

**UNIVERSITY OF LOUISIANA AT LAFAYETTE
FACULTY SENATE REPORT**

Governmental Concerns Committee

Name of Committee

Robert Slater

Person Submitting Report

4/24/19

Date

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Task of Committee (please indicate the task of your committee here):

“The Governmental Concerns Committee shall call to the attention of the Senate issues pending before governmental bodies which affect higher education and shall furnish the Senate with information necessary to understanding such issues.”

Progress Report:

#	Since the last Faculty Senate Meeting, the <u>following has been accomplished:</u>
1.	The Committee has met and it has monitored upcoming legislation pertaining to higher education.

The 2019 Regular Legislative Session will convene at noon on Monday, April 8, 2019. Final Adjournment no later than 6:00 pm on Thursday, June 6, 2019.

HB121 FALCONER

Pending House Education

[more...](#)

COLLEGES/UNIVERSITIES: Requires public postsecondary education management boards to establish policies for forgiveness of unpaid student tuition and fees of certain students who have resigned and seek reenrollment

Abstract: Requires public postsecondary education management boards to establish a policy for forgiving a student's outstanding tuition and fees if the student reenrolls in the same institution.

Present law requires that all debts owed to the state be referred to either the attorney general's office or to the office of debt recovery within the Dept. of Revenue for collection.

Proposed law requires each public postsecondary education management board to develop policies providing for waivers of outstanding tuition and fees of a student who withdraws from and who reenrolls in the same education institution.

Proposed law provides the following conditions of eligibility for a student seeking a waiver:

- (1) He is at least 25 years old.
- (2) He withdrew from the institution at least three years prior to reenrolling.
- (3) He returns to continue undergraduate coursework.

Proposed law requires each board to notify the office of the attorney general when a student's outstanding tuition and fees are waived.

HB294 CARPENTER

Pending House Education

[more...](#)

HIGHER EDUCATION: Provides for anonymous sexual assault climate surveys at public postsecondary educational institutions

Abstract: Provides relative to sexual assault climate surveys on college campuses.

Present law requires that, when funding is made available, each public postsecondary education institution shall administer an annual, anonymous sexual assault climate survey to its students. Proposed law retains present law except removes the stipulation that administration of the survey is subject to funding and changes frequency of administration of the survey from annual to triennial. Proposed law allows for inclusion of sexual assault climate survey as separate and clearly identified component of broader campus safety surveys.

Present law requires the Bd. of Regents, in consultation with the public postsecondary education management boards, to establish procedures for the administration of the survey. Authorizes use of the Center on Violence Against Women and Children at the Rutgers University School of Social Work as a model. Proposed law requires the Bd. of Regents, in

consultation with the public postsecondary education management boards, to research and select an agency or vendor to assist in developing the survey and to develop the survey in accordance with national best practices.

Present law additionally requires the Bd. of Regents to:

(1) Submit a written report, not later than September 1st of each year, regarding the survey results to the House Committee on Education, Senate Committee on Education, and the governor.

(2) Publish the survey results on the board's website and in any other location or venue the board deems necessary or appropriate.

Proposed law retains present law except changes frequency of submission of written report from every year to every three years, with the first report due by Sept. 1, 2023.

Present law requires each public postsecondary education institution to report survey results to the Bd. of Regents.

Proposed law retains present law.

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

[HB470 GLOVER](#) Pending House Education [more...](#)
COLLEGES/UNIVERSITIES: Provides for the merger of Louisiana Tech University and Louisiana State University at Shreveport

[HCR24 GLOVER](#) Pending House Education [more...](#)
HIGHER ED/BD REGENTS: Requests that Bd. of Regents study how to meet education, economic, and workforce needs of the Shreveport-Bossier region, including through establishment of Southern Univ. Law Center campus in Shreveport

[SB117 WALSWORTH](#) Pending Senate Education [more...](#)
POSTSECONDARY ED: Provides relative to postsecondary textbooks and instructional materials. (gov sig)

[SB194 MORRISH](#) Pending Senate Education [more...](#)
EDUCATION DEPARTMENT: Provides for development of a statewide framework for dual enrollment. (8/1/19)

[SB203 WALSWORTH](#) Pending Senate Education [more...](#)
POSTSECONDARY ED: Provides with respect to student financial assistance. (8/1/19) (OR INCREASE SD EX See Note)

[SR10 W.BISHOP](#) Pending Senate Education [Sched. for 4/25/19](#) [more...](#)
TOPS: Requests the Board of Regents to study the feasibility of updating TOPS reporting requirements.

