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Executive Orders

EXECUTIVE ORDER DCT 80-16

WHEREAS, The Older Americans Act of 1965 as amended requires the delineation of Planning and Service Areas for purposes of planning, coordination and implementation of services and programs for the elderly population of the State; and

WHEREAS, the Older Americans Act of 1965 as amended mandates the establishment of area agencies on aging to work cooperatively with the state agency on aging to plan, coordinate and administer programs for the elderly; and

WHEREAS, area agencies shall be designated and shall operate through the Office of Elderly Affairs to plan, coordinate and administer programs and services for the elderly,

NOW, THEREFORE, I, DAVID C. TREEN, Governor of the State of Louisiana, in order to facilitate the administration of the Older Americans Act and all the programs thereof, do hereby authorize the Office of Elderly Affairs to designate planning and service areas to coincide with the geographic boundaries of the sixty-four parishes of the State of Louisiana and to designate Area Agencies on Aging therein to provide an effective and efficient community based system of comprehensive planning and coordination of services to the elderly population of Louisiana.

IN WITNESS WHEREOF, I have hereunto set my hand officialy and caused to be affixed the Great Seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this the 1st day of August, A.D., 1980.

David C. Treen
Governor of Louisiana

Policy and Procedure Memoranda

POLICY & PROCEDURE MEMORANDA Office of the Governor Division of Administration Policy & Procedure Memorandum No. 49 (Revised)

Subject: General Travel Regulations
Effective: August 20, 1980

Pursuant to the authority extended by Louisiana Revised Statutes 39:231, the following travel regulations have been established by the Commissioner of Administration. The regulations and allowances contained herein pertain to the travel of State officers and employees on official State business, the expenses incurred therein and the maximum claims for reimbursement that will be allowed. These regulations apply to all State Departments, boards, and commissions created by the Legislature or Executive Order and operating from funds appropriated, dedicated, self-sustaining and/or federal funds.

Legal Basis - R.S. 39:231 — "The Commissioner, with the approval of the Governor, shall prescribe rules defining the conditions under which each of various forms of transportation may be used by State officers and employees and used by them in the

discharge of the duties of their respective offices and positions in the State service, and he shall define the conditions under which allowances will be granted for all other classes of traveling expenses and the maximum amount allowable for expenses of each class."

Scope of Regulations — The following regulations cancel and supercede all preceding travel regulations and special approvals or exceptions granted accordingly by the Commissioner of Administration to specifically include departmental regulations as provided for in Section II C herein. All agencies which desire to retain special approvals or exceptions to the state travel regulations must re-submit a request for approval or exception to the Commissioner of Administration within thirty days of the adoption of these regulations.

These regulations are adopted in accordance with the Louisiana Administrative Procedures Act and thereby will become effective on the date of publication in the *Louisiana Register*.

I. Definitions: For the purpose of this section, the following words have the meaning indicated.

A. State Officer —

1. State Elected Officials.

2. Department Head as defined by Title 36 of the Louisiana Revised Statutes (Secretary, Deputy Secretary, Undersecretary, Assistant Secretary, and the equivalent positions in Higher Education and the Offices of Elected Officials).

B. State Employee — Employees below the level of State Officer.

C. Authorized Persons — Advisors and consultants who are called upon to contribute time and services to the state who are not otherwise required to be reimbursed through a contract for professional, personal or consulting services in accordance with R.S. 39:1481 et seq.

D. Official Domicile —

1. The official domicile of an officer or employee assigned to an office shall be the city in which the office is located, except where domicile is fixed by law.

2. The official domicile of a person located in the field shall be the city or town nearest to the area where the majority of work is performed, or such city, town, or area as may be designated by the department head, provided that in all cases such designation must be in the best interests of the agency and not for convenience of the person.

3. Every State Officer or Employee, except those on temporary assignment, shall be assigned an official domicile, and no travel or subsistence expenses shall be allowed at the place of official residence unless granted under the provisions of VI-A-5.

E. Temporary Assignment — Any assignment made for a period of less than thirty-one consecutive days at a place other than the official domicile.

F. Traveler — A State Officer, State Employee, or authorized person when performing authorized travel.

G. Travel Period — A period of time between the time of departure and the time of return.

H. In-State Travel — All travel within the borders of Louisiana.

I. Out-of-State Travel — Travel to other states within the continental United States.

J. Travel Outside the Continental United States — All travel to states, nations, or territories outside the continental United States.

