

2015 Regular Session

HOUSE BILL NO. 705

BY REPRESENTATIVE BROADWATER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

STUDENT/LOANS-SCHOLARSHIP: Provides for technical corrections to TOPS

1 AN ACT

2 To amend and reenact R.S. 17:3042.1(A)(1)(e) and to enact Chapter 50 of Title 17 of the
3 Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:5001 through 5122
4 and to repeal Chapter 20-G of Title 17 of the Louisiana Revised Statutes of 1950,
5 comprised of R.S. 17:3048.1 through 3048.7, all relative to the Taylor Opportunity
6 Program for Students (TOPS); to provide for a technical recodification of TOPS
7 provisions contained in statutory law; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Chapter 50 of Title 17 of the Louisiana Revised Statutes of 1950,
10 comprised of R.S. 17:5001 through 5122, is hereby enacted to read as follows:

11 CHAPTER 50. TAYLOR OPPORTUNITY PROGRAM FOR STUDENTS

12 PART I. GENERAL

13 SUBPART A. AWARDS

14 §5001. Taylor Opportunity Program for Students

15 As part of the Louisiana Taylor Opportunity Program for Students, the state
16 shall provide financial assistance to any eligible student who enrolls on a full-time
17 basis in an eligible college or university to pursue an academic undergraduate degree
18 or skill or occupational training as defined by the administering agency including a
19 vocational or technical education certificate or diploma program or a nonacademic
20 undergraduate degree.

1 §5002. Awards and amounts

2 A. A student shall be eligible for an Honors, Performance, Opportunity, or
3 TOPS-Tech Award based on his academic achievement.

4 B. Any student who is eligible for an Opportunity, Performance, Honors
5 Award pursuant to this Chapter and who has enrolled:

6 (1) In any public college or university a public college or university in this
7 state, shall be awarded by the state an amount determined by the administering
8 agency to equal the tuition charged by the public college or university.

9 (2) At any regionally accredited independent college or university in the state
10 which is a member of the Louisiana Association of Independent Colleges and
11 Universities to pursue an academic undergraduate degree, shall be awarded by the
12 state an amount to be determined by the administering agency to equal the weighted
13 average of amounts paid under this Section for students attending public colleges and
14 universities that offer academic undergraduate degrees at the baccalaureate level.

15 (3) In a school that has a valid and current certificate of registration issued
16 by the State Board of Cosmetology in accordance with law and that is accredited by
17 an accrediting organization recognized by the United States Department of Education
18 or in any proprietary school that has a valid and current license issued by the Board
19 of Regents in accordance with law and that is accredited by an accrediting
20 organization recognized by the United States Department of Education, shall be
21 awarded by the state an amount determined by the administering agency to equal the
22 weighted average of amounts paid under this Section for students attending public
23 colleges and universities who are enrolled in the permitted skill or occupational
24 training, as may be applicable.

25 (4) In an out-of-state college or university that is specifically designed to
26 accommodate deaf and hard-of-hearing students under R.S. 17:5027(C), shall be
27 awarded an amount determined by the administering agency to equal the weighted
28 average of amounts paid under this Section for students attending Louisiana public
29 colleges and universities that offer academic undergraduate degrees.

1 C.(1) A student who is eligible for the Performance Award shall receive the
2 sum of two hundred dollars per semester or four hundred dollars per academic year
3 in addition to the amount provided for in Subsection B of this Section.

4 (2) A student who is eligible for the Honors Award shall receive the sum of
5 four hundred dollars per semester or eight hundred dollars per academic year in
6 addition to the amount provided for in Subsection B of this Section.

7 D.(1) Any student who is eligible for a TOPS-Tech Award pursuant to this
8 Chapter and who is enrolled in an eligible public college or university that does not
9 offer an academic undergraduate degree at the baccalaureate level shall be awarded
10 by the state an amount determined by the administering agency to equal the tuition
11 charged by the college or university.

12 (2) Any student who is eligible for a TOPS-Tech Award pursuant to this
13 Chapter and who is enrolled in an eligible college or university other than as
14 provided for in Paragraph (1) of this Subsection shall be awarded by the state an
15 amount determined by the administering agency to equal the weighted average of
16 amounts paid to students attending an eligible public college or university that does
17 not offer an academic undergraduate degree at the baccalaureate level.

18 E.(1) No student shall be eligible for tuition payment pursuant to this Section
19 for the Opportunity Award, the Performance Award, or the Honors Award for more
20 than eight semesters or an equivalent number of units in an eligible institution which
21 operates on a schedule based on units other than semesters, unless an extension is
22 granted by the administering agency in accordance with its rules.

23 (2) No student shall be eligible for tuition payment pursuant to this Section
24 for the TOPS-Tech Award for more than two years unless an extension is granted by
25 the administering agency in accordance with its rules.

26 (3)(a) Any student receiving an Opportunity, Performance, or Honors Award
27 who successfully completes an academic undergraduate degree in less than the eight
28 semesters or its equivalent of award benefits provided by this Subsection shall be
29 eligible to continue to receive all applicable award benefits, in accordance with the

1 limitations as specified in Subparagraph (b) of this Paragraph, for any remaining
2 semester or semesters or the equivalent thereof of eligibility not used to obtain the
3 undergraduate degree if the student pursues a postgraduate academic degree at an
4 eligible institution and the student continues to meet all academic and other
5 requirements provided by this Section and by rule of the administering agency for
6 continued receipt of the award as an undergraduate except as such requirements,
7 including requirements provided by this Section for undergraduate students, may be
8 modified by the administering agency as necessary to apply such requirements to
9 postgraduate study.

10 (b) In developing rules to implement this Paragraph, the administering
11 agency shall establish reasonable time lines and deadlines for receipt of any
12 information required to implement this Paragraph both for current and subsequent
13 students receiving Opportunity, Performance, or Honors awards and for any student
14 previously receiving such an award who successfully completed an academic
15 undergraduate degree in less than eight semesters. Such rules shall also provide for
16 appropriate notice to all such students of the time lines, deadlines, and rules
17 governing implementation of this Paragraph.

18 (c) The amount of the award benefits as provided for in Subparagraph (a) of
19 this Paragraph shall not exceed the amounts determined by the administering agency
20 to equal the tuition charged for the postgraduate study or for undergraduate full-time
21 enrollment charged by the highest cost public college university in the state,
22 whichever amount is less.

23 F. No student shall receive a grant pursuant to this Section in an amount
24 greater than the tuition charged by the institution attended or, if the student is the
25 recipient of a Performance or an Honors Award as defined by R.S. 17:5002(C), the
26 amount stipulated therein. The institution shall credit any amount in excess of the
27 cost of tuition to the student's account to pay room and board or other cost of
28 attendance.

1 G. In lieu of the payment of tuition as provided in this Section, any student
2 participating in the program provided by R.S. 29:36.1 for persons serving in the
3 Louisiana National Guard shall receive the tuition exemption as provided therein.

4 However, in addition to any other payments provided for by R.S. 29:36.1:

5 (1) For any student who is participating in the tuition exemption program
6 provided by R.S. 29:36.1 and who also meets the qualifications provided in this
7 Section for receipt of an Opportunity Award or a TOPS-Tech Award, the state shall
8 pay on behalf of such student a sum of three hundred dollars per semester or six
9 hundred dollars per academic year to be applied toward the cost of books and other
10 instructional materials.

11 (2) For any student who is participating in the tuition exemption program
12 provided by R.S. 29:36.1 and who also meets the qualifications provided in this
13 Section for receipt of a Performance Award, the state shall pay on behalf of the
14 student a sum of three hundred dollars per semester or six hundred dollars per
15 academic year to be applied toward the cost of books and other instructional
16 materials plus the sum of four hundred dollars per semester or eight hundred dollars
17 per academic year for other educational expenses as defined by the Louisiana
18 Student Financial Assistance Commission.

19 (3) For any student who is participating in the tuition exemption program
20 provided by R.S. 29:36.1 and who also meets the qualifications provided in this
21 Section for receipt of an Honors Award, the state shall pay on behalf of the student
22 a sum of three hundred dollars per semester or six hundred dollars per academic year
23 to be applied toward the cost of books and other instructional materials plus the sum
24 of eight hundred dollars per semester or one thousand six hundred dollars per
25 academic year for other educational expenses as defined by the Louisiana Student
26 Financial Assistance Commission.

