

NEWSLINE

A publication of the
Louisiana Office of Student Financial Assistance



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Bill reauthorizing Higher Education Act of 1965 introduced in Congress

House Resolution (HR) 4283 was filed by U.S. Rep. John A. Boehner and U.S. Rep. Buck McKeon in the U.S. House of Representatives in early May as a means of reauthorizing the Higher Education Act of 1965, which must be renewed every five years.

In addition to preserving the Federal Family Education Loan Program (FFELP) and direct lending programs, the following is a brief summary of the bill's provisions.

Increases in Pell Grant limits — HR 4283 would provide extra Pell Grant aid for high-achieving first- and second-year students and year-round Pell Grant aid for students attending school throughout the year, and phase out unfair advantages in campus-based student aid which is currently based on the federal formula used to distribute money which favors some older, higher-cost institutions.

FFELP changes—HR4283 would update loan limits for first- and second-year students without increasing overall student debt (first-year student limits will increase from \$2,625 to \$3,500; second-year student limits from \$3,500 to \$4,500; aggregate undergraduate borrowing limits would remain unchanged at \$23,000; graduate unsubsidized annual borrowing limits will increase from \$10,000 to \$12,000).

The bill also reduces loan origination fees for students; provides that all federal student loans would be based on a variable interest rate, including consolidation loans; eliminates the "single loan holder" rule for consolidation loans; protects borrowers' credit history by requiring lenders to report to all national credit bureaus; and provides an interest-only repayment plan for borrowers who are having trouble meeting their student loan repayment obligations.

In addition, HR 4283 helps ensure that students receive loans and grants quickly (schools with default rates under 10 percent for three consecutive years would be permitted to waive burdensome federal rules, including a rule requiring them to wait 30 days before providing loans to first-time borrowers who are first-year students), and repeals barriers to distance education (current federal rules on schools limit the number of students who can be enrolled in distance education, and the number of courses an eligible institution may offer via distance education – the bill would repeal the 50- percent rule as it pertains to instruction by telecommunications).

HR 4283 also repeals the "90-10" rule, which under current law requires proprietary schools to demonstrate that 10 percent of their revenue is derived from sources other than federal student aid funds. While there is no evidence this requirement reduces fraud and abuse, there is significant evidence it reduces college access by raising costs and forcing many schools out of the inner cities, where most students are fully funded with federal aid.

Accessibility of information—The bill would give consumers more information about the pros and cons of student loan indebtedness; publicly identify federally funded institutions that repeatedly engage in excessive tuition hikes; make accrediting agencies more accountable by making information more public; and make transfer of credit policies public.

The bill would also clarify federal student aid rules on drug-related offenses as indicated on the Free Application for Federal Student Aid (FAFSA) Question 31 (the bill would clarify the applications of the law to students who are currently enrolled, receiving federal Title IV funding and convicted of the offense); repeal duplicate, expired and/or unnecessary programs; support efforts to prevent Pell Grant fraud (requires the federal government to improve the verification process for Pell Grant awards through an Internal Revenue Service data match); and promote financial and economic literacy (use of funds will be expanded to include education or counseling designed to improve the financial and economic literacy of students and parents).

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Newsline is a publication offering recent technical, procedural and feature information related to the scholarship/grant programs of the Louisiana Office of Student Financial Assistance. This publication also contains material related to Federal Title IV Student Aid Programs. While LOSFA believes that the information herein is accurate and factual, this publication has not been reviewed nor approved by the U.S. Department of Education.

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NEWS AND UPDATES

LOSFA Reorganizes: During a recent reorganization within the agency, several areas were renamed to more accurately reflect their responsibilities. The Program Review section (sometimes referred to as Compliance) is now the Audit Division. The Collections Section of the agency has been renamed the Default Recoveries Section.

LOSFA Hires: Karma Tanece Bailey has joined the **Public Information and Communications (PIC) Division**. Bailey is a recent graduate of Dillard University where she earned spots on both the university and national dean's lists and was a member of the Alpha Kappa Mu Honor Society.

Dave Besse has filled a recent vacancy within the **Human Resources Section** as an analyst 3. Besse is a former member of the U.S. Navy and a graduate of Louisiana State University (LSU). Prior to joining LOSFA, Besse worked in the Human Resources office for the Department of Culture, Recreation and Tourism.