Committee Members Present at Committee Meetings: N/A

Anticipated Future Plans

#	Before the next Faculty Senate Meeting, the <u>following actions are planned:</u>
1.	<i>Meet with the members of the Committee to discuss and monitor legislation and report to Senate</i>

Action Required by the Faculty Senate (list any action that needs to be taken by the Faculty Senate as a result of this report)

No action required

2019 may be light on Louisiana legislative action

Melinda Deslatte, Associated Press Published 7:11 a.m. CT Jan. 14, 2019

BATON ROUGE – Louisiana residents hoping to see the governor and lawmakers tackle the state’s entrenched problems and enact sweeping change might need to lower their expectations. This year probably won’t be the year for them.

The Louisiana State Capitol building. (Photo: Greg Hilburn/USA Today Network)

The two-month regular legislative session that starts in April comes after 10 mostly contentious legislative sessions – including seven special sessions to deal with state finances – were packed into three years. It also comes in an election year.

Many lawmakers are likely to be less ambitious after the exhausting budget and tax battles they’ve waged since 2016. In addition, lawmakers and Gov. John Bel Edwards likely will be less interested in irking voters in a year where they’re running to hold onto their current seats or to advance to new elected positions.

Election-year sessions often aren’t memorable, and they’re not typically known as reform years.

That’s not to say some people won’t try to be ambitious. A few lawmakers are talking about trying to rewrite Louisiana’s tax laws. Chatter continues about trying to raise the gas tax to address a multibillion-dollar backlog of road and bridge work. Others want to overhaul Louisiana’s method of collecting sales taxes. Some want to revisit additional hot-button topics of years past.

By [The Associated Press](#)

Conservative House [Republicans](#) don’t intend for Louisiana’s newfound budget stability to end the state’s financial battles, particularly in an election year that could be viewed as a referendum on Democratic Gov. [John Bel Edwards](#)’ handling of state spending.

A joint House and Senate budget meeting last week offered a preview of the financial disputes on the horizon for the two-month legislative session that begins in April. House Republicans and the Edwards administration tangled at the meeting with raised voices, jabs about election-year politicking, and traded allegations that laws were being violated.

The dividing lines remain the same, with a segment of conservative House Republicans, including House GOP leaders, at odds with the Edwards administration over tax policy, spending levels, and the growth of government.

The tactics have altered slightly, with fights focused on the state’s income projections and the mechanics of filing budget documents. But the philosophical disagreements and the politics are the same — amped up by statewide elections only months away, in which Edwards is seeking re-election against Republican opponents, and lawmakers are vying to keep their seats or move to new positions.

The latest skirmishes kicked off a few months ago when House Speaker [Taylor Barras](#) and House Appropriations Chairman [Cameron Henry](#), both Republicans, blocked increases to state income projections.

Nonpartisan economists recommended the forecast boosts. The Edwards administration and Republican Senate President [John Alario](#), an ally of the governor, backed the changes. But Barras and Henry said Louisiana's economy was too unstable to justify the adjustments.

The Edwards administration accused the House leaders of trying to manipulate financial projections to keep the governor from proposing the budget he wanted with teacher pay raises included.

Rather than be bound to a forecast without the economists' latest figures, Edwards gave the Legislature a budget proposal in February that was a wish list, assuming the money would eventually be recognized during the session. The governor included the teacher raise, along with other education and health spending hikes.

Republicans didn't immediately object to the budget proposal, but House GOP leader Lance Harris and Republican Rep. Rick Edmonds raised concerns a month later at Tuesday's joint budget meeting.

Edmonds suggested Edwards violated the state constitution, by not matching the spending plans to available, recognized revenue. Commissioner of Administration Jay Dardenne, the governor's top budget adviser, said Barras hadn't followed state law requiring the Revenue Estimating Conference to "revise the official forecast for the ensuing fiscal year" by January. The last financial forecast for the upcoming year was adopted in June, without the improved expectations of economists and without billions that agencies expect to receive from fees, fines, and other revenue sources.

Edmonds, of Baton Rouge, said the governor's budget proposal "puts us in the predicament of a useless document" that he described as "in violation of the Louisiana Constitution."

In an exchange that grew increasingly tense, Dardenne said: "It is not in violation of the Louisiana Constitution, and no one has seen fit to file suit and contend that."

Harris, of Alexandria, questioned the precedent Edwards set by offering an aspirational budget that doesn't match the official revenue forecast.

Dardenne replied: "It's not a bad precedent for any future governor because hopefully we're never going to be in this situation again where we play these games about what the revenue of the state is."

Left unquestioned was why House Republican leaders who have touted independence would care if they got an accurate budget proposal from Edwards or not, since they criticize his approach to state spending and likely would want to heavily rewrite his budget.

