

# MINUTES

## BOARD OF REGENTS

August 21, 2013

The Board of Regents met in session at 3:23 p.m. on Wednesday, August 21, 2013, in the Louisiana Purchase Room, Claiborne Building, 1201 North Third Street, Baton Rouge, Louisiana. Chair W. Clinton Rasberry, Jr. called the meeting to order. Executive Assistant Carolyn Blanchard called the roll and a quorum was established.

Present for the meeting were:

W. Clinton Rasberry, Jr., Chair  
Joseph Wiley, Vice Chair  
Brooksie Bonvillain  
Joel Dupré  
Pamela Egan  
Joseph Farr  
William Fenstermaker  
Robert Levy  
Richard Lipsey  
Edward Markle  
Roy Martin III  
Albert Sam II

Absent from the meeting were:

Mark Abraham  
Charlotte Bollinger  
Raymond Brandt  
Chris Gorman

PUBLIC COMMENTS

Chair Rasberry noted that no written requests were received for public comments and asked whether the audience had any comments at the time. There were none.

APPROVAL OF THE MINUTES OF JUNE 26, 2013

**On motion of Regent Farr, seconded by Regent Wiley, the Board voted unanimously to approve the minutes of June 26, 2013.**

RECOGNITION OF DR. F. KING ALEXANDER, PRESIDENT, LOUISIANA STATE UNIVERSITY SYSTEM

Chair Rasberry welcomed Dr. F. King Alexander, recently appointed President of the Louisiana State University System. Dr. Alexander thanked the Board members for their service to higher education and said he looked forward to working with them.

REPORTS AND RECOMMENDATIONS BY THE COMMISSIONER OF HIGHER EDUCATION

Commissioner of Higher Education Jim Purcell gave remarks on the history of Louisiana's fiscal support for higher education. He also presented recent data on the completion rates of students with a 15 credit hour enrollment compared to those who took 12 credit hours per semester. Dr. Purcell presented goals for Regents' staff during the upcoming fiscal year.

**REPORTS AND RECOMMENDATIONS**

**ACADEMIC AND STUDENT AFFAIRS COMMITTEE**

On behalf of Regent Rasberry, Chair of the Board of Regents, Dr. Jeannine Kahn, Assistant Commissioner for Academic Affairs, presented the Academic and Student Affairs Committee Report of August 21, 2013.

PROPOSED NEW ACADEMIC PROGRAMS

**On motion of Regent Wiley, seconded by Regent Martin, the Board voted unanimously to accept the recommendation of the Academic and Student Affairs Committee to approve the (a) Post Baccalaureate Certificate in Applied Business at Nicholls State University, and (b) Post Baccalaureate Certificate in Construction Management at LSU and A&M College; and provide conditional approval of the (a) Associate of Applied Science in Paramedic at Baton Rouge Community College, and (b) Master of Science in Accounting at the University of Louisiana at Lafayette.**

PROPOSED REVISIONS TO ACADEMIC AFFAIRS POLICY

**On motion of Regent Wiley, seconded by Regent Martin, the Board voted unanimously to accept the recommendation of the Academic and Student Affairs Committee to approve the proposed update to Academic and Student Affairs Policy 2.11 on Approved Academic Terms and Degree Designations.**

CONSENT AGENDA

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

**A. Academic Program Change**

1. SCLTC – Program Consolidation: AAS/Journeyman Industrial

**B. Centers and Institutes: Requests for Full Approval or Reauthorization**

1. LA Tech -- Reauthorization: Center for Information Assurance
2. LA Tech -- Reauthorization: Integrated STEM Education Research Center
3. LSU – Reauthorization: Turbine Innovation & Energy Research Center
4. LSU Law Center – Full Approval: John P. LaBorde Energy Law Center
5. LSUHSC-NO – Reauthorization: Early Intervention Institute
6. UNO – Reauthorization: Greater New Orleans Center for Information Assurance
7. UNO – Reauthorization: Center for Hazards Assessment, Response & Technology

**C. Routine Staff Reports**

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

ADOPTION OF THE ACADEMIC AND STUDENT AFFAIRS COMMITTEE REPORT OF AUGUST 21, 2013

**On motion of Regent Wiley, seconded by Regent Martin, the Board voted unanimously to adopt the Academic and Student Affairs Committee Report of August 21, 2013. (Copy on file in the office of the Board of Regents.)**

## FACILITIES AND PROPERTY COMMITTEE

On behalf of Regent Sam, Vice Chair of the Facilities and Property Committee, Mr. Chris Herring, Budget Analyst for Facilities and Planning, presented the Facilities and Property Committee Report of August 21, 2013.