Joel Ann McGrew, a former state employee, has returned to state service as an Office Coordinator 1 in the **Scholarship and Grant Division**.

Phyllis Morrison has joined the **Administrative Services Section**, working with cash receipts and imaging. Morrison joins LOSFA from a post at the Department of Environmental Quality.

Alice Thibodeaux is the new Applications Manager 2 in the Information Technology (IT) Division. A graduate of Southern University in Baton Rouge, Thibodeaux has work experience in a number of IT-related posts, mostly dealing with finance and auditing.

Carla Williams is the latest addition to the **Default Recoveries** staff, filling the role of collector. She is a graduate of LSU and Savannah Technical College. Williams worked with the state's retirement system, LASERS, before taking her post with LOSFA.

LOSFA Promotes: Veteran LOSFA employee **Kelvin Deloch** was recently promoted to the Audit Division Supervisor post. The position was previously held by **Susan Michelli**, who now serves as Audit Division Director. Deloch has been a LOSFA staffer since 1989 and was most recently working as an Auditor 3 prior to his promotion.

Jennifer Guhman, previously employed over the last four years in LOSFA's PIC Division, was recently promoted to Marketing Representative 1 with the **School and Lender Services (SLS) Section**. Guhman fills the post vacated by Jeff Cropco, who was promoted to supervisor of the section late last year.

Board appointments: Polly Broussard was recently appointed to the Louisiana Student Financial Assistance Commission (LASFAC) – the governing body for LOSFA activities. Broussard represents the Board of Elementary and Secondary Education and fills the seat vacated by Dr. Richard Musemeche.

Also new to the commission is **James Hrdlicka**, who serves as General Counsel to the Louisiana Department of Education. Hrdlicka fills the vacancy left by Dr. Bill Miller.

The Louisiana Tuition Trust Authority (LATTA), which oversees LOSFA administration of the Student Tuition Assistance and Revenue Trust (START) Saving Program, recently welcomed new member **Barbara Baier**. Baier serves the board as proxy for State Treasurer John Kennedy and fills the post formerly held by Cooper Harrell.

Also new to the LATTA is **Sen. Ben Nevers**, who replaces former Sen. Fred Hoyt.

Louisiana Legislative Session of 2004 debates financial aid program changes

The following is a summary of the financial aid bills affecting higher education that were recently passed by the 2004 Regular Session of the Louisiana Legislature. At presstime, some of the bills had been signed into law by Governor Blanco:

TOPS

HB 32 by Martiny: Changes the TOPS core curriculum for students graduating from high school in 2008 and later. Instead of an extra unit of computer, students will be required to earn an extra unit of advanced science or math. Signed by the Governor as Act 472.

HB 487 by Powell: Provides alternate eligibility requirements for students who enroll in college before high school graduation. These students must meet the TOPS Louisiana residency, citizenship and ACT requirements, demonstrate at least an IQ of 135 on the Wechsler Intelligence Scale for Children (Third Edition) and enroll in an eligible Louisiana college and successfully complete 12 hours of credit while enrolled in such a college or university on a full-time basis. Provides for up to eight semesters of eligibility. Signed by the Governor as Act 507.

SB 209 by Adley and Doerge: Revises the alternate eligibility requirements for certain students who live in an adjacent state and who attend and graduate from a Louisiana high school. Limits eligibility to students who graduated in 2001-2002 or 2002-2003. Deletes the re-

quirement for the parent to live in a state adjoining Louisiana and in a municipality having a geographic boundary that includes a portion of the state of Louisiana. Adds a requirement that the parent live in a county that adjoins a Louisiana parish that had a population between 41,600 and 42,400 according to the 2000 census (only Webster Parish meets this requirement). Currently awaits signature of the Governor.

SB 224 by Malone: Provides in law that a TOPS award may be used to cover any "cost of attendance."

SB 435 by Theunissen: Provides that agriscience I and II (two units) may be earned as the equivalent of one unit of advanced science starting with students graduating from high school in 2008.