27 §5003. Eligibility

28 To be eligible for an award, a student shall meet all applicable initial
29 eligibility requirements.

1 SUBPART B. INITIAL ELIGIBILITY REQUIREMENTS2 §5021. Louisiana high school graduation3 A.(1) Except as otherwise provided by Subsection B of this Section, to be
4 eligible for an award pursuant to this Chapter, a student shall be certified as provided
5 in this Chapter to have graduated from a public high school or a nonpublic high
6 school which has been approved by the State Board of Elementary and Secondary
7 Education.8 (2)(a) For a student graduating from a Louisiana nonpublic high school to
9 be eligible for an award under this Chapter, beginning with applicants who graduate
10 from a nonpublic high school during the 1999-2000 school year, the nonpublic high
11 school from which the student graduates shall be approved by the State Board of
12 Elementary and Secondary Education pursuant to R.S. 17:11 and, in addition, shall
13 meet the standards required by the board for the students in such school to be eligible
14 to receive from the state the benefit of appropriations for such items as
15 transportation, textbooks, and administrative cost reimbursement.16 (b) Notwithstanding the requirements of Subparagraph (a) of this Paragraph,
17 those nonpublic high schools that, not later than May 15, 2000, were approved by the
18 State Board of Elementary and Secondary Education pursuant to R.S. 17:11 and
19 applied for and had their application forwarded by the state Department of Education
20 seeking the approval necessary for the students in such school to be eligible to
21 receive from the state the benefits of appropriations for such items as transportation,
22 textbooks, and administrative cost reimbursement shall have until the 2003-2004
23 school year to meet the latter requirement in order for the graduates from such high
24 school to be eligible for an award under this Chapter.25 B. Students funded through the Louisiana minimum foundation program and
26 who are attending any high school in an adjoining state pursuant to an agreement in
27 effect as of June 4, 1994, between the parish school system and the local governing
28 authority of the school in the adjoining state, shall be considered as having graduated
29 from a state-approved nonpublic high school.

1 §5022. Citizenship requirements

2 A. Except as otherwise provided by this Section, to be eligible for an award
3 pursuant to this Chapter, a student shall be a citizen of the United States.

4 B.(1) A student who is not a citizen of the United States but who is eligible
5 to apply for such citizenship shall be deemed to satisfy the citizenship requirement
6 of this Section if within sixty days after the date the student attains the age of
7 majority, the student applies to become a citizen of the United States and obtains
8 such citizenship within one year after the date of application.

9 (2) A student who graduates from high school during the 2002-2003 school
10 year or thereafter, who is not a citizen of the United States but who is a permanent
11 resident as defined by the United States Citizenship and Immigration Service, and
12 who is eligible to apply for United States citizenship shall be deemed to satisfy the
13 citizenship requirement of this Section.

14 (3) An award under this Chapter shall be reinstated for any student who was
15 determined eligible prior to the 2002-2003 school year, and such award was
16 subsequently canceled due solely to that student's failure to become a United States
17 citizen within one year after the date of the application, provided the student is a
18 permanent resident, as defined by the United States Immigration and Naturalization
19 Service, and is eligible to apply for United States citizenship or is now a United
20 States citizen.

21 C. This Section is not applicable to a student who graduated from high
22 school prior to the 1999-2000 school year.

23 §5023. Residency requirements

24 A. Except as provided by Subsection D of this Section, to be eligible for an
25 award pursuant to this Chapter, an independent student, as defined by the
26 administering agency, shall have been a resident of Louisiana during the twenty-four
27 months preceding the date of the student's graduation from high school. However,
28 an independent student who graduated from a public or approved nonpublic high
29 school in this state in the 2002-2003 school year or thereafter meets the requirements

1 of this Section if he actually resided or lived in this state for the period of his last two
2 full years of high school culminating in graduation as certified by the high school.

3 B. Except as provided by Subsection D of this Section, to be eligible for an
4 award pursuant to this Chapter, a dependent student, as defined by the administering
5 agency, shall meet one of the following requirements:

6 (1) He has a parent or court-ordered custodian who is a resident of Louisiana
7 during the twenty-four months preceding the date of the student's graduation from
8 high school.

9 (2) He is the dependent child of a resident of Louisiana on active duty with
10 the United States Armed Forces who is stationed outside Louisiana but who claims
11 Louisiana as his official state of legal residence and who has filed a Louisiana state
12 income tax return for the most recent two years.

13 (3) If he graduated from a public or approved nonpublic high school in this
14 state in the 2002-2003 school year or thereafter, he actually resided or lived in this
15 state for the period of his last two full years of high school culminating in graduation
16 as certified by the high school.

17 (4) He is the dependent child of a nonresident of Louisiana on active duty
18 with the United States Armed Forces who is stationed in Louisiana under permanent
19 change of station orders and who not later than one hundred eighty days after
20 reporting to such station changes his military personnel records to establish
21 Louisiana as his official state of legal residence and complies with Louisiana income
22 tax laws and regulations for the time period while stationed in Louisiana.

23 C. Residency shall be demonstrated by proof of the following as required by
24 the administering agency or by other proof required by the administering agency by
25 rule:

26 (1) If registered to vote, is registered in Louisiana.

27 (2) If licensed to drive a motor vehicle, is in possession of a Louisiana
28 driver's license.

1 (3) If owning a motor vehicle located within Louisiana, is in possession of
2 Louisiana registration for that vehicle.

3 (4) If earning an income, has filed a Louisiana state income tax return and
4 has complied with state income tax laws and regulations.

5 D.(1) Any student who is the dependent child of a member of the United
6 States Armed Forces who is not a resident of this state, is living in this state under
7 permanent change of station orders but does not claim Louisiana as his state of legal
8 residence, who graduates from a public or approved nonpublic high school in this
9 state in the 2000-2001 academic school year or thereafter shall meet the
10 requirements of this Section if he actually lives in this state for the period of his last
11 two full years of high school culminating in graduation as certified by the high
12 school.

13 (2)(a) Any displaced student as defined by R.S. 17:5101(A)(2) who
14 graduates from an out-of-state school during the 2006-2007 school year and is
15 awarded a Louisiana Distance Diploma issued by the Department of Education shall
16 meet the requirements of this Section if he actually resided in Louisiana during his
17 entire tenth grade year of high school and was enrolled for such time in an eligible
18 Louisiana high school or, for dependent students, if the displaced student has a
19 parent or court-ordered custodian who actually resided in a parish listed in R.S.
20 17:5101(A)(2)(a) for at least the twelve months prior to August 26, 2005, or in a
21 parish listed in R.S. 17:5101(A)(2)(b) for at least the twelve months prior to
22 September 20, 2005.

23 (b) A displaced student who meets the residency requirement of this
24 Paragraph shall not be required to have for the respective awards a higher minimum
25 composite score on the ACT or on the SAT than required for a student who graduates
26 from an eligible Louisiana high school provided such student has, for Opportunity
27 awards, a cumulative high school grade point average on all courses on the high
28 school transcript of at least 2.50 calculated on a 4.00 scale or, for Performance and

1 Honors awards, a cumulative high school grade point average on all courses on the
2 high school transcript of at least 3.50 calculated on a 4.00 scale.

3 (3)(a) Any dependent student graduating from an out-of-state high school
4 during the 2006-2007 school year whose parent or court-ordered custodian was a
5 member of the United States Armed Forces who, in the year 2006, moved from
6 Louisiana under a permanent change of station orders and retired from the armed
7 forces, and changed his military personnel records to reflect a change of his state of
8 legal residence from Louisiana to another state, shall meet the requirements of this
9 Section, provided that such parent or court-ordered custodian changes his military
10 personnel records from the other state to reestablish Louisiana as his state of legal
11 residence no later than July 1, 2007, and has filed a Louisiana state income tax return
12 for the two years preceding the date of the dependent's graduation from high school.

13 (b) Any dependent student who meets the requirements of this Paragraph
14 shall qualify for an award under this Chapter if the student has a composite score on
15 the 1990 version of the ACT which is at least two points higher than that required by
16 this Section for a student graduating from a Louisiana public high school or
17 nonpublic high school which has been approved by the State Board of Elementary
18 and Secondary Education or an equivalent concordant value on an enhanced or
19 revised version of such test or on the SAT.

20 §5024. Academic requirements

21 A.(1) Except as otherwise provided by this Subsection, students shall meet
22 the following minimum grade point average requirements, calculated on a 4.00 scale
23 using only the grades obtained by the student in completing the core curriculum
24 requirements established by this Chapter, for the respective awards:

25 (a) For an Opportunity Award, a minimum cumulative grade point average
26 of 2.50.

