arrange reasonable accommodations through the Institution to allow the alleged victim to change living arrangements or class schedules, obtain accessibility services, or arrange other accommodations;
2. Be authorized to accompany the alleged victim, when requested to do so by the alleged victim, to interviews and other proceedings of a campus investigation and institutional disciplinary proceedings;
3. Advise the alleged victim of, and provide written information regarding, both the alleged victim's rights and the Institution's responsibilities regarding orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by a court of competent jurisdiction or by the Institution;
4. Not be obligated to report crimes to the Institution or law enforcement in a way that identifies an alleged victim or an accused individual, unless otherwise required to do so by law; and
5. To the extent authorized under law, provide confidential services to students. Any requests for accommodations made by a Confidential Advisor, as provided in this Section, shall not trigger an investigation by the Institution.

The Institution shall appoint an adequate number of Confidential Advisors. The BOR shall determine the adequate number of Confidential Advisors for an Institution based upon its size., no later than January 1, 2022, and on January 1<sup>st</sup> annually thereafter.

Each Institution that enrolls fewer than five thousand students may partner with another Institution in their system or region to provide the services described in this Section. However, this provision shall not absolve the Institution of its obligations under this Section.

## **XII. DATA PUBLICATION(S)**

## **A. POWER-BASED VIOLENCE CLIMATE SURVEY**

Beginning in the 2022-2023 academic year, each Institution shall administer an anonymous Power-Based Violence Climate Survey (Survey) to its students once every three (3) years. If an Institution administers other surveys with regard to campus safety, this Survey may be included as a separate component of any such survey, provided that the power-based violence component is clearly identified as such.

Participation in this Survey shall be voluntary. No student shall be required or coerced to participate in the Survey, nor shall any student face retribution or negative consequences of any kind for declining to participate.

Subject to the foregoing paragraph, each Institution shall make every effort to maximize student participation in the Survey.

BOR shall:

1. Develop the survey in consultation with the System Management Boards and in accordance with national best practices;
2. Work with System Management Boards in researching and selecting the best method of developing and administering the survey;
3. Consult with victims' advocacy groups and student leaders who represent a variety of student organizations and affiliations, including student government associations, academic associations, faith-based groups, cultural groups, and fraternities and sororities, when meeting the requirements of this Section;
4. Submit a written report on survey results to the House Committee on Education, Senate Committee on Education, and the Governor not later than forty-five (45) days prior to the convening of the next Regular Session of the Legislature following the administration of the survey. The report shall summarize results from each public postsecondary education Institution and the state as a whole; and
5. Publish the survey results on BOR's website and in any other location or venue BOR considers necessary or appropriate.

Institutions must:

1. Administer a survey during the 2022-2023 academic year and every third year thereafter;
2. Report Survey results to the System Management Board and BOR; and
3. Publish the Survey results in a prominent, easily accessible location on the Institution's website.

## **B. CAMPUS SECURITY REPORT**

In accordance with Act 447 of the 2021 Regular Legislative Session of the Louisiana Legislature, each Institution must publish on its website a semiannual security report to contain updated campus security policies and campus crime statistics.

The reports shall be updated and posted by **April Tenth (10)** and **October Tenth (10)** of each academic year. The report must include, at a minimum, all information relative to such policies and statistics specified in the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, 20 U.S.C. §1092 (Clery Act).

BOR recommends as a best practice to include information related to statistics of incidents of power-based violence.

The report shall be posted in a prominent location that is readily accessible from the main landing page of the Institution's website. If an individual campus does not have its own website, this information shall be posted on the main website of the Institution, with the campus clearly indicated.

BOR shall review Institutions' websites for compliance with this Section. BOR shall notify the House Committee on Education, the Senate Committee on Education, and the State Bond Commission upon an Institution's failure to comply with this Section.

In addition, the State Bond Commission shall not authorize the Institution to incur any debt that is subject to the Commission's approval for a period of two years following notification of the Institution's failure to comply with this Section.

In accordance with state law, any person may commence a suit in the district court for the parish in which an action in violation of this Section occurred for the issuance of a writ of mandamus or injunctive or declaratory relief to require compliance with the provisions of this Section, together with reasonable attorney fees and costs.