K. Special Meals — Meals for non state officials or employees who are considered guests of the state.

II. Exceptions to Regulations — The Travel Regulations established by the Commissioner of Administration shall govern reimbursement of travel expenses (transportation, meals, lodging, and miscellaneous expenses) for all State Officers and Employees with the following exceptions.

A. Where allowances are fixed by law.

B. Where the best interests of the State call for exceptions; however, no change from the established regulations will be

allowed without first securing prior written approval from the Commissioner of Administration.

C. Department heads may establish travel regulations within their respective agencies, but such regulations shall not exceed the maximum limitations established by the Commissioner of Administration. Three copies of such regulations shall be submitted for prior review and approval by the Commissioner of Administration.

D. Department heads may, in special instances, allow their employees to exceed the lodging and meals provisions of these regulations by no more than twenty percent on a case by case basis. Each case must be fully documented as to necessity (i.e., convention or conference held in same hotel, proximity to meeting place, etc.) Documentation must be readily available in the Department's travel reimbursement files.

E. Unless exception to these regulations is requested and approved, the rates and procedures contained herein will be the only basis upon which reimbursement may be made.

III. Eligibility for Reimbursement of Travel Expenses.

A. All State Officers and Employees are eligible to receive reimbursement for travel and subsistence only when away from "official domicile" or on temporary assignment or unless reimbursed under provisions of VI-A-5.

Temporary assignments will be deemed to have ceased after a period of thirty-one days, and after such period, the place of assignment shall be deemed to be his/her official domicile. He/she shall not be allowed travel and subsistence unless permission to extend the thirty-one day period has been previously secured from the Commissioner of Administration.

B. A State Officer or Employee whose residence is other than the official domicile of his/her office shall not receive travel and subsistence while at his/her official domicile nor shall he/she receive reimbursement for travel to and from his/her residence.

C. State Officers will be reimbursed on an actual expense basis for all reasonable travel expenses except in cases where other provisions for reimbursement have been made by statute. In cases where actual expenses are claimed, all State Officers will cooperate to the extent that all records of travel will be clear and complete. Receipts and other supporting documents must accompany the request for reimbursement.

IV. Authority to Incur Traveling Expenses (Applicable to all State Officers and Employees)

A. All travel must be authorized and approved in writing by the head of the department, board, or commission from whose funds the traveler is paid. A file shall be maintained on all approved travel authorization. Attachment "A" depicts the format to be used for travel authorization.

B. Traveling expenses of travelers shall be limited to those expenses necessarily incurred by them in the performance of a public purpose authorized by law to be performed by the agency, and must be within the limitations prescribed.

V. Transportation (Applicable to all State Officers and Employees)

A. Travel Routes — The most direct and usually traveled route must be used by official State travelers. All mileage shall be computed on the basis of odometer readings or from point of origin to point of return on the basis of the current official state Department of Transportation and Development highway map. For out-of-state travel mileage shall be computed on the basis of standard highway guides. Any substantial deviations from distances shown in the standard highway guides shall be documented.

B. Method of Transportation — A common carrier (train, bus, or airplane) should be used for out-of-state travel. As otherwise provided herein, air travel by State Officers and Employees will be reimbursed only at coach or economy class rates. The difference between the air coach or economy class rates and first class air rates will be paid by the traveler, if travel was performed at first class air rates. If space is not available in less than first class air accommodations in time to carry out the purpose of the travel, the

traveler will secure a certification from the airline indicating this fact. The certification will be attached to the travel voucher. When the use of a privately-owned automobile for out-of-state travel has been approved in accordance with Section V-C-8, the traveler shall be reimbursed transportation cost in accordance with Section VI-A-1 not to exceed the cost of travel by coach/economy class air rates. Reimbursement shall be on the basis of the most direct route.

C. State-Owned Automobiles.

1. No State Officer or Employee may operate a State-owned vehicle without having in his possession a valid State Driver's License.

2. No State-owned vehicle may be operated in violation of the State or Local laws.

3. All accidents, major or minor, involving State-owned vehicles must be reported on standard state police form SR-10 and immediately sent in writing to the Insurance Section of the Division of Administration, together with name and addresses of available witnesses and principals.

4. All purchases made on state gasoline credit cards must be signed for by the State Officer or Employee making the purchase, and the license number and the unit price and quantity of the commodity purchases must be noted on the delivery ticket by the vendor. Items incidental to the operation of the vehicle may be purchased via state gasoline credit cards only when away from official domicile on travel status. In all instances, where a credit card is used to purchase items or services which are incidental to the operation of a vehicle, the tissue copy of the credit ticket along with a written explanation of the reason for the purchase will be attached to the report required in Item 7 of this section.