27 (b) For a Performance Award, a minimum cumulative grade point average
28 of 3.00.

1 (c) For an Honors Award, a minimum cumulative grade point average of
2 3.00.

3 (d) For a TOPS-Tech Award, a minimum cumulative grade point average of
4 2.50.

5 (2)(a) For a student who graduated prior to the 2002-2003 school year the
6 minimum cumulative grade point average shall be calculated by using the grades
7 obtained by the student in completing all classes taken.

8 (b) For a student who graduated prior to the 2007-2008 school year, the
9 minimum cumulative high school grade point average necessary for such students
10 to be eligible for an initial Performance Award or Honors Award shall be 3.50 on a
11 4.00 scale.

12 (3)(a) The calculation of the minimum cumulative grade point average
13 specified in Paragraph (1) of this Subsection shall utilize a five-point scale for grades
14 earned in certain Advanced Placement courses, International Baccalaureate courses,
15 gifted and talented courses, honors courses, articulated courses for college credit, and
16 dual enrollment courses as approved by the Board of Regents and the State Board of
17 Elementary and Secondary Education, which may result in a student earning a
18 cumulative grade point average that exceeds 4.00. For such courses, five quality
19 points shall be assigned to a letter grade of "A", four quality points shall be assigned
20 to a letter grade of "B", three quality points shall be assigned to a letter grade of "C",
21 two quality points shall be assigned to a letter grade of "D", and zero quality points
22 shall be assigned to a letter grade of "F".

23 (b) The provisions of Subparagraph (a) of this Paragraph do not apply to
24 students who graduated prior to the 2017-2018 school year.

25 B.(1) Except as otherwise provided by this Subsection, a student shall earn
26 the following minimum test scores for the respective awards:

27 (a) For an Opportunity Award, a composite score on the 1990 version of the
28 ACT which is at least equal to or higher than the state's average composite score,
29 rounded to the nearest whole number, reported for the prior year but never less than

1 twenty or an equivalent concordant value on an enhanced or revised version of such
2 test or on the SAT.

3 (b) For a Performance Award, a composite score on the 1990 version of the
4 ACT of twenty-three or higher or an equivalent concordant value on any enhanced
5 or revised version of such test or on the SAT.

6 (c) For an Honors Award, a score of twenty-seven or higher on the 1990
7 version of the ACT or an equivalent concordant value on any enhanced or revised
8 version of such test or on the SAT.

9 (d) For a TOPS-Tech Award, a composite score on the specified ACT of
10 seventeen or higher or an equivalent concordant value on any enhanced or revised
11 version of such test or on the SAT. The student may, as an alternative requirement,
12 have attained a silver level score on the assessments of the ACT WorkKeys system.

13 (2)(a) For a student who graduated prior to the 2010-2011 school year, the
14 ACT WorkKeys system is not an alternative assessment for establishing eligibility
15 for a TOPS-Tech Award.

16 (b) For a student who graduated prior to the 2000-2001 school year, the
17 minimum ACT score for a TOPS-Tech Award is nineteen.

18 C. A student who graduated after the 2002-2003 school year but prior to the
19 2006-2007 school year is eligible to receive a Performance Award pursuant to this
20 Chapter if he meets the other requirements of this Chapter and each of the following
21 conditions is met:

22 (1) The student has a composite score on the 1990 version of the ACT of
23 twenty-four or higher or an equivalent concordant value on any enhanced or revised
24 version of such test or on the SAT.

25 (2) The student achieved a minimum cumulative high school grade point
26 average of 3.00 on a 4.00 scale when calculated in accordance with applicable rules
27 adopted by the administering agency and such calculation is based on ten or more of
28 the grades being grades for completion of honors curriculum courses, gifted

1 curriculum courses, or advanced placement courses, or any combination of such
2 courses, and the high school awards grades for such courses on a 4.0 scale or higher.

3 §5025. High school core curriculum requirements; Opportunity, Performance,
4 Honors Awards

5 To be eligible for an Opportunity, Performance, or Honors Award pursuant
6 to this Chapter, a student who graduates during or after the 2017-2018 school year
7 shall have successfully completed a core curriculum which consists of nineteen units
8 of high school course work as follows:

9 (1) English - Four Units

10 (a) English I.

11 (b) English II.

12 (c) One unit chosen from the following: English III, AP English Language
13 Arts and Composition, or English III IB (Language A or Literature and
14 Performance).

15 (d) One unit chosen from the following: English IV, AP English Literature
16 and Composition, or English IV IB (Language A or Literature and Performance).

17 (2) Mathematics - Four Units

18 (a) Algebra I (one unit), Geometry (one unit), and Algebra II (one unit).
19 Integrated Mathematics I, Integrated Mathematics II, and Integrated Mathematics III
20 may be substituted for the Algebra I, Geometry, and Algebra II sequence.

21 (b) One unit chosen from the following: Algebra III; Advanced Math
22 Functions and Statistics, Advanced Math-Pre-Calculus, Pre-Calculus, or Math
23 Methods I IB (Mathematical Studies SL); Calculus, AP Calculus AB, or Math
24 Methods II IB (Mathematics SL); AP Calculus BC; Probability and Statistics or AP
25 Statistics; IB Further Mathematics HL; IB Mathematics HL.

26 (3) Science - Four Units

27 (a) Biology I.

28 (b) Chemistry I.

1 (c) Two units chosen from the following: Earth Science; Environmental
2 Science; Physical Science; Agriscience I and Agriscience II (one unit combined);
3 Chemistry II, AP Chemistry, or IB Chemistry II; AP Environmental Science or IB
4 Environmental Systems; Physics I, AP Physics B, or IB Physics I; AP Physics C:
5 Electricity and Magnetism, AP Physics C: Mechanics, or IB Physics II; AP Physics
6 I and AP Physics II; Biology II, AP Biology, or IB Biology II.

7 (4) Social Studies - Four Units

8 (a) One unit chosen from the following: U.S. History, AP US History, or IB
9 US History.

10 (b) One unit chosen from the following: Civics, Government, AP US
11 Government and Politics: Comparative, AP US Government and Politics: United
12 States.

13 (c) Two units chosen from the following: Western Civilization, European
14 History, or AP European History; World Geography, AP Human Geography, or IB
15 Geography; World History, AP World History, or World History IB; History of
16 Religion; IB Economics, Economics, AP Macroeconomics, or AP Microeconomics.

17 (d) One unit of Civics may be substituted to satisfy the combined subject
18 matter requirements enumerated in Subparagraphs (a) and (b) of this Paragraph.

19 (e) Two units chosen from the following: Western Civilization, European
20 History, or AP European History; World Geography, AP Human Geography, or IB
21 Geography; World History, AP World History, or World History IB; History of
22 Religion; IB Economics.

23 (5) Foreign Language - two units in the same language, which may include
24 the following: AP Chinese Language and Culture, AP French Language and Culture,
25 AP German Language and Culture, AP Italian Language and Culture, AP Japanese
26 Language and Culture, AP Latin, AP Spanish Language and Culture, French IV IB,
27 French V IB, Spanish IV IB, and Spanish V IB.

28 (6) Art - one unit chosen from the following: Performance course in Music,
29 Dance, or Theatre; Fine Arts Survey; Art I, II, III, and IV; Talented Art I, II, III, and

1 IV; Talented Music I, II, III, and IV; Talented Theater Arts I, II, III, and IV; Speech
2 III and Speech IV (one unit combined); AP Art History; AP Studio Art: 2-D Design;
3 AP Studio Art: 3-D Design; AP Studio Art: Drawing; AP Music Theory; Film Study
4 I IB; Film Study II IB; Music I IB; Music II IB; Art Design III IB; Art Design IV IB;
5 Theatre I IB; or Drafting.

6 (7) For the purposes of this Section, any core curriculum course that is taken
7 by a student who has been identified as gifted pursuant to State Board of Elementary
8 and Secondary Education policy and that is taken in fulfillment of the student's
9 Individualized Education Plan shall be considered a gifted course and shall fulfill the
10 core curriculum requirement in its given subject area.

