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Title 28 EDUCATION

Part V. Student Financial Assistance—Higher Education Loan Program

Chapter 2. Bylaws of the Louisiana Office of Student Financial Assistance (LOSFA) Advisory Board

Subchapter A. Purpose and Authority

§201. Purpose of the Advisory Board

A. The purpose of the advisory board shall be to consider those matters relating to the student financial assistance programs and Section 529 College Savings Plan of the state and to provide technical advice and recommendations to the Board of Regents through LOSFA staff on such matters.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:435 (March 1998), amended by the Board of Regents, Office of Student Financial Assistance, LR 43:1728 (September 2017).

§203. Authority of the Advisory Board

A. The advice and recommendations of the advisory board are only advisory in nature and are not binding upon the Board of Regents, its members, or its officers.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:435 (March 1998), amended LR 34:610 (April 2008), amended by the Board of Regents, Office of Student Financial Assistance, LR 43:1728 (September 2017).

Subchapter B. Meetings

§211. Regular Meetings

A. The advisory board shall hold regular meetings, but no more than 12 per year. All regular meetings shall be held at the meeting place designated by the executive director of the Office of Student Financial Assistance (OSFA). Proxy voting shall be permitted provided that the proxy holder is an officer or employee of the organization represented by the appointed member and that a proxy does not represent the appointed member at more than two of the meetings scheduled annually.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:435 (March 1998), amended by the Board of Regents, Office of Student Financial Assistance, LR 43:1728 (September 2017).

§213. Special Meetings

A. Special meetings of the advisory board may be called by the executive director of the Office of Student Financial Assistance at any time, provided the purposes of the meeting are specified, the members notified at least three calendar days before the time of the meeting, and sufficient members to form a quorum confirm their planned attendance.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:435 (March 1998), amended by the Board of Regents, Office of Student Financial Assistance, LR 43:1728 (September 2017).

§215. Compensation

A. Members of the advisory board shall be reimbursed for their travel expenses incurred in attending meetings in accordance with applicable state travel regulations if the organization represented by the appointed member does not reimburse them for their expenses and if otherwise allowed by law. No other compensation is authorized. Members may decline reimbursement for expenses.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:435 (March 1998), amended LR 34:610 (April 2008), amended by the Board of Regents, Office of Student Financial Assistance, LR 43:1728 (September 2017).

§217. Quorum

A. Six voting members of the advisory board shall constitute a quorum for the transaction of business and a simple majority of the members present at any meeting voting for or against a particular item shall be the recommendation of the advisory board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:435 (March 1998), amended by the Board of Regents, Office of Student Financial Assistance, LR 43:1728 (September 2017).

Subchapter C. Membership and Officers of the Advisory Board

§221. Membership

A. The advisory board shall be composed of 11 voting members as follows:

1. one member from each postsecondary education board to be appointed by the respective board;

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2. one member appointed the Louisiana Association of Independent Colleges and Universities (LAICU);

3. one member appointed by the Louisiana Association of Private Colleges and Schools who will represent proprietary and cosmetology schools;

4. one member to be appointed by the Louisiana Association of Student Financial Aid Administrators;

5. one private/parochial high school counselor to be appointed by the Louisiana Student Counselor Association;

6. one public/charter high school counselor to be appointed by the Louisiana Student Counselor Association;

7. one member appointed by the Board of Elementary and Secondary Education (BESE) to be rotated with one member appointed by the Department of Education;

8. one student member to be appointed by the Council of Student Body Presidents, whose rotation shall be as follows:

- a. Louisiana State University System;
- b. Southern University System;
- c. University of Louisiana System;
- d. Louisiana Technical and Community College System.

B. Term

1.a. The term of voting members shall be for two years except when the organization represented by the appointed member provides for a shorter term, in which case, the member's term shall meet the requirements of the organization represented.

b. Members may serve consecutive terms.

2. Terms shall begin on October 1 of each year.

C. Notification of Membership

1. LOSFA will send a notice to the organizations represented on the advisory board no later than July 1 of the year during which terms begin requesting appointments for the upcoming term. The organization shall respond in sufficient time to allow LOSFA to confirm the appointee's willingness to serve prior to the beginning of the term on October 1.

2. The appointee must submit the confirmation of membership by September 1 of that same year.

D. Replacements

1. If an appointee declines to participate or does not submit a timely confirmation, LOSFA shall so notify the appropriate organization and request another person be appointed.

2. If a member is unable to complete his/her term for any reason, the organization represented by that member shall appoint a replacement who shall complete the rest of

the term and shall be eligible for membership for the next two-year term.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:435 (March 1998), amended LR 33:1339 (July 2007), LR 34:610 (April 2008), LR 37:2598 (September 2011), LR 42:49 (January 2016), amended by the Board of Regents, Office of Student Financial Assistance, LR 43:1728 (September 2017).

§223. Chairman and Vice-Chairman

A. The chairman and vice chairman shall be selected annually by vote of the members of the advisory board from among the members of the advisory board. The chairman of the advisory board shall preside over all meetings, serve as ex officio member of all subcommittees, if any, designate the duties of the vice-chairman, and appoint the membership of all subcommittees, if any. The vice-chairman shall perform the duties of the chairman in the chairman's absence.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:435 (March 1998), amended LR 34:611 (April 2008), amended by the Board of Regents, Office of Student Financial Assistance, LR 43:1729 (September 2017).