### CONSENT AGENDA

**On motion of Regent Farr, seconded by Regent Martin, the Board voted unanimously to accept the recommendation of the Facilities and Property Committee to approve the items on the Consent Agenda as listed below:**

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

- 1. LSU and A&M – Louise Garig Hall Roof Replacement**
- 2. LSU and A&M – Renovation of the Union Gallery**
- 3. LSU and A&M Lab School – High School Football Field Re-Lighting**
- 4. LSU HSC–New Orleans – Medical Education Building Mechanical Upgrade of AHU 5A and Exhaust System 3E**
- 5. Nicholls – Cooling Tower Replacement – HVAC Loop**
- 6. Northwestern – Installation of Condensing Boilers at Sylvan Friedman Student Union**
- 7. Northwestern – Replacement of Pumps and Condensate Return Tank at Trisler Power Plant**
- 8. SLU – Asphalt Street Improvements 2013**
- 9. SLU – Football Video Scoreboard at Strawberry Stadium**
- 10. SUSLA – Double Baseball Field to Support Intramural Activities**

### LEASE REQUEST REPORT

- 1. ULL – Tier I Athletic Facility Expansion – Grounds and Facilities Lease*
- 2. ULL – Student Parking Facility – Grounds and Facilities Lease*

**On motion of Regent Farr, seconded by Regent Martin, the Board voted unanimously to accept the recommendation of the Facilities and Property Committee to approve the lease requests from the University of Louisiana at Lafayette regarding (1) Tier I Athletic Facility Expansion and (2) Student Parking and Academic Expansion.**

Mr. Herring said updates were given earlier on (1) FY 2013-2014 Capital Outlay Budget Recommendations; (2) LCTCS projects from Act 391 of the 2007 Regular Session; (3) LCTCS

projects from Act 360 of the 2013 Regular Session (SB 204); and (4) an invitation to an upcoming site visit to the LUMCON facility. No action was necessary.

ADOPTION OF THE FACILITIES AND PROPERTY COMMITTEE REPORT OF AUGUST 21, 2013

**On motion of Regent Farr, seconded by Regent Martin, the Board voted unanimously to adopt the Facilities and Property Committee Report of August 21, 2013. (Copy on file in the office of the Board of Regents.)**

**PLANNING, RESEARCH AND PERFORMANCE COMMITTEE**

On behalf of Regent Wiley, Chair of the Planning, Research and Performance Committee, Dr. Larry Tremblay, Deputy Commissioner for Planning, Research and Academic Affairs, presented the Planning, Research and Performance Committee Report of August 21, 2013.

CONSENT AGENDA

**On motion of Regent Farr, seconded by Regent Sam, the Board voted unanimously to accept the recommendation of the Planning, Research and Performance Committee to approve the items listed under the Consent Agenda:**

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

- 1. Initial Licenses** (*DeVry University and Maryville University*)
- 2. License Renewals** (*Chamberlain College of Nursing, Grand Canyon University, Panola College, South University, Troy University, and Western Governors University*)

**B. Proprietary Schools Advisory Commission**

- 1. Initial Licenses** (*D.D.C. School of Dental Assisting, LLC, Divine Touch Healthcare Training, LLC, Lafayette General Medical Center, Life Care, LLC and OnTrac Academy, LLC*)
- 2. Change of Ownership Application** (*Louisiana Institute for Massage Therapy and New Horizons Computer Learning Center of New Orleans*)
- 3. License Renewals**
  - a. *A & W Healthcare Educators, LLC (03/25/04)*
  - b. *Academy of Acadiana, Inc. (03/22/06)*
  - c. *Advance Healthcare Institute, LLC (05/26/11)*
  - d. *At-Home Professions (04/22/99)*