11 §5025.1. High school core curriculum requirements; Opportunity, Performance,

12 Honors; students graduating prior to 2007-2008 school year

13 To be eligible for an Opportunity, Performance, or Honors Award pursuant
14 to this Chapter, a student who graduated from high school prior to the 2007-2008
15 school year shall have successfully completed a core curriculum which consists of
16 sixteen and one-half units of high school course work as follows:

17 (1) English I, II, III, and IV (four units).

18 (2) Algebra I (one unit) or Applied Algebra 1A and 1B (two units) and
19 Algebra II (one unit).

20 (3) Geometry, Trigonometry, Calculus, or comparable Advanced
21 Mathematics (one unit; however, Trigonometry is not an option for meeting this
22 requirement for students graduating after the 2004-2005 school year).

23 (4) Biology (one unit).

24 (5) Chemistry (one unit).

25 (6) Earth Science, Environmental Science, Physical Science, Biology II,
26 Chemistry II, Physics, Physics II, Physics for Technology, or Agriscience I and II
27 (both for one unit)(one unit).

28 (7) American History (one unit).

29 (8) World History, Western Civilization, or World Geography (one unit).

1 (9) Civics and Free Enterprise (one unit combined) or Civics (one unit,
2 nonpublic).

3 (10) Fine Arts Survey (one unit).

4 (11) Foreign Language (two units in a single language; however, one unit for
5 students graduating from high school during the 1996-1997 or 1997-1998 school
6 year).

7 (12) Computer Science, Computer Literacy, or Business Computer
8 Applications (one-half unit; or substitute at least one-half unit of an elective course
9 related to computers that is approved by the State Board of Elementary and
10 Secondary Education; or substitute at least one-half unit as an elective from among
11 the other subjects listed in this core curriculum).

12 §5025.2 High school core curriculum requirements; Opportunity, Performance,
13 Honors; students graduating 2007-2008 through 2012-2013

14 To be eligible for an Opportunity, Performance, or Honors Award pursuant
15 to this Chapter, a student who graduated from high school during or after the 2007-
16 2008 school year but not later than the 2012-2013 school year shall have successfully
17 completed a core curriculum which consists of seventeen and one-half units of high
18 school course work as follows:

19 (1) English I, II, III, and IV (four units).

20 (2) Algebra I (one unit) or Applied Algebra 1A and 1B (two units) and
21 Algebra II (one unit).

22 (3) Geometry, Calculus, or comparable Advanced Mathematics (one unit).

23 (4) Biology (one unit).

24 (5) Chemistry (one unit).

25 (6) Earth Science, Environmental Science, Physical Science, Biology II,
26 Chemistry II, Physics, Physics II, Physics for Technology, or Agriscience I and II
27 (both for one unit)(one unit).

28 (7) American History (one unit).

29 (8) World History, Western Civilization, or World Geography (one unit).

1 (9) Civics and Free Enterprise (one unit combined) or Civics (one unit,
2 nonpublic).

3 (10) Fine Arts Survey (one unit; or substitute two units of performance
4 courses in music, dance, or theater; or substitute two units of visual art courses; or
5 substitute two units of studio art courses; or substitute one unit as an elective from
6 among the other subjects listed in this core curriculum).

7 (11) Foreign Language (two units in a single language; however students
8 graduating from high school during the 1996-1997 school year or the 1997-1998
9 school year are required to have only one unit).

10 (12) Computer Science, Computer Literacy, or Business Computer
11 Applications (one-half unit; or substitute at least one-half unit of an elective course
12 related to computers that is approved by the State Board of Elementary and
13 Secondary Education; or substitute at least one-half unit as an elective from among
14 the other subjects listed in this core curriculum).

15 (13) At least one unit as an elective from among the following math subjects:
16 Geometry, Calculus, or approved advanced math substitute, or the following science
17 subjects: Biology II, Chemistry II, Physics or Physics II.

18 §5025.3. High school core curriculum requirements; Opportunity, Performance,

19 Honors; students graduating 2013-2014 through 2016-2017 school years

20 To be eligible for an Opportunity, Performance, or Honors Award, a student
21 who graduated from high school during or after the 2013-2014 school year but not
22 later than the 2016-2017 school year shall have successfully completed a core
23 curriculum which consists of nineteen units of high school course work as follows:

24 (1) English I, II, III, and IV (four units).

25 (2) Algebra I (one unit) or Applied Algebra 1A and 1B (two units) and
26 Algebra II (one unit).

27 (3) Geometry, Calculus, or comparable Advanced Mathematics (two units).

28 (4) Biology (one unit).

29 (5) Chemistry (one unit).

1 (6) Earth Science, Environmental Science, Physical Science, Biology II,
2 Chemistry II, Physics, Physics II, Physics for Technology, or Agriscience I and II
3 (both for one unit) (two units).

4 (7) American History (one unit).

5 (8) World History, Western Civilization, World Geography, or History of
6 Religion (two units).

7 (9) Civics and Free Enterprise (one unit combined) or Civics (one unit,
8 nonpublic).

9 (10) Fine Arts Survey (one unit or substitute one unit of a performance
10 course in music, dance, or theater; or substitute one unit of a visual art course; or
11 substitute one unit of a studio art course; or substitute one unit of drafting).

12 (11) Foreign Language (two units in a single language).

13 §5026. High school core curriculum requirements; TOPS-Tech

14 A. Except as otherwise provided by this Section, to be eligible for a TOPS-
15 Tech Award pursuant to this Chapter, the student shall have successfully completed
16 a core curriculum requirements of R.S. 17:5025 or 5025.3 or the core curriculum
17 defined as follows:

18 (1) English I, II, III, and IV (four units, or substitute one unit of Business
19 English for English IV).

20 (2) Algebra I (one unit); or both Algebra I, Part 1 and Algebra I, Part 2; or
21 both Applied Mathematics I and Applied Mathematics II.

22 (3) Geometry, Applied Mathematics III, Algebra II, Financial Mathematics,
23 Advanced Mathematics I, Advanced Mathematics II, Discrete Mathematics, or
24 Probability and Statistics (two units). Integrated Mathematics I, II, and III may be
25 substituted for Algebra I, Geometry, and Algebra II, and shall be considered the
26 equivalent of the three required math units.

27 (4) Biology (one unit).

1 (5) Earth Science, Environmental Science, Agriscience I and II (both for one
2 unit), Physical Science, Integrated Science, Biology II, Chemistry or Applied
3 Chemistry, Chemistry II, Physics, Physics II, or Physics for Technology (two units).

4 (6) American History (one unit).

5 (7) World History, Western Civilization, or World Geography (one unit).

6 (8) Civics and Free Enterprise (one unit combined) or Civics (one unit,
7 nonpublic).

8 (9) Remaining core courses shall be selected from one of the following
9 options:

10 (a) OPTION 1, consisting of four units as follows:

11 (i) Fine Arts Survey (one unit) or drafting (one unit) or substitute two units
12 of performance courses in music, dance, or theater; or substitute two units of visual
13 art courses; or substitute two units of studio art courses; or a course from the career
14 and technical program of studies that is approved by the State Board of Elementary
15 and Secondary Education; or substitute one unit as an elective from among the other
16 subjects listed in this core curriculum.

17 (ii) Foreign Language, Technical Writing, Speech I, or Speech II (two units).

18 (iii) One unit from the secondary computer education program of studies that
19 is approved by the State Board of Elementary and Secondary Education.

20 (b) OPTION 2, consisting of six units required as a concentration under the
21 career options law as follows:

22 (i) At least four units in a career major comprised of a sequence of related
23 specialty courses.

24 (ii) At least two units in related or technical fields, including credit in a basic
25 computer course.

26 B. For a student graduating during or prior to the 2001-2002 school year, to
27 be eligible for a TOPS-Tech Award pursuant to this Chapter, the student shall meet
28 the standards for admission to the desired college or university and have successfully

1 completed a core curriculum requirements of Subsection A of this Section or of R.S.

2 17:5025.3 or the core curriculum defined as follows:

3 (1) English I, II, III, and IV (four units, or substitute one unit of Business
4 English for English IV).

5 (2) Algebra I (one unit) or Applied Algebra 1A and 1B (two units) and
6 Algebra II (one unit).

7 (3) Geometry or Applied Geometry, Trigonometry, Calculus, or comparable
8 Advanced Mathematics (one unit).

9 (4) Biology (one unit).

10 (5) Chemistry or Applied Physics (one unit).

11 (6) Earth Science, Environmental Science, Agriscience I and II (both for one
12 unit), Physical Science, Biology II, Chemistry II, Physics, Physics II, or Physics for
13 Technology (one unit).

