

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4278.6.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Forestry, LR 51:32 (January 2025).

**§1509. Penalty for Violations [Formerly §1507]**

A. In the event of a violation of R.S. 3:4278.3 or R.S. 3:4278.6 or the regulations promulgated thereunder, the maximum penalty allowed may be imposed after an adjudicatory hearing held in accordance with the Administrative Procedure Act. The Louisiana Forestry Commission shall make an initial determination on the matter. Their decision shall be submitted to the commissioner in writing.

B. The commissioner shall make the final determination on the matter. If the determination of the commissioner differs from the commission, the commissioner shall issue a written opinion based on the record of the hearing.

C. Appeals from ruling of the commissioner shall be taken in accordance with the provisions of the Administrative Procedure Act.

D. Pursuant to R.S. 3:4278.6, the commissioner may impose a civil penalty of not more than \$5000 for each instance of failure to comply with the provisions of §1507. Each day on which a violation occurs shall be considered a separate offense.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4278.3 and R.S. 3:4278.6.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Forestry, LR 51:33 (January 2025).

Mike Strain, DVM  
Commissioner

2501#012

**RULE**

**Louisiana Economic Development  
Office of the Secretary**

Administrative and Miscellaneous Provisions  
(LAC 13:VII.101, 103, 105, and 107)

Louisiana Economic Development (LED), pursuant to the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 36:104, 42:14(E), 42:17.2 (E), and 42:17.2.1(B), adopts rules relative to Louisiana's open meetings law.

Act 393 of the 2023 Regular Session amended R.S. 42:17.2 and enacted R.S. 42:14(E) and 17.2.1 of Louisiana's Open Meetings law to permit certain, eligible public bodies to conduct its open meetings via electronic means (e.g. videoconference or teleconference.) Regardless of its eligibility status, electronic or alternate participation are required in open meetings as an ADA accommodation for people with disabilities. The purpose of the Rule is therefore to promulgate rules to allow for electronic or alternate participation in open meetings, as required by R.S. 42:14 E (4), 42:17.2 and 42:17.2.1(B). This Rule is hereby adopted on the day of promulgation.

**Title 13**

**ECONOMIC DEVELOPMENT**

**Part VII. Administrative and Miscellaneous Provisions  
Chapter 1. Open Meetings via Electronic Means Policy**

**§101. Agency Eligibility**

A. Louisiana Economic Development (LED), meets the criteria pursuant to Act 393 of the 2023 Regular Legislative Session to be eligible to conduct open public meetings via electronic means.

1. is a state agency as defined by R.S. 49:951;
2. has powers, duties, or functions that are not limited in scope to a particular political subdivision or region;
3. conducts at least six regularly scheduled meetings in a calendar year; and
4. is not one of the agencies identified by R.S. 42:17.2(I) to which open meetings via electronic means shall not apply.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104 and R.S. 42:17.2.

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, LR 51:33 (January 2025).

**§103. Postings Prior to Meeting via Electronic Means**

A. At least 24 hours prior to the meeting, LED shall post the following on the agency's website at [www.opportunitylouisiana.gov](http://www.opportunitylouisiana.gov):

1. meeting notice and agenda; and
2. detailed information regarding how members of the public may:
  - a. participate in the meeting via electronic means, including the applicable videoconference link and/or teleconference phone number; and
  - b. submit written comments regarding matters on the agenda prior to the meeting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104, R.S. 42:14(E) and R.S. 42:17.2.

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, LR 51:33 (January 2025).

**§105. Electronic Meeting Requirements and Limitations**

A. For any meeting conducted via electronic means, LED shall ensure compliance with all requirements outlined in R.S. 42:17.2(C).

B. LED shall not conduct any more than one-third of its open meetings, in a calendar year, via electronic means, and will only conduct successive meetings via electronic meetings as needed.

C. To the extent practicable, LED shall publish a schedule of its meetings indicating which upcoming meetings will be conducted via electronic means and which will be conducted only in person meetings.

D. All participating members of LED whether participating from the anchor location or via electronic means, shall be counted for the purpose of establishing a quorum and may vote.

E. An online archive of any open meetings conducted via electronic means shall be maintained and available for two years on LED's website at [www.opportunitylouisiana.gov](http://www.opportunitylouisiana.gov).

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:104, R.S. 42:14(E) and R.S. 42:17.2.

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, LR 51:33 (January 2025).

**§107. Disability Accommodations**

A. Although an open meeting may be scheduled as in-person, LED is obligated to provide for participation via electronic means on an individualized basis by people with disabilities.

