

**NOTICE OF INTENT**  
**Student Financial Assistance Commission**  
**Office of Student Financial Assistance**  
Scholarship/Grant Programs  
(LAC 28:V.107 and 109)

The Louisiana Student Financial Assistance Commission (LASFAC) announces its intention to amend the Rules and Regulations of the Louisiana Student Financial Assistance Commission (LSA-R.S. 17:3021-3025, LSA-R.S. 3041.10-3041.15, LSA-R.S. 17:3042.1, LSA-R.S. 17:3048.1, LSA-R.S. 17:3048.5 and LSA-R.S. 17:3048.6).

This rulemaking amends the Commission’s Bylaws to include a public comment period at all meetings; to provide for the order of business; to delete the current standing committees, except the executive committee; and to provide additional duties and responsibilities to the executive committee.

The proposed rule has no known impact on family formation, stability, or autonomy, as described in LSA-R.S. 49:972. The proposed rule will have no adverse impact on small businesses as described in LSA-R.S. 49:965.2 *et seq.* (SFAC11130NI)

**TITLE 28**  
**EDUCATION**

**Part V. Student Financial Assistance—Higher Education Loan Program**

**Chapter 1. Student Financial Assistance Commission Bylaws**

**§107. Order of Business**

A. ...

B. Order of Business. The order of business of regular meetings of the commission 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 preceding regular meetings and of all special meetings held subsequent thereto;
5. public comment;
6. program updates and special reports;
3. 7. old business, including reports and recommendations of standing and special committees;
4. ~~unfinished business~~;
5. ~~divisional updates~~;

86. new business; and

9. adjournment.

~~7. next meeting.~~

C. Reference to Committees.

1. ~~In cases where feasible and desirable before taking action, where~~ the commission determines that it is feasible and desirable, it may should refer any subject or measure to the executive committee or to the standing or special special committee ~~in whose purview the matter falls~~.

2. The committee to which ~~the a~~ matter is referred should submit to the commission its recommendations in writing, together with any resolutions necessary to facilitate such recommendations.

D. Meetings

1. Meetings shall be conducted in accordance with state law governing public bodies.

2. ~~It is shall be~~ the policy of the commission ~~that for~~ all meetings to be open to all who wish to attend and that the public shall be granted an opportunity to comment.

3. The commission ~~may shall~~ enter into an closed or executive session only upon by two-thirds majority vote of the quorum present and only for one of the reasons specified in the Louisiana Open Meetings Law.

4. Prior to each regular meeting of the commission, the executive director, with approval of the chairman, shall prepare and forward to each member of the commission a tentative agenda for the meeting at least five working days prior to such regular meeting.

5. Upon request of three members of the commission made prior to the 5th day before the next commission meeting that a particular item be included, the chairman shall place the subject or subjects upon the agenda. ~~All matters requiring commission action, however, may be acted on even though not carried on the agenda.~~

6. The commission may add any item to its agenda during a meeting upon a simple majority vote of the quorum present.

7. Each resolution shall be reduced to writing and presented to the commission before it is acted upon.

8. All official actions of the commission shall require a simple majority vote of the quorum present at the meeting.

E. – F. ...

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 22:810 (September 1996), repromulgated LR 24:1264 (July 1998).

## §109. Committees

A. ~~Standing Committees. Unless and until otherwise decided~~ In addition to the executive committee established in these Bylaws, the commission may establish standing committees by the vote of a simple majority of the membership of the commission.

~~, the standing committees of the commission shall consist of the following:~~

- ~~1. executive committee;~~
- ~~2. budget and finance committee;~~
- ~~3. personnel committee;~~
- ~~4. internal audit committee;~~
- ~~5. planning committee; and~~
- ~~6. rules committee.~~

B.1. – E. ...

F. Executive Committee

1. The executive committee shall consist of seven members. The chairman and vice chairman of the commission shall serve in those capacities on the executive committee. ~~The chairman of each of the other standing committees or the chair's designee from his respective committee shall be a member of the executive committee.~~ The remaining persons, for a total of seven members, shall be appointed by the chairman of the commission from the other members of the commission.

2. The executive committee shall:

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

~~b. Consider~~ consider such matters as shall be referred to it by the commission and shall execute such orders and resolutions as shall be assigned to it at any meeting of the commission.

~~All official actions of the executive committee shall require a majority vote of the quorum present at the meeting. The executive committee shall also approve all budget adjustments prior to submission to the appropriate authority.~~

c. In the event that an emergency requiring immediate commission action shall arise between commission meetings, ~~it shall be the duty of the executive committee to~~ 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 commission for ratification at the commission'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.

~~3. Members of the executive committee are ex officio members of committees of the commission to which they have not been appointed as regular members. When a quorum is not present for a committee of the commission, the ex officio member(s) present shall serve as regular member(s) of the committee with voting privileges and shall be counted for purposes of affecting a quorum.~~

~~G. Budget and Finance Committee. The budget and finance committee shall consist of not less than five members of the commission. Normally, to this committee shall be referred all matters related to budget and to policies concerning the financial management of the commission and the office.~~

~~H. Personnel Committee. The personnel committee shall consist of not less than five members of the commission. Normally, to this committee shall be referred matters concerning oversight of personnel policies, staffing, and related matters. This committee shall hear appeals pursuant to the office's grievance procedure.~~

~~I. Internal Audit Committee. The internal audit committee shall consist of not less than five members of the commission. The internal auditor of the agency shall report to and be solely responsible to the internal audit committee for the performance and reporting of findings of internal audits approved by the commission as part of the internal audit plan. Every year, no later than the June meeting of the commission, the internal auditor shall submit to the~~

~~committee for its consideration a proposed annual internal audit plan covering the next fiscal year. The plan shall incorporate those internal audits, which are recommended by the executive director. The committee shall forward its recommendations for the annual internal audit plan to the commission for approval. The internal auditor shall complete each internal audit required by the annual internal audit plan and submit audit findings to the committee for its review. The committee shall forward the report of findings to the executive director, who shall be given an opportunity to submit written comments prior to the committee's consideration of the report of findings. The findings of each internal audit, the executive director's comments, if any, and any committee comments and/or recommendations shall be presented to the commission for its disposition. Normally, to this committee shall also be referred all matters related to reports of audits performed by external auditors.~~

~~J. Planning Committee. The planning committee shall consist of not less than five members of the commission. Normally, to this committee shall be referred the strategic plans and related matters.~~

~~K. Rules Committee. The rules committee shall consist of not less than five members of the commission. Normally, to this committee shall be referred all matters related to making and interpreting rules.~~

~~GL. Special Committees.~~

~~1. As the necessity therefor arises, the chairman may, with the concurrence of the commission, create special ad hoc committees with such functions, powers and authority as may be delegated.~~

~~2. The chairman may appoint ad hoc special committees for special assignments for limited periods of existence not to exceed the completion of the assigned task.~~

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 22:811 (September 1996), repromulgated LR 24:1264 (July 1998), amended LR 26:484 (March 2000), LR 27:35 (January 2001), LR 32:391 (March 2006).

Interested persons may submit written comments on the proposed changes (SFAC11130NI) until 4:30 p.m., June 9, 2011, to Melanie Amrhein, Executive Director, Office of Student Financial Assistance, P.O. Box 91202, Baton Rouge, LA 70821-9202.

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George Badge Eldredge  
General Counsel