14 (7) American History (one unit).

15 (8) World History, Western Civilization, or World Geography (one unit).

16 (9) Civics and Free Enterprise (one unit combined) or Civics (one unit,
17 nonpublic).

18 (10) Fine Arts Survey or any approved vocational course in the areas of
19 Agriscience, Business Education, Family and Consumer Science, Health
20 Occupations, Marketing Education, Technology Education, or Trade and Industrial
21 Education (one unit); or substitute two units of performance courses in music, dance,
22 or theater; or substitute two units of visual art courses; or substitute two units of
23 studio art courses; or substitute one unit as an elective from among the other subjects
24 listed in this core curriculum.

25 (11) Foreign Language (one unit for students graduating from high school
26 during the 1996-1997 school year or the 1997-1998 school year; two units in a single
27 language for students graduating from high school during the 1998-1999 school year
28 and thereafter) or Technical Writing, Speech I, or Speech II (two units).

1 (12) Computer Science, Computer Literacy, or Business Computer
2 Applications (one-half unit; or substitute at least one-half unit of an elective course
3 related to computers that is approved by the State Board of Elementary and
4 Secondary Education; or substitute at least one-half unit as an elective from among
5 the other subjects listed in this core curriculum).

6 §5027. Postsecondary institution enrollment

7 A.(1) Except as otherwise provided by this Section, to be eligible for an
8 award pursuant to this Chapter, the student shall enroll in an eligible college or
9 university as a first-time freshman not later than the semester, excluding summer
10 semesters or sessions, immediately following the first anniversary of the date that the
11 student graduated from high school.

12 (2) The administering agency may grant exceptions to Paragraph (1) of this
13 Subsection for cause.

14 (3) A student who joins the United States Armed Forces within one year
15 after graduating from high school meets the eligibility requirement of this Section
16 if he enrolls in an eligible college or university as a first-time freshman not later than
17 the semester, excluding summer semesters or sessions, immediately following the
18 fifth anniversary of the date that the student graduated from high school; however,
19 effective for the 1996-1997 school year and thereafter, if, on or prior to the fifth
20 anniversary of the date that the student graduated from high school, the student
21 reenlists in the United States Armed Forces and maintains continuous active duty,
22 the five-year period shall be extended to the semester immediately following the
23 one-year anniversary of the student's separation from active duty service.

24 B. "Eligible college or university" means a public college or university in
25 this state or a regionally accredited independent college or university in the state that
26 is a member of the Louisiana Association of Independent Colleges and Universities.

27 C. Notwithstanding any provision of Subsection B of this Section, any
28 student who meets all applicable initial and continuing program eligibility
29 requirements of this Chapter for an Opportunity, Performance, or Honors Award

1 may use such award at an out-of-state nonpublic college or university when each of
2 the following conditions is met:

3 (1) The college or university is accredited by a regional accrediting
4 organization recognized by the United States Department of Education.

5 (2) All programs and services at the college or university are specifically
6 designed to accommodate deaf and hard-of-hearing students.

7 (3) Deaf and hard-of-hearing students comprise the majority of students
8 enrolled at the college or university at the undergraduate level.

9 (4) The award recipient meets the admission requirements of the college or
10 university that are applicable to deaf and hard-of-hearing students.

11 (5) The initial program award is made to the student for the 2005-2006
12 award year or thereafter.

13 (6) The college or university provides to the administering agency such
14 information as would otherwise be required by the agency for program
15 administration purposes from an eligible Louisiana college or university if the
16 student was enrolled in such Louisiana institution.

17 D.(1) Effective for the 2009-2010 award year and thereafter, for purposes of
18 the TOPS-Tech Award as provided by this Chapter, the term "eligible colleges and
19 universities" shall include any school that has a valid and current certificate of
20 registration issued by the State Board of Cosmetology in accordance with law and
21 that is accredited by an accrediting organization recognized by the United States
22 Department of Education and any proprietary school that has a valid and current
23 license issued by the Board of Regents in accordance with law and that is accredited
24 by an accrediting organization recognized by the United States Department of
25 Education. Such a school also shall comply with all other applicable provisions of
26 this Chapter and rules adopted by the administering agency relative to a college or
27 university being initially eligible and remaining eligible for program purposes.

28 (2) Effective for the 2010-2011 award year and thereafter, a student who is
29 the recipient of an Opportunity, Performance, or Honors award and who pursues skill

1 or occupational training as defined by the administering agency, including a
2 vocational or technical education certificate or diploma program or a nonacademic
3 undergraduate degree, may use the award at any school that has a valid and current
4 certificate of registration issued by the Louisiana State Board of Cosmetology in
5 accordance with law and that is accredited by an accrediting organization recognized
6 by the United States Department of Education and at any proprietary school that has
7 a valid and current license issued by the Board of Regents in accordance with law
8 and that is accredited by an accrediting organization recognized by the United States
9 Department of Education. Such a school shall comply with all other applicable
10 provisions of this Chapter and rules adopted by the administering agency relative to
11 a college or university being initially eligible and remaining eligible for program
12 purposes.

13 §5028. Other student eligibility requirements

14 A. To be eligible for an award pursuant to this Chapter, a student shall not
15 have any criminal conviction, except for misdemeanor traffic violations and, if the
16 student has been in the United States Armed Forces and has separated from such
17 service, he shall have received an honorable discharge or general discharge under
18 honorable conditions.

19 B. The student shall apply for a federal grant prior to receiving a grant of
20 state funds under this Section unless the student can demonstrate that he does not
21 qualify for federal grant aid.

22 §5029. Alternative initial eligibility requirements

23 A. A student who graduates from an out-of-state high school shall be eligible
24 to receive an award pursuant to this Chapter if each of the following conditions is
25 met:

26 (1) The student has been certified by the principal or headmaster to have met
27 one of the following criteria:

1 (a) The student graduated during the 1996-1997 school year or thereafter
2 from an out-of-state high school that has been approved by the appropriate state
3 educational agency in the state in which the school is located.

4 (b) The student graduated from an out-of-state high school that is accredited
5 by the Southern Association of Colleges and Schools and that meets the standards
6 adopted by the State Board of Elementary and Secondary Education for approval of
7 nonpublic schools in Louisiana.

8 (c) The student graduated during the 2002-2003 school year or thereafter
9 from an out-of-state high school that is accredited by a regional accrediting
10 organization recognized by the United States Department of Education and that
11 meets the standards adopted by the State Board of Elementary and Secondary
12 Education for approval of nonpublic schools in Louisiana.

13 (d) The student graduated from a high school that has been approved by the
14 United States Department of Defense.

15 (e) The student graduated during the 2009-2010 school year or thereafter
16 with an International Baccalaureate Diploma from an out-of-state high school
17 approved by the International Baccalaureate Organization to issue such a diploma.

18 (2) The student meets the requirements of R.S. 17:5022, 5023, 5027, and
19 5028.

20 (3) The student has a composite score on the 1990 version of the ACT which
21 is at least three points higher than that required by R.S. 17:5024(B) for the particular
22 award or an equivalent concordant value on an enhanced or revised version of such
23 test or on the SAT.

24 B. A student who completes a home study program shall be eligible to
25 receive an award pursuant to this Chapter if each of the following conditions is met:

26 (1)(a) The student has been certified by a parent or court-ordered custodian
27 to have successfully completed at the twelfth grade level a home study program
28 approved by the State Board of Elementary and Secondary Education.

1 (b)(i) Any such student who has previously attended a Louisiana public high
2 school or nonpublic high school that has been approved by the State Board of
3 Elementary and Secondary Education, must have begun his studies in the approved
4 home study program no later than the conclusion of the tenth grade year.

5 (ii) Any such student who has previously attended a Louisiana public high
6 school, a Louisiana nonpublic high school, or an out-of-state high school shall be
7 required to provide certification from the principal, headmaster, or other appropriate
8 person at the high school previously attended that the student was in good standing
9 at the time the student last attended such school.

10 (2) The student meets the requirements of R.S. 17:5022, 5023, 5027, and
11 5028.

12 (3)(a) Except as provided in Subparagraph (b) of this Paragraph, the student
13 has a composite score on the 1990 version of the ACT which is at least three points
14 higher than that required by R.S. 17:5024(B) for the particular award or an
15 equivalent concordant value on an enhanced or revised version of such test or on the
16 SAT.