5. Travelers in State-owned automobiles, who purchase needed repairs and equipment while on travel status, shall make use of all fleet discount allowances and State bulk purchasing contracts where applicable. Each agency/department shall acquaint themselves with the locations of such allowance and/or contracts by contacting the Purchasing Office, Division of Administration.

6. No State Officer or Employee may carry unauthorized passengers in State-owned automobiles unless their presence is for purposes relating to official State business.

7. The user of each state-owned automobile shall submit a monthly report to the department head, board, or commission indicating the number of miles traveled, odometer readings, credit card charges, dates, and places visited. When an agency car pool vehicle is used, the traveler, upon returning the vehicle to the pool, shall report the operating condition of the vehicle to the person designated as the responsible assigning officer.

8. No state-owned vehicle may be taken outside the geographic boundaries of the State of Louisiana without written permission of the Commissioner of Administration prior to the time of departure.

D. Personally-Owned Vehicles.

1. No personally-owned vehicle may be used on official State business unless prior written approval, as outlined in Section IV-Subparagraph A, has been granted.

2. No personally-owned vehicles may be operated on official State business in violation of the generally recognized State and Local laws, including the automobile insurance coverage requirements as provided by R.S. 32:861.

3. All accidents, major or minor, involving personally-owned vehicles being operated on official State business, must be reported immediately by sending a copy of state police standard form SR-10 to the Insurance Section of the Division of Administration together with names and addresses of available witnesses and principals.

4. When two or more persons travel in the same personally-owned vehicle only one charge will be allowed for the use or expense of the vehicle. The person claiming reimbursement shall report the names of the other passengers.

5. If available, safety restraints must be used by the driver and occupants of state-owned vehicles and are recommended for use in personally-owned vehicles used for official state business.

VI. Reimbursement for Travel, Subsistence and Other Expenses.

A. Transportation — For the purposes of reimbursement, the following regulations are prescribed.

1. A mileage allowance shall be authorized for travelers using personally-owned vehicles while in the conduct of official State business. Mileage shall be reimbursable on the basis of 21¢ per mile. Mileage will be computed as provided for in Section V. The traveler shall be required to pay all operating expenses of the vehicle such as, but not limited to fuel, repairs, replacement of parts, and insurance.

2. State Officers and Employees using either State-owned vehicles or personally-owned vehicles on official State business will be reimbursed for storage and parking fees, ferry fares, and road and bridge tolls.

3. State-owned credit cards will not be issued to State Officers or Employees for use in the operation of privately-owned vehicles.

4. In no case will a traveler be allowed mileage or transportation when he/she is gratuitously transported by another person.

5. When an employee is required to use his/her personally-owned vehicle for agency activities in the immediate vicinity of his/her official domicile, the agency head may request authorization from the Commissioner of Administration for a lump sum allowance for transportation or reimbursement for transportation (mileage) as provided in Section VI-A-1. Requests for a lump sum allowance must be accompanied by a detailed account of routine travel listing exact mileage for each such route. Miscellaneous travel must be justified by at least a one month travel history to include a complete mileage log for all travel incurred showing all points traveled to or from and the exact mileage. Requests for lump sum allowance shall be granted for periods not to exceed one fiscal year. Upon the effective date of these guidelines all prior grants of lump sum allowances shall terminate.

6. Reimbursement will be made as provided for in VI-A-1 or the cost of coach/economy class commercial air rates, whichever is less. Before travel by privately-owned aircraft is authorized by a department head, traveler shall certify that (a) at least one hour of working time will be saved by such travel and (b) no other form of transportation, such as commercial air travel, will serve this same purpose.

B. Lodging and Meals — In-State/Out-of-State Travel - For purposes of reimbursement, the following rates will apply.

1. Meals only (including tips) — Employees, while on in-state/out-of-state travel, may be allowed up to the following amounts for meals.

Breakfast	-	\$ 3.00
Lunch	-	4.00
Dinner	-	8.00
		\$15.00

2. Employees may be reimbursed for meals according to the following schedule.

Breakfast — When travel begins on/or before 6:00 a.m. on the first day of travel, or extends beyond 9:00 a.m. on the last day of travel, and for any intervening days.

Lunch — When travel begins on/or before 10:00 a.m. on the first day of travel, or extends beyond 2:00 p.m. on the last day of travel, and for any intervening days.

Dinner — When travel begins on/or before 4:00 p.m. on the first day of travel, or extends beyond 8:00 p.m. on the last day of travel, and for any intervening days.