### **C. SEX CRIME DATA REPORT**

~~By February Fifteenth (15) of each year, each Institution's campus police department shall submit a report containing the information required in Appendix C to the System President, the Institution's Chancellor, and the Institution's Title IX Coordinator.~~

~~The Chancellor shall ensure the report is posted on the Institution's website.~~

## **XIII. MEMORANDA OF UNDERSTANDING**

On or before **January 1, 2022**, each Institution and law enforcement and criminal justice agency located within the parish of the campus of the Institution, including the campus police department, if any, the local district attorney's office, and any law enforcement agency with criminal jurisdiction over the campus, shall enter into and maintain a written memorandum of understanding (MOU) to clearly delineate responsibilities and share information in accordance with applicable federal and state confidentiality laws, including but not limited to trends about power-based violence committed by or against students of the Institution. This MOU must be signed by all parties to the MOU

Each MOU shall include the following:

1. Delineation and sharing protocols of investigative responsibilities;
2. Protocols for investigations, including standards for notification and communication and measures to promote evidence preservation;
3. Agreed-upon training and requirements for the parties to the MOU on issues related to power-based violence for the purposes of sharing information and coordinating training to the extent possible;
4. A method of sharing general information about power-based violence occurring within the jurisdiction of the parties to the MOU in order to improve campus safety; and
5. A requirement that the local law enforcement agency include information on its police report regarding the status of the alleged victim as a student at an Institution.

Each executed MOU shall be reviewed annually by each Institution's Chancellor, Title IX Coordinator, and the executive officer of the criminal justice agency, and shall be revised as considered necessary.

Nothing in this Section or any MOU shall be construed as prohibiting an alleged victim or Responsible Employee from making a Formal Complaint to both the Institution and a law enforcement agency).

## XIV. CAMPUS POWER-BASED VIOLENCE POLICIES

The Board of Regents shall establish uniform policies and best practices to implement measures to address the reporting of power-based violence on Institutions' campuses, the prevention of such violence, communication between Institutions regarding incidents of power-based violence, and the provision of medical and mental health care for these alleged victims.

Each Institution's Management Board shall institute policies incorporating the policies and best practices prescribed by BOR regarding the prevention and reporting of incidents of power-based violence committed by or against students of an Institution.

The policies, at a minimum, shall require each Institution to provide for the following:

1. **Confidential Advisors** (See Section about [Confidential Advisors](#))
2. **Website** (See Section about [Website Compliance](#))
3. **Online Reporting** (See Section about [Online Reporting](#))
4. **Amnesty Policy** (See Section about [Immunities and Amnesty](#))
5. **Training** (See Section about [Training](#))
6. **Inter-campus Transfer Policy** (See Section about [Transcript Notation](#))
7. **Victims' Rights Policy** (See Section about [Victims' Rights Policy](#))

## XV. WEBSITE COMPLIANCE

In addition to publishing the specified reports outlined in this Policy, Institutions must list on their websites:

- a. Contact information for obtaining a Confidential Advisor;
- b. Reporting options for alleged victims of power-based violence;
- c. The process of investigation and disciplinary proceedings of the Institution;
- d. The process of investigation and adjudication of the criminal justice system;
- e. Potential reasonable accommodations that the Institution may provide to an alleged victim;
- f. The telephone number and website address for a local, state, or national hotline providing information to victims of power-based violence, which shall be updated at least on an annual basis;
- g. The name and location of the nearest medical facility where an individual may have a rape kit administered by an individual trained in sexual assault forensic medical examination and evidence collection, and information on transportation options and available reimbursement for a visit to such facility;
- h. Each current memorandum of understanding between the Institution and local law enforcement and criminal justice agency located within the parish of the campus (12:15-13:5); and
- i. Data publications as specified in [Section XII](#) of this Policy.

## XVI. APPENDICES

### A. DEFINITIONS

For purposes of this Policy, the following terms will have corresponding definitions.

**Advisor:** A person chosen by a party or appointed by the Institution to accompany the party to meetings related to the resolution process, to advise the party on that process, and to conduct cross-examination for the party at the hearing, if any.

**Chancellor:** The chief executive officer of a public postsecondary education Institution.

**Coercion:** The use of express or implied threats, intimidation, or physical force, which places an individual in fear of immediate harm or physical injury or causes a person to engage in unwelcome sexual activity. Coercion also includes administering a drug, intoxicant, or similar substance with the intent to impair that person's ability to consent prior to engaging in sexual activity.

**Complainant:** An individual who is alleged to be the victim of behavior that could constitute power-based violence under this policy (or an individual who is alleged to be the victim of conduct that could constitute sexual harassment under Title IX) irrespective of whether a Formal Complaint has been filed.