17 (b)(i) For a student qualifying for an initial program award for the 2005-2006
18 through the 2007-2008 award year pursuant to this Subsection, the student shall have
19 a composite score on the 1990 version of the ACT which is at least two points higher
20 than that required by R.S. 17:5024(B) for the particular award or an equivalent
21 concordant value on an enhanced or revised version of such test or on the SAT.

22 (ii) For a student qualifying for an initial TOPS-Tech or Opportunity Award
23 for the 2008-2009 award year or thereafter pursuant to this Subsection, the student
24 shall have a composite score on the 1990 version of the ACT which is at least two
25 points higher than that required by R.S. 17:5024(B) for the particular award or an
26 equivalent concordant value on an enhanced or revised version of such test or on the
27 SAT.

28 (iii) For a student qualifying for an initial Performance or Honors Award for
29 the 2008-2009 award year or thereafter pursuant to this Subsection, the student shall

1 have a composite score on the 1990 version of the ACT which is at least one point
2 higher than that required by R.S. 17:5024(B) for the particular award or an
3 equivalent concordant value on an enhanced or revised version of such test or on the
4 SAT.

5 C. A student who graduates from an out-of-country high school shall be
6 eligible to receive an Opportunity or TOPS-Tech Award pursuant to this Chapter if
7 each of the following conditions is met:

8 (1) The student meets one of the following criteria:

9 (a) The student has been certified by the principal or headmaster to have
10 graduated during the 2000-2001 school year or thereafter from a high school located
11 outside of the United States and its territories which meets the standards adopted by
12 the State Board of Elementary and Secondary Education for approval of nonpublic
13 schools in Louisiana and which is accredited by an accrediting organization
14 recognized by the United States Department of Education.

15 (b)(i) The student has been certified by a parent or court-ordered custodian
16 to have successfully completed at the twelfth grade level a home study program
17 approved by the State Board of Elementary and Secondary Education conducted
18 outside the United States and its territories.

19 (ii) Any such student who has previously attended a Louisiana public high
20 school, a Louisiana nonpublic high school, or an out-of-state high school shall be
21 required to provide certification from the principal, headmaster, or other appropriate
22 person at the high school previously attended that the student was in good standing
23 at the time the student last attended such school.

24 (c) The student has been certified by the principal or headmaster to have
25 graduated during the 2009-2010 school year or thereafter with an International
26 Baccalaureate Diploma from a high school located outside of the United States and
27 its territories and approved by the International Baccalaureate Organization to issue
28 such a diploma.

1 (2) The student meets the requirements of R.S. 17:5022, 5023, 5027, and
2 5028.

3 (3) The student has a composite score on the 1990 version of the ACT which
4 is at least three points higher than that required by R.S. 17:5024(B) for the particular
5 award or an equivalent concordant value on an enhanced or revised version of such
6 test or on the SAT.

7 D.(1) Beginning with the 2004-2005 award year, a student who does not
8 graduate from high school or complete a home study program shall be eligible to
9 receive an Opportunity, Performance, or Honors Award pursuant to this Chapter if
10 each of the following conditions is met:

11 (a) As certified by a psychologist or psychiatrist licensed to practice in
12 Louisiana, the student has a score that is at least in the superior range on the
13 Wechsler Intelligence Scale for Children (Third Edition) or revised version of such
14 instrument or, if provided for by the administering agency by rule, has an equivalent
15 score on a comparable diagnostic instrument.

16 (b) As certified by a psychologist or psychiatrist licensed to practice in
17 Louisiana, the student has a composite score that is at least at the ninetieth percentile
18 at the twelfth grade level in the reading, mathematics, and written language portions
19 of the Wechsler Individual Achievement Test (Second Edition) or revised version
20 of such test or, if provided for by the administering agency by rule, has an equivalent
21 score on a comparable test.

22 (c) Prior to enrolling for the first time in an eligible college or university, the
23 student meets the requirements of R.S. 17:5024(B) otherwise applicable to a student
24 who graduates from an eligible Louisiana high school relative to the student having
25 at least the minimum composite score on the ACT or having an equivalent score on
26 the SAT as specified for the respective awards.

27 (d) The student enrolls in an eligible college or university and after
28 successful completion of twelve hours of credit the student is enrolled in such a
29 college or university on a full-time basis no later than his nineteenth birthday to

1 pursue an academic undergraduate degree at the baccalaureate level. A student's
2 award pursuant to the provisions of this Paragraph shall be effective upon such
3 enrollment on a full-time basis.

4 (e) The student meets the requirements of R.S. 17:5022, 5023, 5027, and
5 5028.

6 (2) State payments on behalf of a student eligible for an award pursuant to
7 this Subsection shall be in the same amounts as otherwise provided for by this
8 Chapter for such award. The awards provided by this Subsection shall be for no
9 more than eight semesters or an equivalent number of units in a college or university
10 which operates on a schedule based on units other than semesters unless an extension
11 is granted by the administering agency in accordance with its rules.

12 SUBPART C. MAINTAINING ELIGIBILITY

13 §5041. Maintaining eligibility; Honors, Performance, Opportunity

14 To maintain continued state payment of an amount equal to tuition and other
15 amounts for an Opportunity, Performance, or Honors Award pursuant to this Chapter
16 once enrolled in college a student shall meet all of the following:

17 (1)(a) If pursuing an academic undergraduate degree, make steady academic
18 progress toward a degree as defined by the administering agency, earning not less
19 than the minimum number of hours of credit required for full-time standing in each
20 academic year or the required number of hours needed to complete the undergraduate
21 degree during that semester or quarter.

22 (b) If pursuing skill or occupational training, make steady academic progress
23 as defined by the administering agency toward completion of the requirements of the
24 program in which enrolled earning not less than the minimum number of hours of
25 credit required for full-time standing or the required number of hours needed to
26 complete the program's requirements.

27 (c) If at any time a student fails to maintain the cumulative grade point
28 average required for continuation in the program or as of the end of any semester or
29 term during the academic year fails to make steady academic progress as defined by

1 the administering agency, such student shall become ineligible for further payments.
2 Payments limited to those provided in R.S. 17:5002(B) regardless of whether the
3 originally granted award was an Opportunity, Performance, or Honors Award may
4 be reinstated upon attainment of the grade point average required by this Section for
5 a student to maintain continued state payments once enrolled in college and the
6 standards for steady academic progress as defined by the administering agency,
7 provided that the student has maintained other continuation requirements and the
8 period of ineligibility did not persist for more than two years from the date of loss
9 of eligibility. If this two-year period is interrupted due to a student's active duty
10 service in the United States Armed Forces, the two-year period shall be extended for
11 a length of time equal to the student's active duty service, not to exceed four years,
12 unless the student reenlists in the United States Armed Forces and maintains
13 continuous active duty, in which case the period shall be extended for a length of
14 time equal to the student's active duty service; or unless the student is granted an
15 exception for cause by the administering agency.

16 (2)(a) If pursuing an academic undergraduate degree, maintain continuous
17 enrollment for not less than two semesters or three quarters in each successive
18 academic year, unless granted an exception for cause by the administering agency.

19 (b) If pursuing skill or occupational training, maintain continuous enrollment
20 as a full-time student unless granted an exception for cause by the administering
21 agency.

22 (3) For students qualifying for an Opportunity Award, have a cumulative
23 grade point average of the following as evaluated at the end of each academic year:

24 (a) At least 2.30 calculated on a 4.00 scale after completion of twenty-four
25 hours of credit.

26 (b) At least 2.50 calculated on a 4.00 scale after completion of forty-eight
27 hours of credit.

1 (4)(a) For students qualifying to receive a Performance or an Honors Award,
2 have a cumulative grade point average of at least 3.00 on a 4.00 scale at the end of
3 each academic year.

4 (b) However, if at any time an otherwise eligible student receiving a
5 Performance Award or an Honors Award in accordance with the provisions of this
6 Chapter fails to have a cumulative grade point average of at least 3.00 on a 4.00 scale
7 at the end of any academic year but has and continues to maintain a cumulative grade
8 point average at least equal to that required by Paragraph (3) of this Subsection for
9 continued participation by a recipient of an Opportunity Award, the student receiving
10 a Performance Award or an Honors Award shall remain eligible for state payments
11 but only in the amount provided for in R.S. 17:5002(B) for a recipient of an
12 Opportunity Award. The provisions of this Subparagraph shall apply to all students
13 who receive state payments pursuant to a Performance Award or an Honors Award,
14 including all such students from the beginning of the program.