TOPS MEDICAL

HB 1652 by Thompson and Strain: Revises the TOPS Medical program to require five years (now two) of service in a rural or medically disadvantaged area; pays all costs of medical school (now only two years), and requires a recipient to repay double the amount awarded if the terms of the contract are not met. Awaits signature of the Governor.

FEDERAL FAMILY EDUCATION LOAN PROGRAM

HB 1487 by McDonald: Authorizes the state registrar to issue a copy of a death certificate to the Of-

fice of Student Financial Assistance to allow discharges of loans when a borrower dies. Currently awaits signature of the Governor.

START

HB 486 by McDonald: For accounts closed within 12 months of opening, the amount of the refund shall be equal to the actual amount of the deposits or the current value of the deposits, whichever is less.

VETERINARY SCHOOL LOANS

HB 1357 by M. Strain: Provides a loan program for certain veterinary students specializing in food animals and for loan forgiveness in return for service. Is limited to four students per year.

STUDENT AID POLICY FORMULATION

SB 617 by Ullo: Requires the Board of Regents to formulate, develop, adopt and maintain a comprehensive state plan for postsecondary financial assistance to students that supports the board's master plan for postsecondary education. Currently awaits signature of the Governor.

LOUISIANA STUDENT FINANCIAL ASSISTANCE COMMISSION MEMBERSHIP

Act 201 (HB 257 by Crane): Adds two bankers to the Commission, effective July 1, 2004. Currently awaits signature of the Governor.

Amnesty offered defaulted borrowers

The Louisiana Office of Student Financial Assistance (LOSFA) has announced a loan amnesty program for borrowers who pay off their defaulted Federal Family Educational Loan Program (FFELP) loans before the end of the summer.

The amnesty will apply to all LOSFA collection fees, representing a savings of 19 percent of the total loan balance, provided an amount sufficient to satisfy the loan principal and interest is received on or before Sept. 1, 2004.

“This is a first-time-ever opportunity for our borrowers with defaulted student loans,” Default Recoveries Section Administrator Byron Henderson said.

“A 19-percent savings is too good to pass up, and we hope many of our 22,000

open accounts will benefit from this offer,” he added.

Borrowers that participate will receive the following additional benefits: LOSFA will notify credit bureaus and the National Student Loan Database System (NSLDS) that the loan has been paid-in-full; borrowers will be eligible for additional student aid; and borrowers will no longer be subject to Administrative Wage Garnishment (AWG) or seizure of federal or state income tax refunds.

LOSFA, the state guarantee agency for higher education loans, annually underwrites more than 171,900 FFELP loans for Louisiana’s students, representing more than \$298.6 million. Of that amount, approximately 4,700 accounts (2.7 percent), representing about \$23 million, go into default each year.

After graduation, if a LOSFA-guaranteed borrower falls more than two months be-

hind on repaying his or her student loan debt, the lender requests assistance from LOSFA’s Default Prevention Section. Most defaults are averted at this point, with less than 3 percent of LOSFA’s guaranteed annual loan volume referred on to Henderson’s Default Recoveries Section.

The Default Recoveries Section works diligently with borrowers in default, offering them many repayment options, including loan consolidation and loan rehabilitation, prior to subjecting borrowers to wage garnishment and treasury payment seizures.

For more information, or to find out your current loan balance and the payment amount necessary to qualify for the loan amnesty program, please contact LOSFA’s Default Recoveries Section at (800) 256-6882. Please be advised that this is an attempt to collect a debt and any information obtained will be used for that purpose.

Federal audit of agency results in few findings

During April 20-28, seven auditors with the U.S. Department of Education (ED) conducted a comprehensive agency review of the Louisiana Office of Student Financial Assistance (LOSFA).

“Overall, we received a very clean report,” Lynda Downing, director of Loan Administration, said. “The auditors gave us glowing comments on staff preparation, cooperation and efficiency. They were very impressed with our operations.”

The ED conducts periodic site reviews to ensure a guarantor’s conformity to legislation and regulations governing the Federal Family Education Loan Program (FFELP), and to provide technical assistance with any program administration problems encountered.

Following a conference call between the agency and the auditors in January 2004, ED required LOSFA to provide a lengthy list of documents within certain deadlines.