3. Lodging Only — Employees may be reimbursed actual expenses for lodging, not to exceed \$30 (plus tax) per day. Receipts from a bona fide hotel or motel for lodging shall be submitted and attached to the travel voucher.

C. Lodging and Meals in High Cost Areas — for purposes of reimbursement, the following rates will apply.

1. Meals only (including tips) — Employees, while traveling on official state business in high cost areas as designated by Section VI-C-5, may be reimbursed up to the following amounts for meals.

Breakfast	-	\$ 5.00
Lunch	-	7.00
Dinner	-	14.00
		\$26.00

2. Employees may be reimbursed for meals according to the following schedule.

Breakfast — When travel begins on/or before 6:00 a.m. on the first day of travel, or extends beyond 9:00 a.m. on the last day of travel, and for any intervening days.

Lunch — When travel begins on/or before 10:00 a.m. on the first day of travel, or extends beyond 2:00 p.m. on the last day of travel, and for any intervening days.

Dinner — When travel begins on/or before 4:00 p.m. on the first day of travel, or extends beyond 8:00 p.m. on the last day of travel, and for any intervening days.

3. Lodging Only — Employees may be reimbursed actual expenses for lodging, not to exceed \$52 (plus tax) per day. Receipts from a bona fide hotel or motel for lodging shall be submitted and attached to the travel voucher.

4. Extended Stays — For travel assignment involving duty for extended periods, usually in excess of thirty days, at a fixed location outside of the State, the reimbursement rate indicated in Items 1 and 3 should be adjusted downward whenever possible. Care should be exercised to prevent allowing rates in excess of those required to meet the necessary authorized subsistence expenses. The traveler is expected to exercise the same care in incurring expenses that a prudent person would exercise if traveling on personal business. It is the responsibility of each agency head to authorize only such travel allowances as are justified by the circumstances affecting the travel. The rates authorized will not exceed reimburseable allowance stated herein, unless special approval is granted by the Commissioner of Administration.

5. High Cost Areas — Atlanta, Georgia, Baltimore, Maryland, Boston, Massachusetts, Chicago, Illinois, Dallas, Texas, Denver, Colorado, Detroit, Michigan, Houston, Texas, Las Vegas, Nevada, Los Angeles, California, Miami, Florida, New Orleans, Louisiana, New York, New York, Orlando, Florida, Philadelphia, Pennsylvania, San Francisco, California, Seattle, Washington, Washington, D.C.

D. Other expenses — Only the following expenses incidental to travel may be reimbursed.

1. Communication expense relative to official state business.
2. Registration fees at conferences (meals that are a designated integral part of the conference may be reimbursed on an actual expense basis with prior approval by the department head).
3. Charges for storage and handling of equipment.
4. Taxi and bus fares.
5. Tips (for baggage handling only).
6. Limousine services to and from terminals or stations.
7. Vehicle Rental — when determined to be in the best interest of the state and approved by the Commissioner of Administration prior to rental of vehicle.

E. Special Meals — Reimbursement for special meals incurred by state officials while on travel status.

1. Permission to incur expenses relative to Special Meals must be obtained from the Commissioner of Administration prior to the time of departure. The request for permission must include a statement of justification which fully describes the purpose of the gathering and why it is in the best interest of the state. Additionally, such a request must list all persons to attend by name and title.

2. Subsequent to a Special Meal and prior to actual reimbursement a detailed breakdown of all expenses incurred accompanied by receipts must be sent to the Commissioner of Administration for review and approval.

3. For the purpose of this section there will be no reimburse-

ment for alcoholic beverages either separately or as part of a special meal reimbursement as provided for above.

F. Restrictions Governing Claims for Reimbursement.

1. Travel allowances shall not be granted for travel accomplished on Saturday, Sunday, or holidays unless approved in writing by the head of the department or his designee. (Approval and justification must be readily available in the department's reimbursement file).

2. No claim for reimbursement shall be made for any lodging and/or meals furnished at a State institution or other State agency.

3. In case an employee travels by an indirect route for his/her own convenience, any extra cost shall be borne by the traveler and reimbursement for expenses shall be based only on such charges as would have been incurred by the most direct and usually traveled route.

4. Items included in any expense account which do not fully conform to these regulations will be disallowed for payment.

G. Receipts or Other Support (Applicable to Employees).

Receipts or other substantiation are required for travel expenses, except for the following.

1. Taxicab, local bus or streetcar fares.

2. Routine meals (number of meals must be shown on travel voucher).

3. Telephone and telegraph under \$3.00.

4. Tips for baggage handling.

H. Reimbursement for travel outside the continental United States — All travel outside the continental United States must be approved by the Commissioner of Administration prior to the time of departure.