Harris transitioned to Edwards' questionable campaign talking point that he and lawmakers cut taxes last year, particularly since over the course of the governor's full term since 2016, taxes have increased and people are paying more.

"I'm just trying to make that math work," Harris said.

Dardenne suggested that if lawmakers in the majority-GOP Legislature think taxes are too high, they can offer a specific list of where they'd like to cut spending.

"Heretofore, I have not seen a willingness to say, 'Here's what I don't want to fund anymore,' " he told Harris.

Expect that tense tone and accusation trading to continue into the legislative session that starts in two weeks and well beyond that, until the October election.

- *Melinda Deslatte, Associated Press*

Gov. Edwards proposing \$19 million more for Louisiana higher education

Posted Mar 20, 2019

Gov. John Bel Edwards is asking lawmakers to spend \$19 million more this year on higher education than was budgeted. Dinah Rogers photo

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By **The Associated Press**

BATON ROUGE — Gov. [John Bel Edwards](#) is asking lawmakers to spend \$19 million more this year on higher education than was budgeted, to fill gaps in the [TOPS](#) college tuition program, help schools facing accreditation reviews and pay for boosted online resources for students.

The items are included on a list of additional spending requests for the budget year ending June 30 that the Democratic governor is asking [lawmakers](#) to finance in their upcoming legislative session. The Board of Regents provided a detailed breakdown of the [higher education](#) proposals Wednesday to The Associated Press.

The highest-price-tag item is \$5.9 million for TOPS, which costs more for this school year than the \$295 million lawmakers allocated for it. Lawmakers regularly fill late-year gaps in the free tuition program.

Other dollars would pay for LSU's Pennington Biomedical Research Center to recruit faculty, an expense matched with private foundation money. The [LSU](#) and [Southern University](#) AgCenters would get more cash, and LSU's New Orleans medical school would receive more than \$2 million to pay a new lease arrangement with the Louisiana Cancer Research Center.

New Louisiana budget fights emerge in 2019

Under the governor's proposal, \$3 million would be steered to online resources for students, such as electronic textbooks, an initiative that Regents spokeswoman Meg Casper Sunstrom said seeks to reduce costs for students who have seen tuition and fees grow.

Another \$5 million would give cash influxes to three campuses under accreditation review, amid concerns they are at risk of losing the validation standard. The schools include Northshore Technical Community College, Central Louisiana Technical Community College and the University of Louisiana at Monroe's pharmacy school.

House Appropriations Chairman Cameron Henry questioned the accreditation-related spending during a joint House and Senate budget hearing Tuesday. He said the schools should try to "rework their business model."

"It can't be, 'When in doubt, we'll just go to the Legislature and get more money.' That's not sustainable," said Henry, a Jefferson Parish Republican.

Barbara Goodson, the governor's deputy commissioner of administration, said repeated cuts to state financing before Edwards took office have caused problems at higher education institutions.

"We're still grappling with some of these growth issues which were caused by years of less funding," she said.

Louisiana only has two pharmacy programs, one at ULM and the other at the private [Xavier University](#) in New Orleans. While Henry questioned the funding proposal, several lawmakers said Louisiana needs to ensure the viability of its only pharmacy program at a public college.

"There's a huge shortage of pharmacists in the state today. They can't graduate enough. But due to budgetary constraints, they've had to limit their enrollment," said Sen. Ronnie Johns, a Lake Charles Republican who graduated from the ULM pharmacy school. "We've got to do everything we can to keep their accreditation on an even keel."

Edwards' list of additional spending requests for the current year tops \$82 million, such as \$25 million to repay FEMA for the state's share of disaster-recovery efforts from different storms and other public-safety items previously backed by lawmakers.

Before the Louisiana Legislature can determine the fate of any of the spending proposals, Republican House Speaker Taylor Barras must agree to increase the state income forecast to provide enough money to cover the costs. Barras has blocked forecast changes so far, raising concerns about the stability of the state's economy.



Louisiana school board sends school funding increase to state Legislature

From: <https://www.nola.com/news/2019/03/louisianas-budget-becomes-political-2019-battleground.html>

Trump signs executive order on free speech at college campuses

Posted Mar 22, 2019

President Donald Trump speaks before signing an executive order on "improving free inquiry, transparency, and accountability on campus" in the East Room of the White House, Thursday, March 21, 2019, in Washington. (AP Photo/Evan Vucci)

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By **The Washington Post**

WASHINGTON - President [Donald Trump](#) signed an executive order Thursday afternoon protecting freedom of speech on college campuses, surrounded by student activists who have said conservative views are suppressed at universities.