Many documents were assembled electronically and forwarded to auditors in advance of their visit.

Peter Sweet, ED senior guarantor and lender review specialist, led the auditing team that hailed from offices based in New York, Dallas, Atlanta, San Francisco and Washington, D.C. Downing met with Sweet for daily briefings during the period the auditors were on-site.

“The ED looked at reports documenting LOSFA’s procedures, fiscal policies, operations, systems, financial solvency, governing body oversight and contracts with outside vendors,” Downing said. “They also went through individual ac-

counts with a fine-tooth comb, making sure they were processed according to federal regulations.”

Downing said the auditors worked from the 79-page Financial Partnership Guarantee Agency Review Guide, checking and measuring agency procedures against the ED regulations guidebook.

“The audit resulted in only two findings, the most critical of which was our ability to implement a disaster recovery plan,” Downing said.

“Disaster plans have become an issue for ED since the Oklahoma City bombing,” she said. “It’s important for us to be up-and-running within a few days following a catastrophic event. We look forward to working with the state’s Division of Administration to develop and test such a plan.”

Trailblazer camps provide students with essential financial aid savvy

The Louisiana Office of Student Financial Assistance (LOSFA) offered its eleventh annual Trailblazer Camp for selected high school seniors at Northwestern State University in Natchitoches, July 11-13 and at Southeastern Louisiana University in Hammond, July 25-27.

The Trailblazer Camps are LOSFA's innovative approach to informing high school students about financial aid opportunities for postsecondary education.

Each year, high school guidance counselors are urged to select one camp participant and one alternate to attend the fun-filled summer camp located on an inspiring college campus. The nominees must be college-bound seniors, academically outstanding and effective public speakers within their peer group.

Trailblazers receive extensive training in state scholarship programs (includ-

ing the Tuition Opportunity Program for Students – TOPS), college admissions



procedures, financial aid applications, federal grant and loan programs, career choices and surfing the Web for alternative postsecondary funding sources.

This unique experience provides campers with food and overnight accommodations in a college dormitory. During the three-day and two-night adventure,

Trailblazers participate in workshops, training sessions and contests. Between working sessions, campers have the opportunity to get to know their peers from across the state, as well as learn more about life on campus. Evenings are devoted to fun activities and entertainment.

The camp leaders are selected members of LOSFA's Public Information and Communications (PIC) Division, chosen for their expertise and enthusiasm. This year's camp theme is, "Life: Get in the Game," based on the popular board game.

When the campers return to their high schools in the fall, the new Trailblazers are well-equipped to share their expanded knowledge base and recently acquired expertise with fellow students, in cooperation with and under the supervision of their guidance counselors.

Transportation to and from the campsite is the student's responsibility. Directions and an agenda will be mailed to participants. For more information, call toll-free (800) 259-5626, Ext. 1012.

Recoveries holding in spite of shrinking inventory

The Louisiana Office of Student Financial Assistance (LOSFA) Default Recoveries Section, formerly known as Collections, continues to maintain an outstanding recovery rate in the face of declining inventories.

"Our sister section, Default Prevention, is averting more defaults," Byron Henderson, Default Recoveries supervisor, said. "That is a positive trend. With defaults that can't be averted,

collectors are increasing our success rate in resolving many of these bad loans by means of rehabilitation and consolidation."

The value of rehabilitated loans rose last year from \$2 million to \$2.9 million and Henderson anticipates a rehabilitation figure of \$3 million this year. "This is another reason for our declining inventory," he said.

Last year, Henderson's unit achieved a total recovery of \$30 million. "While this is not a record-setting figure compared to past perfor-

mance, it is a highly laudable accomplishment in light of our shrinking inventory," he said.

"In light of the agency's highly successful default prevention efforts, the defaults that can't be averted are more difficult to recover," Henderson said.

The section carries 22,000 active accounts. The rate of decline is evident when compared with active collection accounts in previous years: 26,000 last year; 30,000 two years ago; and 32,000 three years ago.

LOSFA Spotlight on Legal Division

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s a result of a structural reorganization of the Louisiana Office of Student Financial Assistance (LOSFA), the Office of General Counsel has been expanded to provide the executive director with critical support in discharging the agency's role, scope and mission.