VII. General.

A. Funds for Travel Expense — Persons traveling on official business will provide themselves with sufficient funds for all routine expenses. Advances of funds for travel shall be made only for extraordinary travel and should be punctually repaid when submitting travel voucher covering the related travel.

The expense claim covering the related travel shall be submitted not later than the fifteenth day of the month following the completion of travel, and any advance made for the purpose of travel shall be repaid no later than the time the expense claim is submitted.

B. State Agency Credit Cards — Credit cards used in the name of the State agency are not to be used for the purpose of securing transportation, lodging, meals, or telephone and telegraph service, unless prior written permission has been obtained from the Commissioner of Administration.

C. Claims — All claims for reimbursement for travel shall be submitted on State Form BA-12 (Attachment B) and shall include all details provided for on the form. It must be signed by the person claiming reimbursement and approved by his/her immediate supervisor. The purpose for extra and unusual travel must be stated in the space provided on the front of the form. In all cases, the date and hour of departure from and return to domicile must be shown.

Excepting where the cost of air transportation is invoiced directly to the agency/department, all expenses incurred on any official trip shall be paid by the traveler and his travel voucher shall show all such expenses in detail to the end that the total cost of the trip shall be reflected by the travel voucher. If the cost of air transportation is paid directly by the agency/department, a notation will be indicated on the travel voucher depicting the date of travel, destination, amount, and the fact that it has been paid by the agency/department. The Traveler's copy of the passenger ticket shall be attached to the travel voucher.

In all cases, and under any travel status, cost of meals and lodging shall be paid by the traveler and claimed on the travel voucher for reimbursement, and not charged to the State Department.

D. Lodging — Agency heads shall take necessary steps to inform all personnel on travel status that whenever possible, travelers shall request and make use of special discount rates for lodging, usually granted to government employees.

E. Advisors and Consultants — Reimbursement of expenses for travel to be performed by authorized persons who are called upon to contribute time and services as consultants or advisors, shall require prior written approval from the Commissioner of Administration. Complete explanation and justification must be shown on the travel expense form or attached thereto.

F. Fraudulent Claims — Any person who submits a claim pursuant to the aforementioned regulations, and who willfully makes and subscribes to any such claim which he/she does not believe to be true and correct as to every material matter, or who willfully aids or assists in, or procures, counsels or advises the preparation of presentation of a claim which is fraudulent or is false as to any material matter shall be guilty of official misconduct. Whoever shall receive an allowance or reimbursement by means of a false claim shall be subject to immediate dismissal, as well as being criminally and civilly liable within the provisions of State Law.

VIII. The Commissioner of Administration may waive in writing any provision in these regulations when the best interest of the State will be served.

Effective Date: August 20, 1980.

E. L. Henry

Commissioner of Administration

Emergency Rules

DECLARATION OF EMERGENCY

Board of Elementary and Secondary Education

The State Board of Elementary and Secondary Education, at its meeting on July 24, 1980, exercised those powers conferred by the emergency provisions of the Administrative Procedures Act R.S. 49:953B and adopted Guidelines for Tuition Exemption Continuing Education Program for Teachers. The effective date for implementation of these guidelines will be August 18, 1980 in order that the guidelines can be printed and distributed to allow approximately 8,000 teachers to return to school in the fall semester of 1980 under this program as provided by the Legislature.

GUIDELINES

Tuition Exemption Continuing Education Program for Teachers

Bulletin 1533/1980-81

Louisiana State Department of Education

Introduction

The Louisiana Legislature during the First Extraordinary Session of 1977, passed Act 20, which established funding for continuing education. Louisiana Revised Statute 17:7.3 provides continuing education funding at Louisiana colleges and universities. The purpose of the Act is to make it possible for teachers to return to Louisiana colleges and universities to take courses in their fields or disciplines.

The attached Guidelines have been adopted by the State Board of Elementary and Secondary Education by the authority vested in them in Louisiana Revised Statute 17:7.3. By Board authority, the Guidelines are subject to further administrative interpretation by the Louisiana State Department of Education. The Guidelines are addressed to participants in the continuing education program. Infractions of these Guidelines will cause applicants to pay their own tuition. Questions relative to the Guidelines should be submitted to the State Department of Education, Continuing Education Office, Box 44064, Room 603, Baton Rouge, Louisiana 70804; telephone numbers (504) 342-3414 or (504) 342-3422 or toll free 1-800-272-9872.