Trump said he was taking "historic action to defend American students and American values that have been under siege."

More than 100 students joined the president in the East Room for the signing, according to a statement from the White House, along with state legislators and Health and Human Services Secretary Alex Azar and Education Secretary Betsy DeVos. The order directs 12 agencies that make federal grants, in coordination with the Office of Management and Budget, to ensure colleges are complying with the law and their own policies to promote free inquiry and debate.

It does not tie student-aid money to the order.

A senior administration official said Thursday, "Schools are already supposed to be following these rules. And essentially, each agency already conditions grants, and schools are certifying that they're following these conditions. And they will just add free speech as one of those conditions."

Trump told the students that people can have their different views, "but they have to let you speak."

Trump expected to sign executive order on free speech at college campuses

Trump's announcement earlier this month that he would make federal funding for universities contingent on assurances of free speech elicited cheers and applause at the Conservative Political Action Committee meeting. But it also prompted questions, including who would define and judge free speech, and what type of federal funding could be withheld, research dollars, student aid or both.

Many people following the issue closely said they were relieved the order does not designate or create an agency to police speech on campus.

And many continued to ask questions, saying they won't know the real impact of the order until they see how it is implemented.

"To the extent that the executive order asks colleges to do what they are either legally required to do -- follow the First Amendment, on public campuses -- or follow their own promises, on private campuses -- we think that should be uncontroversial," said Robert Shibley, executive director of the Foundation for Individual Rights in Education, which advocates for freedom of speech on campus.

"It will come down to how each agency decides to implement it, what the steps are they take to do that," Shibley said. His organization and others will watch to see if the agencies are using clearly established First Amendment principles established by the courts or by law, rather than relying on their own interpretation, he said.

Suzanne Nossel, chief executive officer of PEN America, which advocates for free expression, said what's disturbing about the order is not the language, but the political context. It must be enforced in an ideologically neutral way that upholds the government's responsibility not to discriminate based on viewpoint. Otherwise there is the risk, she said, "that an order that purports to uphold the First Amendment ends up violating it."

Ted Mitchell, president of the American Council on Education, which represents college and university presidents, said in a written statement Thursday it remains to be seen how those requirements are fleshed out. "No matter how this order is implemented, it is neither needed nor desirable," he said, "and could lead to unwanted federal micromanagement of the cutting-edge research that is critical to our nation's continued vitality and global leadership."

Spencer Brown, spokesman for the Young America's Foundation, which advocates for free speech on high school and college campuses, welcomed the order. He said it will build upon decades of efforts by the group, including a 1983 case that went to the Supreme Court after police arrested two Young America's Foundation protesters outside the Soviet Embassy in Washington who were demonstrating against the Soviet invasion of Afghanistan.

An executive order could strip colleges of funding if they don't 'support free speech'

More than a dozen student activists from the group were invited to the White House for the signing ceremony, Brown said. While suppression of certain viewpoints on campus has been a long-running issue, he said it has worsened in recent years.

"I do think we've seen a ratcheting-up of the intensity," he said, in the way conservative students "are treated as second-class citizens on campus. There has been a huge spike in opposition and attempted blocking of our events since Trump was elected president."

Kristan Hawkins, president of Students for Life of America, which has groups on high school and college campuses in all 50 states that oppose abortion, echoed that idea. "Since the election of President Trump, it's gotten more dangerous on campus," Hawkins said. "Those who advocate for legal abortion feel their backs are against the wall. It's more tense."

Students have told her about other students -- and professors -- obstructing their efforts to share their antiabortion views, such as erasing sidewalk chalk messages, throwing blankets over their tables and pulling crosses out of the ground. "They have had to fight for their First Amendment rights," Hawkins said. "This is an exciting day for us."

Trump strongly defended free speech on campus two years ago after University of California at Berkeley police canceled a talk by the provocative writer Milo Yiannopoulos when masked activists violently protested the speech, setting fires and throwing stones. Trump [tweeted](#) the next morning, "If U.C. Berkeley does not allow free speech and practices violence on innocent people with a different point of view - NO FEDERAL FUNDS?"

Many higher-education leaders have said freedom of speech is central to their academic mission.

"College and university campuses are leading the way for our society in supporting free speech," said Julie Wollman, president of Widener University in Pennsylvania, in a written statement. On most campuses that work happens daily and naturally, without fanfare, because our overarching and common mission in American higher education is to broadly educate and prepare students for active participation as engaged citizens in our democracy."

The tensions that make headlines reflect the commitment to honor and encourage free speech, Wollman said.