A man of many hats, **George Eldredge** now serves as general counsel to the following three entities: the agency, the Louisiana Student Financial Assistance Commission (LASFAC) and the Louisiana Tuition Trust Authority (LATA), in addition to overseeing the day-to-day operations of the three agency divisions that comprise the Office of General Counsel: Legal, Audit and Human Resources.

When the Louisiana Legislature is in session, Eldredge provides legal support. He is also on board when LOSFA Executive Director Jack Guinn testifies before the Legislature, and has, upon occasion, testified himself. Moreover, Eldredge drafts rules to implement acts of the Legislature and reviews internal policies for agency employees and guidelines for program administration.

A graduate of Louisiana State University (LSU) in Baton Rouge, Eldredge received a bachelor of arts degree in 1972 and a juris doctorate from LSU Law School in 1974.

Six years of service in the U.S. Air Force as a judge advocate ensued, followed by three years as deputy general counsel at the Louisiana Department of Natural Resources (DNR). Chosen as the first general counsel for the newly created Louisiana Department of Environmental Quality (DEQ), Eldredge later established a private law firm in Baton Rouge specializing in environmental law in which he practiced for 15 years. He has served at LOSFA for almost five years.

LEGAL DIVISION

The Legal Division staff consists of two senior attorneys (Robyn Lively and Brock Avery), two paralegals (Lorrie Powers and Wendy Miller Garcia) and an executive services assistant (Vanessa Starns).

The staff provides program support to agency staff members responsible for administering the Tuition Opportunity Program for Students (TOPS), the Student Tuition Assistance and Revenue Trust (START) program, the Federal Family

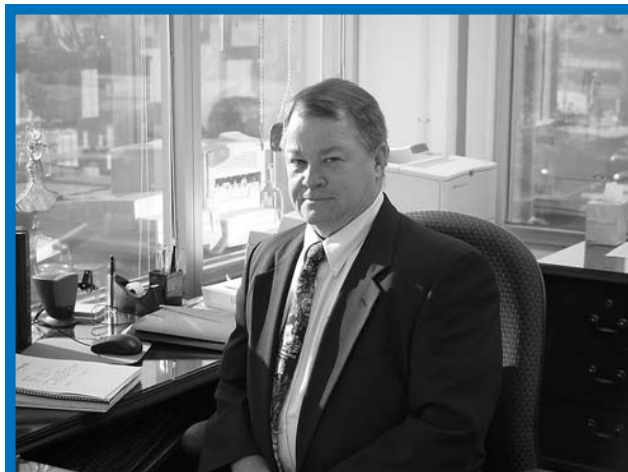
Attorney, **Robyn Lively** provides the primary support for AWG proceedings.

When a student borrower goes into default, LOSFA can garnish his or her wages. Before wage garnishment can occur, the student must be given an opportunity to challenge the claim by either demonstrating that the debt is not owed or is not owed in the amount claimed. This is called due process. The AWG Unit of LOSFA's Collections Section must give written notice to a borrower of LOSFA's AWG intentions and the borrower's right to request a hearing.

There were 128 AWG hearings in 2000-01, 110 in 2001-02, 115 in 2002-03, and 50 in 2003-04 as of the end of March 2004.

When the Legislature is in session, Lively assists Eldredge in tracking legislation that may affect individual employees of the agency: retirement, human resources, health and employment.

She also represents the agency on the National Council of Higher Education Loan Programs (NCHELP) Regulations Committee, which tracks all current FFELP bills in Congress and accepts and makes recommendations to the NCHELP community regarding



George Eldredge, general counsel to LOSFA, LATA and LASFAC

Education Loan Program (FFELP) and other scholarship and grant programs.

"We make sure the procedures and policies used in administering these programs are in keeping with the law, that their processes can be electronically programmed by the Information Technology (IT) Division and that they can be easily explained to the public by the Public Information and Communications (PIC) Division," Eldredge said.

"Generally speaking, if there's a law or rule involved, we get involved," he said.

Administrative Wage Garnishment (AWG): Recently promoted to Senior

the loan program.