**Confidential Advisor:** A person designated by an Institution to provide emergency and ongoing support to students who are alleged victims of power-based violence.

**Consent:** Consent to engage in sexual activity must exist from beginning to end of each instance of sexual activity. Consent is demonstrated through mutually understandable words and/or actions that clearly indicate a willingness to engage in a specific sexual activity. Silence alone, without actions evidencing permission, does not demonstrate Consent. Consent must be knowing and voluntary. To give Consent, a person must be of legal age. Assent does not constitute Consent if obtained through coercion or from an individual whom the Alleged Offender knows or reasonably should know is Incapacitated. The responsibility of obtaining Consent rests with the person initiating sexual activity. Use of alcohol or drugs does not diminish one's responsibility to obtain Consent. Consent to engage in sexual activity may be withdrawn by any person at any time. Once withdrawal of Consent has been expressed, the sexual activity must cease. Consent is automatically withdrawn by a person who is no longer capable of giving Consent. A current or previous consensual dating or sexual relationship between the parties does not itself imply Consent or preclude a finding of responsibility.

**Decision Maker:** An individual selected by the institution and charged with determining responsibility for an allegation of power-based violence.

**Employee:** An employee is defined as:

- i. An administrative officer, official, or employee of a public postsecondary education board or Institution.
- ii. Anyone appointed to a public postsecondary education board or Institution.

- iii. Anyone employed by or through a public postsecondary education board or Institution.
- iv. Anyone employed by a foundation or association related to a System Management Board or Institution.

The employee category does not include a student enrolled at a public postsecondary institution whose employment is contingent upon enrollment as a student, unless the student works for the institution in a position such as a teaching assistant or residential advisor.

**Formal Complaint:** A signed document filed by a Complainant or signed by the Title IX Coordinator alleging power-based violence or retaliation and requesting the Institution investigate and possibly adjudicate the alleged issue. A third party who knows of or witnessed an incident of power-based violence but who did not suffer such conduct themselves may request that the Institution treat their third-party Report as a Formal Complaint. The Institution can convert a Report to a Formal Complaint if it determines that, in order to meet its state and/or federal obligations to provide a safe and nondiscriminatory environment for the broader institutional community, it must take further steps to address and resolve the matter.

For purposes of alleged misconduct that satisfies the jurisdictional requirements of Title IX, see Formal Complaint in the Title IX Grievance Policy.

**Institution:** A public postsecondary education institution.

**Informal Resolution:** A voluntary process that is separate and distinct from an Institution's investigation and adjudication processes that allows the parties (i.e., Complainant and Respondent) to reach a mutually agreeable resolution.

**Incapacitation:** An individual is considered to be incapacitated if, by reason of mental or physical condition, the individual is manifestly unable to make a knowing and deliberate choice to engage in sexual activity. Individuals who are asleep, unresponsive, or unconscious are incapacitated. Other indicators that an individual may be incapacitated include, but are not limited to, inability to communicate coherently, inability to dress/undress without assistance, inability to walk without assistance, slurred speech, loss of coordination, vomiting, or inability to perform other physical or cognitive tasks without assistance.

**Investigators:** Individuals designated by the Title IX Coordinator to conduct an investigation of alleged power-based violence. The Investigators will be trained individuals who objectively collects and examines the facts and circumstances of potential violations of this Policy and documents them for review. The Investigators will be neutral and will not have a conflict of interest or bias against the Complainant or Respondent, or Complainants and Respondents generally.

**Mandatory Reporter:** An individual who is obligated by law to report any knowledge they may have of power-based violence. For purposes of this Policy, mandatory reporters include Responsible Employees. (See definition of Responsible Employee.)

**Power-based Violence:** Any form of interpersonal violence intended to control or intimidate another person through the assertion of power over the person, to include the following:

- a. Dating violence ([R.S. 46:2151\(C\)](#)).