- e. *BAR/BRI (Baton Rouge) (05/23/12)*
- f. *BAR/BRI (New Orleans) (05/23/12)*
- g. *Blue Cliff College -- Alexandria (05/25/06)*
- h. *Blue Cliff College -- Houma (03/24/05)*
- i. *Blue Cliff College -- Metairie (03/23/00)*
- j. *Blue Cliff College -- Metairie, Satellite Campus (03/23/11)*
- k. *Blue Cliff College -- Shreveport (03/23/00)*
- l. *Cameron College (06/29/83)*
- m. *Central Louisiana Medical Academy (06/24/99)*
- n. *Coastal College -- Lafayette (04/23/98)*
- o. *Coastal College -- Monroe (03/28/96)*
- p. *Delta College of Arts and Technology (06/25/92)*
- q. *Delta College of Arts & Technology -- Lafayette Branch (03/24/05)*
- r. *Delta School of Business and Technology (05/06/80)*
- s. *Dental Careers Institute, LLC (05/26/11)*
- t. *Diesel Driving Academy (Baton Rouge) (06/25/87)*
- u. *Eastern College of Health Vocations—Shreveport (05/27/04)*
- v. *God's Way—Project Excel, Inc. (05/26/11)*
- w. *Healthcare & More (03/21/12)*
- x. *J W Training Center, LLC (03/25/10)*
- y. *Lenora School of Phlebotomy (04/28/94)*
- z. *Lincoln College (05/22/03)*
- a-1. *Louisiana Culinary Institute (03/27/03)*
- b-1. *Medical Careers College (04/23/98)*
- c-1. *Oak Park School of Dental Assisting (05/28/09)*
- d-1. *Ouachita Truck Driving Academy, LLC (05/23/03)*
- e-1. *Pet Grooming Academy of Louisiana (03/21/12)*
- f-1. *Remington College—Baton Rouge Campus (05/26/11)*
- g-1. *Remington College—Lafayette Campus (05/26/11)*
- h-1. *Remington College—Shreveport Campus (05/26/11)*
- i-1. *The Ruth Cook Computer and Medical Schools (04/27/95)*
- j-1. *Sclafani's Cooking School (04/28/94)*
- k-1. *Southern Medical Corporation School of Ultrasound (06/26/97)*
- l-1. *Unitech Training Academy (04/24/97)*
- m-1. *Unitech Training Academy -- Houma (03/22/06)*
- n-1. *Universal Technical Institute -- Florida Branch (04/23/98)*
- o-1. *Universal Technical Institute of Texas, Inc. (04/03/85)*
- p-1. *Virginia College (05/27/10)*
- q-1. *Virginia College (Shreveport) (05/26/11)*
- r-1. *WyoTech -- Pennsylvania Campus (03/27/03)*
- s-1. *WyoTech -- Wyoming Campus (03/27/03)*

SECOND ANNUAL REVIEW OF THE MASTER PLAN FOR PUBLIC POSTSECONDARY EDUCATION IN LOUISIANA: 2011

**On motion of Regent Farr, seconded by Regent Sam, the Board voted unanimously to accept the recommendation of the Planning, Research and Performance Committee to approve the Second Annual Review of the Master Plan for Public Postsecondary Education in Louisiana: 2011.**

GRAD ACT

A. GRAD Act Intervention Policy (LSUE 4th Quarter Report)

**On motion of Regent Farr, seconded by Regent Sam, the Board voted unanimously to accept the recommendation of the Planning, Research and Performance Committee to approve the fourth quarterly report from LSU Eunice, authorizing the LSU Board of Supervisors to release the final portion of the funds to LSU Eunice on the predetermined schedule included in its GRAD Act Performance Improvement Contract.**

B. Additional Targeted Measures

**On motion of Regent Farr, seconded by Regent Sam, the Board voted unanimously to accept the recommendation of the Planning, Research and Performance Committee to approve the additional Targeted Measures and authorize the Commissioner of Higher Education to negotiate with each campus/system in the selection of the Targeted Measures and the establishment of benchmarks and Year 6 targets for each of these Measures.**

ADOPTION OF THE PLANNING, RESEARCH AND PERFORMANCE COMMITTEE REPORT OF AUGUST 21, 2013

**On motion of Regent Farr, seconded by Regent Sam, the Board voted unanimously to adopt the Planning, Research and Performance Committee Report of August 21, 2013. *(Copy on file in the office of the Board of Regents.)***

**SPONSORED PROGRAMS COMMITTEE**

On behalf of Regent Martin, Chair of the Sponsored Programs Committee, Dr. Kerry Davidson, Deputy Commissioner for Sponsored Programs, presented the Sponsored Programs Committee Report of August 21, 2013.