B. People with disabilities may request access, in advance of scheduled meetings, for participation in the public meetings via electronic means for LED, or for any public body within LED.

C. People with disabilities are defined as any of the following:

- 1. a member of the public with a disability recognized by the Americans with Disabilities Act (ADA);
- 2. a designated caregiver of such a person; or
- 3. a participant member of LED or any public body within LED, with an ADA-qualifying disability.

D. LED shall ensure that the written public notice for an open meeting, as required by R.S. 42:19, includes the name, telephone number and email address of the designated representative to whom a disability accommodation may be submitted.

E. The designated LED representative shall provide the requestor with the accommodation, including the teleconference and/or video conference link, for participation via electronic means as soon as possible following receipt of the request, but no later than the start of the scheduled meeting.

F. Participation via electronic means shall count for purposes of establishing quorum and voting.

AUTHORITY NOTE: with R.S. 36:104, R.S. 42:14(E), R.S. 42:17.2, and R.S. 47:17.2.1.

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, LR 51:34 (January 2025).

Anne G. Villa  
Deputy Secretary

2501#036

**RULE**

**Board of Elementary and Secondary Education**

Advisory Groups and Remote Participation  
(LAC 28:I.503, 505, and 507, LAC 28:XI.103,  
LAC 28:LXV.109, LAC 28:CXV.1319, and  
LAC 28:CLXVII.1101)

In accordance with the provisions of R.S. 17:6(A)(10) and the Administrative Procedure Act (APA), R.S. 49:953(B)(1) et seq., the Board of Elementary and Secondary Education (BESE) has amended LAC 28:I in *BESE/8(g) Operations*, LAC 28:XI in *Bulletin 111—The Louisiana School, District, and State Accountability System*, LAC 28:LXV in *Bulletin 106—Agriculture Education Content Standards Curriculum Framework*, LAC 28:CXV *Bulletin 741—Louisiana Handbook for School Administrators*, and LAC 28:CLXVII in *Bulletin 140—Louisiana Early Childhood Care and Education Network*. The amendments align BESE policy with Act 393 of the 2023 Regular Legislative Session. The revisions adopt requirements to provide accommodations, upon request, to persons with disabilities to facilitate participation in advisory group meetings. Further amendments revise policy regarding LDOE and BESE

advisory group membership and meetings. This Rule is hereby adopted on the day of promulgation.

**Title 28**

**EDUCATION**

**Part I. BESE/8(g) Operations**

**Subpart 1. Board of Elementary and Secondary Education**

**Chapter 5. Organization**

**§503. Advisory Councils**

- A. - C.2.c.ii. ...
- 3. Superintendents' advisory council:
  - a. ...
  - b. membership—23 members as follows:
    - C.3.b.i. - F.8. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), 17:6(A)(15), 17:11, 17:24.4, and 42:19.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:416 (March 2008), amended LR 35:1874 (September 2009), LR 36:2851 (December 2010), LR 37:2140 (July 2011), LR 38:772 (March 2012), LR 38:3152 (December 2012), LR 39:3263 (December 2013), LR 42:563 (April 2016), LR 44:744 (April 2018), LR 44:1995 (November 2018), LR 45:1444 (October 2019), LR 48:412 (March 2022); LR 48:2086 (August 2022), LR 51:34 (January 2025).

**§505. Special Advisory Councils/Task Forces/Commissions/Study Groups**

- A. ...
- 1. MFP Task Force. The Task Force will be convened upon, annually and/or as needed, by the BESE chair of the Board Administration and Education Finance Committee and BESE President in order to advise BESE in the development of the MFP formula as it applies to the distribution of funding of public schools.
  - a. authority—per BESE policy;
  - b. membership—29 members consisting of the following:
    - i. eight ex-officio representatives as follows:
      - (a). Board Administration and Education Finance Committee chair (serves as task force chair);
      - (b). four Board Administration and Education Finance Committee members;
      - (c). - ii.(d). ...
    - iii. ten designated representatives as follows:
      - (a). - (i). ...
      - (j). Repealed.
      - (k). - iv.(e). ...
      - (f). two public school parents.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), 17:6(A)(15), 17:11, 17:24.4, and 42:19.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:2086 (August 2022), amended LR 51:34 (January 2025).

**§507. Open Meetings Participation via Electronic Means**

A. BESE is an agency identified in R.S. 42:17.2(I) to which open meetings via electronic means shall not apply.

B. Public notice for a meeting shall include the contact information of the agency representative to whom a disability accommodation request may be submitted.

C. Where the capability exists, remote participation via electronic means shall be teleconference or video conference. BESE and LDOE shall provide for participation via electronic means or by email on an individualized basis