- b. Domestic abuse and family violence ([R.S. 46:2121.1\(2\)](#) and [2132\(3\)](#)). For the purpose of this Part, domestic abuse shall also include any act or threat to act that is intended to coerce, control, punish, intimidate, or exact revenge on the other party, for the purpose of preventing the victim from reporting to law enforcement or requesting medical assistance or emergency victim services, or for the purpose of depriving the victim of the means or ability to resist the abuse or escape the relationship.
- c. Nonconsensual observation of another person's sexuality without the other person's consent, including voyeurism ([R.S. 14:283.1](#)), video voyeurism ([R.S. 14:283](#)), nonconsensual disclosure of a private image ([R.S. 14:283.2](#)), and peeping tom activities ([R.S. 14:284](#)).
- d. Sexual assault ([R.S. 14:41](#), [42](#) through [43.5](#), [89](#), [89.1](#), and [106](#)).
  - i. Sexual Battery ([14:43.1](#))
  - ii. Misdemeanor sexual battery ([14:43.1.1](#))
  - iii. Second degree sexual battery ([14:43.2](#))
  - iv. Oral sexual battery ([14:43.3](#))
  - v. Female genital mutilation ([14:43.4](#))
  - vi. Intentional exposure to HIV ([14:43.5](#))
  - vii. Crime against nature ([14:89](#))
  - viii. Aggravated Crime against nature ([14:89.1](#))
  - ix. Obscenity ([14:106](#))
- e. Sexual exploitation means an act attempted or committed by a person for sexual gratification, financial gain, or other advancement through the abuse of another person's sexuality including prostituting another person ([R.S. 14:46.2](#) and [82](#) through [86](#)).
  - i. Human trafficking ([14:46.2](#))
  - ii. Prostitution ([14:82](#))
  - iii. Prostitution of person under 18 ([14:82.1](#))
  - iv. Purchase of commercial sexual activity ([14:82.2](#))
  - v. Solicitation for prostitutes ([14:83](#))
  - vi. Inciting prostitution ([14:83.1](#))
  - vii. Promoting prostitution ([14:83.2](#))
  - viii. Prostitution by massage ([14:83.3](#))
  - ix. Sexual massages ([14:83.4](#))
  - x. Pandering (sexual) ([14:84](#))
  - xi. Letting premises for prostitution ([14:85](#))
  - xii. Enticing persons into prostitution ([14:86](#))
- f. Sexual harassment means unwelcome sexual advances, requests for sexual favors, and other verbal, physical, or inappropriate conduct of a sexual nature when the conduct explicitly or implicitly affects an individual's employment or education, unreasonably interferes with an individual's work or educational performance, or creates an intimidating, hostile, or offensive work or educational environment and has no legitimate relationship to the subject matter of a course or academic research.
- g. Stalking ([R.S. 14:40.2](#)) and cyberstalking ([R.S. 14:40.3](#)).
- h. Unlawful communications ([R.S. 14:285](#)).

- i. Unwelcome sexual or sex- or gender-based conduct that is objectively offensive and has a discriminatory intent.

**Respondent:** An individual who has been accused in a Report or Formal Complaint of conduct that could constitute power-based violence prohibited under this Policy (or, under the Title IX Grievance policy, an individual alleged to be the perpetrator of conduct that could constitute sexual harassment under Title IX).

**Responsible Employee:** An employee who receives a direct statement regarding or witnesses an incident of power-based violence. Responsible Employees do not include an employee designated as a Confidential Advisor pursuant to R.S. 17:3399.15(B) or an employee who has privileged communications with a student as provided by law.

**System:** A Louisiana public postsecondary management board.

**System President:** The president of a public postsecondary education system.

**Supportive Measures:** Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the parties before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Such measures are designed to restore or preserve equal access to the education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the Institution's educational environment, or deter sexual harassment. Supportive Measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

**Title IX Coordinator:** The individual designated by a public postsecondary education institution as the official for coordinating the Institution's efforts to comply with and carry out its responsibilities under Title IX of the Education Amendments of 1972 and Act 472 the 2021 Regular Legislative Session of the Louisiana Legislature.

**Title IX Grievance Procedure:** A process for addressing and resolving a "Formal Complaint" that satisfies requirements set forth in 34 C.F.R. §106.30. See accompanying Title IX Grievance Procedure for key terms.

**Title IX Sexual Harassment:** For the purposes of determining whether power-based violence will be treated as a potential violation of Title IX in accordance with the Title IX Grievance Procedure, Title IX sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

- A. An employee of the Institution conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;
- B. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or
- C. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

## B. ADMINISTRATIVE REPORTING FORMS

### 1. Title IX Coordinator (Form B1)

***Note: Act 472 requires the submission of reports to the Institution's Chancellor by October 10<sup>th</sup> and April 10<sup>th</sup>.***

### 2. Chancellor (Form B2)

***Note: Act 472 requires the submission of biannual reports to the System President 14 days after receipt from the Institution's Title IX Coordinator. To ensure timeliness of compliance BOR recommends submitting reports to System Board by October 24<sup>th</sup> and April 24<sup>th</sup>.***