Lively also represents LOSFA on the Common Manual governing board, which forms policy governing the U.S. Department of Education (ED) loan programs, and explains those policies and programs to schools and lenders.

In addition, Lively sits on the agency committee that hears requests for exception to the TOPS initial, continuous, and full-time enrollment requirements and the TOPS requirement to earn 24 hours annually.

Receiving her bachelor of arts degree with a major in English from LSU in 1997, Lively

LOSFA Spotlight on Legal Division

earned a juris doctorate from LSU Law School in 2000. She then practiced law for one year at a private law firm in Lafayette, primarily practicing personal injury law and providing legal defense for the city of Lafayette, including collections. Lively has served as an attorney at LOSFA since 2001.

Bankruptcy: When a borrower files bankruptcy, his or her student loan account is forwarded to the Legal Division Senior Attorney **Brock Avery** for processing.

“It is difficult, but not impossible, for a borrower to discharge a student loan due to bankruptcy,” Avery said. “The number of discharged loans has diminished over the years because of a very high standard set by Congress.”

If Avery determines the claim to be legitimate, LOSFA will acquiesce to discharging the loan. If not, since LOSFA is the state guarantor of FFELP loans, Avery will represent the state in bankruptcy litigation in federal bankruptcy courts.

Avery also sits on the agency committee that hears student requests for exception to the TOPS initial, continuous and full-time enrollment requirements and the TOPS requirement to earn 24 hours annually.

In addition, Avery coordinates LOSFA executive staff meetings convened to determine whether students suffered circumstances beyond their immediate control (exceptional circumstances), which prevented full time attendance. Avery processes the requests based on the recommendations of the executive staff.

In support of Louisiana’s Section 529 college savings program, the START Saving Program, Avery represents the agency by sitting on the national College Saving Plan Network (CSPN) legal committee.

A graduate of LSU, Avery received a bachelor of arts degree with a major in political

science in 1993 and a juris doctorate from LSU Law School in 1997. He practiced law for one year at a private law firm in Shreveport, specializing in employment law and criminal defense. Eighteen months of service on Medicaid cases at the Department of Health and Hospitals (DHH) preceded his employment with LOSFA in 1999.

Legal Support Services: Paralegal **Lorrie Powers’** primary responsibility is processing the administrative end of bankruptcy proceedings.

Executive Assistant: Vanessa Starns serves as direct support to Eldredge in all matters pertaining to the administration of the Office of General Counsel. She also assists Powers in locating and obtaining the historical case materials from the bankruptcy courts.

Powers and Starns also provide administrative support to Lively and Avery with AWG and FFELP matters.

Starns recently rejoined the Legal Division from the agency’s Scholarship and Grant Division, where she served as office coordinator for 18 months. Prior to that time, she had been the Legal Division clerk.

Agency Safety: Wendy Miller Garcia, agency safety officer, is responsible for ensuring that building codes are up-to-date, fire drills are executed, organizing the quarterly safety meetings and ensuring that personnel meet driving safety standards.

Garcia participates in regular workshops held at the Office of Risk Management at the Division of Administration designed to keep safety officers abreast of changes in policy or procedure. She also maintains the general counsel’s schedule of appointments and provides assistance to the agency’s Executive Division staff for monthly LASFAC meetings.

As a paralegal, Garcia provides paraprofessional legal support to the attorneys, particularly in preparation for hearings and trials and provides support to the general counsel in rulemaking.

A 1994 graduate of the LSU Paralegal Studies Program, she served at former Gov. John McKeithan’s law firm, following 22 years of service with the EBR Parish Sheriff’s Office.



Front, left to right: Senior Attorney Robyn Lively, Agency Safety Officer Wendy Miller Garcia. Back, left to right: Executive Assistant Vanessa Starns, Senior Attorney Brock Avery, Not pictured: Paralegal Lorrie Powers.

When Powers took over the position seven years ago, she inherited cases that had remained open from the 1960s. It has taken most of the past six years for her to update the historical caseload to within 25-30 cases out of the 10,000 files she has closed out.

Prior to her employment at LOSFA, Powers worked for Bank One. She attended Seminole Community College in Sanford, Fla. and serves as a notary public for East Baton Rouge (EBR) and Livingston Parishes.

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