15 (5) Have no criminal conviction, except for misdemeanor traffic violations
16 and, if the student has been in the United States Armed Forces and has separated
17 from such service, has received an honorable discharge or general discharge under
18 honorable conditions.

19 §5042. Maintaining eligibility; TOPS-Tech

20 To maintain continued state payment of an amount equal to tuition pursuant
21 to a TOPS-Tech Award once enrolled in an institution, a student shall meet all of the
22 following:

23 (1) Make steady academic progress as defined by the administering agency
24 toward completion of the requirements of the program in which enrolled earning not
25 less than the minimum number of hours of credit required for full-time standing or
26 the required number of hours needed to complete the program's requirements. If at
27 any time a student fails to maintain the cumulative grade point average required for
28 continuation in the program or as of the end of any term during the school year fails
29 to make steady academic progress as defined by the administering agency, the

1 student shall become ineligible for further payments. Payments may be reinstated
2 upon attainment of the grade point average required for continuation of the original
3 award and the standards for steady academic progress as defined by the
4 administering agency, provided that the student has maintained other continuation
5 requirements and the period of ineligibility did not persist for more than one year
6 from the date of loss of eligibility. If this one-year period is interrupted due to a
7 student's active duty service in the United States Armed Forces, the one-year period
8 shall be extended for a length of time equal to the student's active duty service, not
9 to exceed four years, unless the student reenlists in the United States Armed Forces
10 and maintains continuous active duty, in which case the period shall be extended for
11 a length of time equal to the student's active duty service; or unless the student is
12 granted an exception for cause by the administering agency.

13 (2) Maintain continuous enrollment as a full-time student unless granted an
14 exception for cause by the administering agency.

15 (3) Have a cumulative grade point average of at least 2.5 calculated on a 4.00
16 scale.

17 (4) Have no criminal conviction, except for misdemeanor traffic violations
18 and, if the student has been in the United States Armed Forces and has separated
19 from such service, has received an honorable discharge or general discharge under
20 honorable conditions.

21 §5043. Returning students

22 Notwithstanding any provision of this Chapter to the contrary, any otherwise
23 qualified student who meets each of the following conditions and who enrolls as a
24 first-time freshman in an out-of-state college or university, or beginning with the
25 2009-2010 academic year, first enrolls as a first-time freshman in an eligible college
26 or university in Louisiana and subsequently enrolls in an out-of-state college or
27 university, may use the program award provided for by this Section at an eligible
28 college or university in Louisiana in accordance with this Subsection and other
29 applicable provisions of this Chapter; however, the time period of award eligibility

1 set forth in R.S. 17:5002(E) shall be reduced by an equivalent number of units as
2 may be applicable for each semester or equivalent time period that the student is
3 enrolled in an out-of-state college or university:

4 (1) The student has been determined by the administering agency to meet the
5 initial eligibility requirements established by this Section for an Opportunity,
6 Performance, or Honors Award.

7 (2) The student enrolled as a first-time freshman in one of the following:

8 (a) An out-of-state college or university in accordance with the timelines
9 specified by this Section for such enrollment in an eligible college or university in
10 Louisiana and the out-of-state college or university is accredited by a regional
11 accrediting organization recognized by the United States Department of Education.

12 (b) An eligible college or university in Louisiana in accordance with the
13 timelines specified by this Section for such enrollment, who subsequently enrolled
14 in an out-of-state college or university that is accredited by a regional accrediting
15 organization recognized by the United States Department of Education, and then
16 reenrolled in an eligible college or university in Louisiana during the 2009-2010
17 academic year or thereafter.

18 (3) While enrolled in such an out-of-state college or university the student
19 met all requirements of this Section that would have been applicable to such student
20 for continuation of the initial award if the student had enrolled in an eligible college
21 or university in Louisiana.

22 (4) The student graduated from high school during the 2001-2002 school
23 year or thereafter.

24 PART II. ADMINISTRATION

25 §5061. Administering agency

26 The provisions of this Chapter shall be administered by the Louisiana Student
27 Financial Assistance Commission. The administering agency may provide by rule
28 adopted as provided by the Administrative Procedure Act for all matters necessary
29 to the implementation of this Chapter.

1 §5062. Rules, procedures, and guidelines

2 A. The administering agency shall provide by rule for the following:

3 (1) A mechanism for informing all students of the availability of the
4 assistance provided pursuant to this Chapter early enough in their schooling that a
5 salutary motivational effect is possible.

6 (2) Applications, forms, financial audit procedures, eligibility and other
7 program audit procedures, and other matters related to efficient operation, including
8 timelines and deadlines for receipt by the administering agency of any information
9 required to implement the provisions of this Chapter. The administering agency may
10 provide an alternative application for students who can demonstrate that they do not
11 qualify for federal grant aid.

12 B. The administering agency shall provide the following procedures and
13 requirements:

14 (1) A procedure for waiver through the 2002-2003 school year of the
15 requirement that a student complete the high school curriculum specified in R.S.
16 17:5025.1 and 5026(B), upon proper documentation by the high school's principal
17 or authorized designee that failure to comply with such requirement was due solely
18 to the fact that the required course or courses were not available to the applicant at
19 the school attended.

20 (2) A procedure whereby any student graduating from high school during the
21 1996-1997 or the 1997-1998 school year who is required to meet the provisions of
22 R.S. 17:5025.1(11) or 5026(B)(11) relative to successful completion of one unit of
23 Foreign Language shall be able to meet such requirement after graduating from high
24 school.

25 (3) A procedure for waiver of the requirement that a student complete the
26 high school curriculum specified in this Chapter upon proper documentation by the
27 high school's principal or authorized designee that the student is an exceptional child
28 as defined by R.S. 17:1942, excluding gifted and talented, and that failure to comply
29 with the specified curriculum was due solely to the student's exceptionality.

1 (4) A procedure for waiver of a high school curriculum requirement
2 specified in this Chapter for any student not otherwise covered by the provisions of
3 Paragraph (3) of this Subsection but who has one or more learning, visual, hearing,
4 or physical disabilities diagnosed by a person licensed or certified to diagnose such
5 disability, when the diagnosis states the need for the student to be provided special
6 accommodation by the high school relative to the curriculum requirement, the
7 student requested and was provided such special accommodation by the high school,
8 and failure to comply with the curriculum requirement was due solely to the student
9 being disabled.

10 (5) A requirement that all reports of student performance or disability
11 submitted to the administering agency and used to determine student eligibility be
12 certified by the responsible authority.

13 C. The administering agency shall provide the following guidelines:

14 (1) Guidelines and procedures by which the administering agency, subject
15 to prior approval by the State Board of Elementary and Secondary Education, may
16 update the course name and establish course equivalencies for any course included
17 in the definition of core curriculum provided by this Chapter, including necessary
18 changes to course names and equivalencies for Advanced Placement and
19 International Baccalaureate courses as prescribed by the College Board or the
20 International Baccalaureate Foundation. The guidelines and procedures shall include
21 but not be limited to a requirement that any change in a course name and the
22 establishment of any course equivalency be done by rule adopted by the
23 administering agency and a requirement that prior to issuing a notice of intent to
24 consider any such rule the administering agency shall consult with and seek the
25 written comments and recommendations of the Board of Regents on making the
26 name change or establishing the course equivalency.

27 (2) Guidelines and procedures directing that when tuition is paid from a
28 source other than the award made pursuant to this Chapter, the award shall be
29 applied by the institution attended by the student toward payment of expenses other

1 than tuition which are described in the term "cost of attendance" as that term is
2 defined in 20 U.S.C. 1087(II), as amended, for the purpose of qualifying the student
3 or his parent or court-ordered custodian for the federal income tax credits provided
4 for under 26 U.S.C. 25A.

5 (3)(a) Guidelines and procedures permitting the administering agency to
6 receive and consider an application for an initial award, an application for the
7 continuation of an award, or an application to return from an out-of-state college or
8 university under this Chapter that is received by the agency after the final deadline
9 established by the agency for the receipt of such application but not later than one
10 hundred twenty days after the deadline.

11 (b) Guidelines and procedures permitting the administering agency, for the
12 2007-2008 academic year and thereafter, to receive and consider an application for
13 an award under this Chapter as authorized by R.S. 17:5023 that is received by the
14 agency after the final deadline established by the agency for the receipt of such
15 application, but not later than one hundred twenty days after the deadline.