### 3. System President (Form B3)

***Note: Act 472 requires the submission of biannual reports to the System Board 14 days after receipt from the Institution's Chancellor. To ensure timeliness of compliance BOR recommends submitting reports to System Board by November 7<sup>th</sup> and May 8<sup>th</sup>.***

### 4. System Board (Form B3)

***Note: Act 472 requires the submission of annual reports to BOR by December 31<sup>st</sup>. To ensure timeliness of compliance BOR recommends submitting reports to BOR by December 1<sup>st</sup>. Additionally BOR will request that the System Board submit an interim report to BOR by June 1<sup>st</sup>.***

### 5. BOR

***Note: Act 472 requires the submission of reports to the Legislature by January 15<sup>th</sup>. To ensure timeliness of compliance BOR will attempt to submit reports to the Legislature by early January.***

**Draft Form B1 – Title IX Coordinator’s Data Report**  
**2021-2022 Academic Year, Fall Semester<sup>1</sup>**

Date Report Received <sup>2</sup>	Status of Report <sup>3</sup>	Date Formal Complaint Filed <sup>4</sup>	Status of Formal Complaint <sup>5</sup>	Category of Offense	Basis for Charge <sup>6</sup>	Disposition <sup>7</sup>	Time it Took to Resolve Complaint	Disciplinary Status <sup>8</sup>	Gender of Complainant <sup>9</sup>	Gender of Respondent

<sup>1</sup> June 29, 2021 is the effective date for purposes of complying with the Title IX Coordinator’s reporting requirements under Act 472.

<sup>2</sup> As required by Act 472, Title IX Coordinators are to track and report to the chancellor the investigation status of power-based violence reports and the disposition of reports. For your convenience we have included two columns where Title IX Coordinators may account from the information required in the Acts as it relates to administrative reporting requirements for Title IX Coordinators.

<sup>3</sup> Information as to whether the report resulted in the filing of a Formal Complaint and the allegations contained therein.

<sup>4</sup> Information about Formal Complaints is specifically required to be included in the Chancellor’s report. For convenience, BOR Recommends the Title IX Coordinators’ reporting in the third column serve as the basis of information to be included in the Chancellor’s report, so effectively Title IX Coordinators can copy and paste their reports regarding Formal Complaints into the Chancellor’s report.

<sup>5</sup> Status of investigation as it pertains to Formal Complaints filed for an accusation of power-based violence or retaliation.

<sup>6</sup> Type of power-based violence or retaliation alleged.

<sup>7</sup> Disposition of any disciplinary processes arising from the Formal Complaints.

<sup>8</sup> Institution should indicate where they are in the disciplinary status and also note if there was a sanction imposed and what sanction was imposed.

<sup>9</sup> Although not required by law, for data collection purposes BOR requests information pertaining to the gender of both the Complainant and Respondent.

## Draft Form B2 – Chancellor’s Data Report 2021-2022 Academic Year, Fall Semester<sup>10</sup>

<b>Confidential Advisors and Responsible Employees<sup>11</sup></b>	<b>Total</b>
a. Number of Responsible Employees	00
b. Number of Confidential Advisors	00
<b>Annual Training (please include number and percentage)<sup>12</sup></b>	
a. Completion rate of Responsible Employees	0 (0%)
b. Completion rate of Confidential Advisors	0 (0%)
<b>Responsible Employee Reporting<sup>13</sup></b>	
a. Number of employees who made false reports	
i. Number of employees terminated	
b. Number of employees who failed to report	
ii. Number of employees terminated	
<b>Power-Based Violence Formal Complaints<sup>14</sup></b>	
a. Formal Complaints received	00
b. Formal Complaints resulting in occurrence of power-based violence	00
c. Formal Complaints resulting in discipline or corrective action	00
Type of discipline or corrective action taken	
i. For example: Suspension or Expulsion	00
	00
<b>Retaliation<sup>15</sup></b>	
a. Reports of retaliation received	00
b. Investigations	00
c. Findings	
i. Retaliation occurred	00
ii. Retaliation did not occur	00

<sup>10</sup> June 29, 2021 is the effective date of the state statute for purposes of complying with the Title IX Coordinator reporting requirements under Act 472.

<sup>11</sup> In accordance with Act 472, the Chancellor’s report shall include the number of Responsible Employees (i.e., employees) and Confidential Advisors for the institution.

<sup>12</sup> In accordance with Act 472, the Chancellor’s report shall include the number and percentage of Responsible Employees and Confidential Advisors who have completed annual training.