§225. Executive Director of the Office of Student Financial Assistance (OSFA)

A. The executive director of the Office of Student Financial Assistance shall:

1. prepare the business agenda;
2. provide administrative support to the advisory board within the resources of his/her office allocated for that purpose;
3. approve the travel of advisory board members; and
4. in conjunction with the chairman, schedule meetings of the advisory board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:435 (March 1998), amended by the Board of Regents, Office of Student Financial Assistance, LR 43:1729 (September 2017).

Subchapter D. Business Rules

§231. Rules of Order

A. When not in conflict with any of the provisions of these bylaws, *Roberts' Rules of Order* shall constitute the rules of parliamentary procedure applicable to all meetings of the advisory board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:436 (March 1998), amended by the Board of Regents, Office of Student Financial Assistance, LR 43:1729 (September 2017).

§233. Order of Business

A. The order of business of regular meetings of the advisory board shall be as follows, unless the rules are suspended by a simple majority vote of the quorum present:

1. call to order;
2. roll call;
3. introductions and announcements;
4. corrections and approval of minutes of the preceding regular meeting and of all special meetings held subsequent thereto;
5. public comment;
6. reports and recommendations of subcommittees;
7. unfinished business; and
8. new business.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:436 (March 1998), amended LR 42:50 (January 2016), amended by the Board of Regents, Office of Student Financial Assistance, LR 43:1729 (September 2017).

§235. Meetings

A. Meetings shall be conducted in accordance with the state law governing public bodies. It shall be the policy of the advisory board that all meetings are open to the public and that parties with interest in the proceedings are encouraged to attend.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:436 (March 1998), amended by the Board of Regents, Office of Student Financial Assistance, LR 43:1729 (September 2017).

§237. Agenda

A. Prior to each regular or special meeting of the advisory board, the executive director of OSFA shall prepare a tentative agenda and forward it to each member of the advisory board at least five working days prior to such meeting. With the concurrence of its members, all matters supportive of the purpose of the advisory board may be discussed even though not scheduled on the agenda.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:436 (March 1998), amended by the Board of Regents, Office of Student Financial Assistance, LR 43:1730 (September 2017).

§239. Minutes

A. At a minimum, the minutes of the advisory board shall record official motions or recommendations that are voted on by the advisory board. The minutes may contain a summary of reports and pertinent discussion of issues. Each recommendation shall be reduced to writing and presented to

the advisory board before it is acted on. The minutes of meetings of the advisory board become official when approved by the advisory board at its next scheduled meeting but, prior to such occurrence, the minutes may be presented to the Board of Regents as the unofficial action of the advisory board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:436 (March 1998), amended by the Board of Regents, Office of Student Financial Assistance, LR 43:1730 (September 2017).

§241. Meeting Attendance

A. Members unable to continue their service on the advisory board shall so notify the chairman and request that a replacement be named in accordance with §221 of these bylaws. Members who fail to regularly attend meetings without just cause, may be removed from membership in accordance with §221 of these bylaws.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:436 (March 1998), amended LR 34:612 (April 2008), amended by the Board of Regents, Office of Student Financial Assistance, LR 43:1730 (September 2017).

§243. Subcommittees**A. Executive Committee**

1. The executive committee shall consist of four members. The chairman and vice chairman of the advisory board shall serve in those capacities on the executive committee. The remaining persons, for a total of four members, shall be appointed by the chairman of the advisory board from the other members of the advisory board.

2. The executive committee shall:

a. meet for and conduct the business of the advisory board in all instances that the public has been given notice of a meeting of the advisory board and the advisory board does not have a quorum at that meeting. In such cases, the actions of the executive committee shall have the same force and effect as if a quorum of the advisory board had taken the action;

b. consider such matters as shall be referred to it by the advisory board and shall execute such orders and resolutions as shall be assigned to it at any meeting of the advisory board;

c. in the event that an emergency requiring immediate advisory board action shall arise between advisory board meetings, meet in emergency session to take such action as may be necessary and appropriate. The executive committee shall report the actions it takes in emergency session to the advisory board for ratification at the advisory board's next meeting.

3. All official actions of the executive committee shall require a majority vote of the quorum present at the meeting.

4. The executive committee may enter into an executive session only upon two-thirds majority vote of the quorum present and only for one of the reasons specified in the Louisiana open meetings law.

B. Other subcommittees may be appointed by the chairman to perform specific functions defined by the advisory board. The membership, chairmanship, and function of subcommittees shall be determined by the chairman. Generally, the business rules defined herein shall be applicable to subcommittees.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:436 (March 1998), amended by the Board of Regents, Office of Student Financial Assistance, LR 43:1730 (September 2017).

Subchapter E. Approval and Amendment of Bylaws

§245. Approval of Bylaws

A. To receive the Board of Regents' consideration, advisory board bylaws must be favorably recommended by the advisory board and the executive director of LOSFA. Bylaws become effective upon approval by the Board of

Regents and publication as a final Rule in accordance with the Administrative Procedure Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:436 (March 1998), amended LR 34:612 (April 2008), amended by the Board of Regents, Office of Student Financial Assistance, LR 43:1730 (September 2017).

§247. Amendments to Bylaws

A. The advisory board, at any of its scheduled regular meetings, may recommend the amendment or repeal of the provisions herein upon a simple majority vote of the entire membership of the advisory board. Amendment or repeal of the bylaws becomes effective upon approval by the Board of Regents and publication as an Emergency Rule and/or a final Rule in accordance with the Administrative Procedure Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:436 (March 1998), amended LR 34:612 (April 2008), amended by the Board of Regents, Office of Student Financial Assistance, LR 43:1730 (September 2017).