APPOINTMENT OF SPONSORED PROGRAMS COMMITTEE REPRESENTATIVE TO THE MEDIFUND BOARD

**On motion of Regent Egan, seconded by Regent Dupré, the Board voted unanimously to accept the recommendation of Sponsored Programs Committee to appoint Dr. Donna Ryan as the Sponsored Programs Committee nominee to the MediFund Board created by Act 320 of the 2013 Regular Session of the Louisiana Legislature. The MediFund is a special fund within the State Treasury for advancement of biosciences, biomedical, and medical centers of excellence.**

REQUEST FROM NICHOLLS STATE UNIVERSITY TO DIVIDE THE TERREBONNE GENERAL MEDICAL CENTER ENDOWED CHAIR IN NURSING AND ALLIED HEALTH SCIENCES

**On motion of Regent Egan, seconded by Regent Dupré, the Board voted unanimously to accept the recommendation of the Sponsored Programs Committee to approve the division of the Terrebonne General Medical Center Endowed Chair in Nursing and Allied Health Sciences into four (4) endowed professorships, each named the Terrebonne General Medical Center Endowed Professorship and each with a corpus value of \$250,000. This recommendation is consistent with the August 2011 Board of Regents' policy.**

ADOPTION OF THE SPONSORED PROGRAMS COMMITTEE REPORT OF AUGUST 21, 2013

**On motion of Regent Egan, seconded by Regent Dupré, the Board voted unanimously to adopt the Sponsored Programs Committee Report of August 21, 2013. (Copy on file in the office of the Board of Regents.)**

**PERSONNEL COMMITTEE**

On behalf of Regent Sam, Chair of the Personnel Committee, Ms. Barbara Goodson, Deputy Commissioner for Finance and Administration, presented the Personnel Committee Report of August 21, 2013.

DISCUSSION OF THE COMMISSIONER OF HIGHER EDUCATION'S CONTRACT

There was no action taken regarding the contract for the Commissioner of Higher Education.



PERSONNEL ACTION

**On motion of Regent Dupré, seconded by Regent Markle, the Board voted unanimously to accept the recommendation of the Personnel Committee to approve the combining of duties of the General Counsel with the Associate Commissioner for Governmental Relations to create a position entitled Deputy Commissioner for Legal and External Affairs. The Board also accepted the Personnel Committee's recommendation to approve the appointment of Dr. Uma Subramanian, General Counsel at the Board of Regents, as Deputy Commissioner for Legal and External Affairs. The salary adjustment for this new position will be effective October 1, 2013.**

UPDATE ON EMPLOYEE SALARY ADJUSTMENTS

The update on employee salary adjustments was for informational purposes only.

ADOPTION OF THE PERSONNEL COMMITTEE REPORT OF AUGUST 21, 2013

**On motion of Regent Dupré, seconded by Regent Markle, the Board voted unanimously to adopt the Personnel Committee Report of August 21, 2013. (Copy on file in the office of the Board of Regents.)**

**OTHER BUSINESS**DISCUSSION OF LEGAL COUNSEL'S RECOMMENDATION REGARDING ACT 360 OF 2013

Chair Raspberry announced that the Board of Regents should enter into executive session to discuss Legal Counsel's recommendation regarding Act 360 of 2013. He said that R.S. 42:17(A)(2) allows a public body to go into executive session to discuss possible litigation when an open meeting would have a detrimental effect on the litigating position of the public body.

**On motion of Regent Lipsey, seconded by Regent Markle, the Board of Regents voted to enter into Executive Session in accordance with R.S. 42:17(a)(2), to discuss Legal Counsel's recommendation regarding Act 360 of 2013.**

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

Yes: (12) Brooksie Bonvillain, Joel Dupré, Pamela Egan, Joseph Farr, William Fenstermaker, Robert Levy, Richard Lipsey, Edward Markle, Roy Martin III, W. Clinton Rasberry, Jr., Albert Sam II and Joseph Wiley

No: (0)

Abstain: (0)

Absent: (4) Mark Abraham, Charlotte Bollinger, Raymond Brandt, and Chris Gorman

The Committee returned to regular session at 4:12 p.m. Chair Rasberry announced that during executive session, the Board discussed the legal implications of Act 360 of the 2013 Regular Session. No action was taken and no polling or voting conducted. Regent Rasberry mentioned there were grave concerns about the deviation from the constitutionally prescribed process and the policy implications of Act 360. He said the Board believes they were correct in defending that process during the legislative session as the only means to develop a unified, comprehensive and impartial capital outlay budget for all of higher education. Regent Rasberry continued by saying that the legislature and the governor, to whom the Board is constitutionally responsible for providing advice and recommendations, took a different view. He said the Board will continue its efforts as the coordinating board to advocate for all of higher education.

#### ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 4:14 p.m.