<sup>13</sup> Although this section is not required by Act 472, for data collection purposes BOR requests statistics regarding a responsible employees’ failure to comply with reporting requirements.

<sup>14</sup> In accordance with Act 472, the Chancellor’s report shall include (1) the number of Formal Complaints of power-based violence received by an institution, (2) the number of Formal Complaints which resulted in a finding that power-based violence violations occurred, (3) the number of Formal Complaints in which the finding of power-based violations resulted in discipline or corrective action, (4) the type of discipline or corrective action taken, and (5) the amount of time it took to resolve each Formal Complaint (see 2<sup>nd</sup> form)

<sup>15</sup> In accordance with Act 472, the Chancellor’s report shall include information about retaliation which include the number of reports of retaliation, and any findings of any investigations or reports of retaliation.

## **Draft Form B2 – Chancellor’s Data Report**

2021-2022 Academic Year, Fall Semester

<sup>16</sup> Information about Formal Complaints is specifically required to be included in the Chancellor's report. For convenience, BOR Recommends the Title IX Coordinators' reporting in the third column serve as the basis of information to be included in the Chancellor's report, so effectively Title IX Coordinators can copy and paste their reports regarding Formal Complaints into the Chancellor's report.

<sup>17</sup> Status of investigation as it pertains to Formal Complaints filed for an accusation of power-based violence or retaliation.

<sup>18</sup> Type of power-based violence or retaliation alleged.

<sup>19</sup> Disposition of any disciplinary processes arising from the Formal Complaints.

<sup>20</sup> Institution should indicate where they are in the disciplinary status and also note if there was a sanction imposed and what sanction was imposed.

<sup>21</sup> Although not required by law, for data collection purposes BOR requests information pertaining to the gender of both the Complainant and Respondent.

**Draft Form B3 – System Data Report**  
**2021-2022 Academic Year, Fall Semester**

R.S. 17:3399.13	<b>Total</b>
a. Number of Responsible Employees	00
b. Number of Confidential Advisors	00
<b>Annual Training (please include number and percentage)</b>	
a. Completion rate of Responsible Employees	0 (0%)
b. Completion rate of Confidential Advisors	0 (0%)
<b>Responsible Employee Reporting</b>	
a. Number of employees who made false reports	
i. Number of employees terminated	
b. Number of employees who failed to report	
ii. Number of employees terminated	
<b>Power-Based Violence Reports</b>	
a. Formal Complaints received	00
b. Formal Complaints resulting in occurrence of power-based violence	00
c. Formal Complaints resulting in discipline or corrective action	00
Type of discipline or corrective action taken	
i. For example: Suspension or Expulsion	00
	00
<b>Retaliation Reports</b>	
a. Reports of retaliation received	00
b. Investigations	00
c. Findings	
i. Retaliation occurred	00
ii. Retaliation did not occur	00

## **Draft Form B3 – System Data Report 2021-2022 Academic Year, Fall Semester**

## **C. DATA PUBLICATION FORMS**

1. Power-Based Violence Climate Survey Data Form
2. Campus Security Policy and Campus Crime Statistics (Form C1)
3. Campus Sex Crime Data Report (Form C2)

**Draft Form C1 – Crime Statistics Report**  
**2021-2022 Academic Year, Fall Semester**

Offense	Location	October 2021	November 2021	December 2021	January 2022	February 2022	March 2022
Example Voyeurism (La. R.S. 14:283.1)	On Campus Student Housing Non-Campus Public Property Arrests						

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**BOARD OF REGENTS**  
*P. O. Box 3677*  
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**AGENDA**  
**PERSONNEL COMMITTEE**  
Wednesday, August 24, 2022  
12:40 p.m.

Claiborne Building, 1<sup>st</sup> Floor  
Thomas Jefferson Rooms A&B 1-136  
1201 North Third Street  
Baton Rouge, Louisiana

I. Call to Order

II. Roll Call

III. Evaluation of the Commissioner of Higher Education\*

IV. Other Business

V. Adjournment

\*The Personnel Committee of the Board of Regents reserves the right to enter into Executive Session, if needed, in accordance with R.S. 42:16 *et seq.*, to discuss personnel matters.

Committee Members: Wilbert D. Pryor, Chair; Blake R. David, Vice Chair; Robert W. Levy; Phillip R. May, Jr.; Darren G. Mire; T. Jay Seale, III; Terrie P. Sterling  
Staff: Matthew LaBruyere, Deputy Commissioner for Finance and Administration