16 (c)(i) When granting an award based on an application that is considered by
17 the agency pursuant to the provisions of this Paragraph and such application is
18 received by the agency not later than sixty days after the final deadline, the agency
19 shall reduce the time period of eligibility for the award as set forth in R.S. 17:5002
20 by one semester or an equivalent number of units at an eligible institution which
21 operates on a schedule based on units other than semesters.

22 (ii) When granting an award based on an application that is considered by
23 the agency pursuant to the provisions of this Paragraph and such application is
24 received by the agency more than sixty days after the final deadline, the agency shall
25 reduce the time period of eligibility for the award as set forth in R.S. 17:5002 by two
26 semesters or an equivalent number of units at an eligible institution which operates
27 on a schedule based on units other than semesters.

28 (4)(a) Guidelines and procedures permitting the administering agency to
29 receive and consider, beginning with awards made for the 2000-2001 academic year

1 and through the 2002-2003 academic year, an applicant's qualifying score on the
2 ACT or on the SAT that is obtained on an authorized testing date after the date of the
3 applicant's high school graduation but prior to July first of the year of such
4 graduation.

5 (b) Guidelines and procedures permitting the administering agency to receive
6 and consider, beginning with awards made for the 2003-2004 academic year and
7 thereafter, an applicant's qualifying score on the ACT or on the SAT which is first
8 obtained on an authorized testing date after the national April ACT testing date in the
9 year of the applicant's high school graduation but prior to July first of the year of
10 such graduation.

11 (c) Guidelines and procedures permitting the administering agency to receive
12 and consider, beginning with awards made for the 2011-2012 academic year and
13 thereafter, an applicant's qualifying score on the ACT or on the SAT which is first
14 obtained on an authorized testing date after the national April ACT testing date in the
15 year of the applicant's high school graduation but prior to July first of the year of
16 such graduation or, if the administering authority determines that the applicant was
17 prevented from taking the test prior to July first of the year of graduation due to
18 circumstances beyond the immediate control of the student and attributable to the
19 administration of the test, prior to September thirtieth of the year of such graduation.

20 (d) When granting an award to an applicant whose qualifying test score is
21 considered by the agency pursuant to the provisions of this Paragraph, the agency
22 shall reduce the time period of eligibility for the award as set forth in R.S. 17:5002
23 by one semester or an equivalent number of units at an eligible institution which
24 operates on a schedule based on units other than semesters.

25 §5063. Notice of Program Changes

26 In addition to any other requirements of this Chapter, the administering
27 agency shall notify all appropriate public and nonpublic school personnel, including
28 school counselors, of any changes in law or agency rules relative to the Taylor
29 Opportunity Program for Students no later than sixty days after such change.

1 §5064. School boards

2 Each city and parish school board for the high school under its jurisdiction
3 or the principals of such high schools and the principal or headmaster of each
4 nonpublic high school approved by the State Board of Elementary and Secondary
5 Education shall, using the criteria in Subpart B of Part I of this Chapter as the
6 minimum qualifications for selection, identify and certify to the administering
7 agency those achieving the required academic standards to qualify for an award
8 pursuant to this Chapter.

9 §5065. Funding

10 A.(1) The legislature annually shall appropriate to the administering agency
11 funds which, together with any other funds available, are sufficient to cover the costs
12 required to be paid, both initial and continuing, for the coming academic year. All
13 such payments shall be made by the administering agency directly to the institution
14 to which such payment is due after notice to the institution that the state shall pay,
15 on behalf of the qualifying student, the applicable amount stipulated in this Chapter
16 and after notice from the institution that the student has actually enrolled.

17 (2) Effective beginning with the 1999-2000 academic year and thereafter, no
18 state payments made on behalf of any student receiving an award pursuant to the
19 provisions of this Chapter shall be used by an institution of higher education to
20 supplant the granting of free tuition for such student pursuant to a scholarship given
21 in accordance with the provisions of Act No. 43 of the 1884 Regular Session of the
22 Legislature, as amended.

23 B. The administering agency may seek, accept, and expend funds from any
24 source, including private business, industry, foundations, and other groups as well
25 as any federal or other governmental funding available for this purpose.

26 C. Implementation of the tuition payment program provided by this Chapter
27 shall be subject to the appropriation of funds for this purpose.

28 D.(1) In the event the legislature appropriates insufficient money to fund all
29 awards made to students qualifying under the provisions of this Chapter, the number

1 of students to whom awards shall be made shall be reduced as necessary pursuant to
2 a procedure set out by rule adopted by the administering agency. The procedure
3 shall provide for such reduction to be based on the scores on the ACT and then on
4 the ability of each student's family to pay the student's tuition as evidenced by the
5 expected family contribution determined by using the standardized federal
6 methodology for establishing student financial need. The procedure shall provide
7 that reductions of awards made necessary by insufficient appropriations shall first
8 eliminate the cohort of students who score lowest on the ACT. The procedures shall
9 provide that within that cohort of students, those whose families are most able to pay
10 the student's tuition shall be eliminated first. After insufficient appropriations
11 require the elimination of all students in such cohort, the procedures shall require
12 repeating the process with those students in the next highest score cohort.

13 (2) Among students denied their awards as provided in this Subsection, those
14 students whose families have the least capacity to pay shall be the first to receive
15 their awards if monies become available. Any student for whom the expected family
16 contribution cannot be determined as provided for in Paragraph (1) of this Subsection
17 shall be denied his award until the legislature appropriates sufficient monies to fund
18 all awards made to students qualifying under the provisions of this Chapter.

19 §5066. With other financial assistance

20 A. A grant awarded pursuant to this Chapter may be combined with a
21 disbursement from the Louisiana Student Tuition Assistance and Revenue Trust
22 Program, as provided in R.S. 17:3091 through 3099.2, to pay the student's tuition,
23 and any portion of the grant which is offset by such a disbursement shall then be
24 expended in payment of current year educational expenses as defined by the
25 administering agency and billed to the student by the institution. Any remaining
26 balance of the grant award may then be expended by the student in payment of room
27 and board.

28 B.(1)(a) Notwithstanding any provision of this Chapter to the contrary, any
29 student who qualifies for an award as provided in this Chapter and who also qualifies

1 for any other financial assistance offered by the state public college or university
2 which the student attends shall be allowed to combine such award and financial
3 assistance in any manner to cover any "cost of attendance" as determined for that
4 student in accordance with regulations governing the award of federal student aid
5 under Title IV of the Higher Education Act of 1965 as amended, including room and
6 board, books, and other instructional materials.

7 (b) Additionally, notwithstanding any provision of this Chapter to the
8 contrary and effective for the 2004-2005 award year and thereafter, any student who
9 qualifies for an award as provided in this Chapter shall be allowed to use such award
10 in any manner to cover any "cost of attendance" at an eligible public college or
11 university as determined for that student in accordance with regulations governing
12 the award of federal student aid under Title IV of the Higher Education Act of 1965
13 as amended.

14 (2) If a student is receiving other financial assistance that, when combined
15 with a tuition payment under this Chapter, exceeds the "cost of attendance" as
16 determined for that student in accordance with regulations governing the award of
17 federal student aid under Title IV of the Higher Education Act of 1965, as amended,
18 the amount of the tuition payment shall be reduced by the amount of such excess.

19 (3)(a)(i) Any student who receives a financial assistance award pursuant to
20 this Chapter may elect to accept the award on the basis provided in this Paragraph.
21 The student may elect to delay the acceptance of his financial assistance award until
22 after the student, if he is not claimed as a dependent of a parent or court-ordered
23 custodian on a federal income tax return, or his parent or court-ordered custodian,
24 if he is claimed as a dependent on a federal income tax return, files his federal
25 income tax return.

26 (ii) If the student delays the acceptance of his award and the student, parent,
27 or court-ordered custodian claims a federal income tax credit for money expended
28 on educational tuition for the postsecondary education of the student, the
29 administering agency shall pay directly to the student an amount equal to the amount

1 of the award that would have been paid to the eligible institution on behalf of the
2 student less the amount of the tax credit claimed plus as an incentive for claiming the
3 credit and thus reducing the cost to the state of this program, an amount equal to
4 twenty-five percent of the amount of the credit claimed.

5 (iii) If the student delays the acceptance of his award and the student, parent,
6 or court-ordered custodian does not claim such a credit, then the amount of the award
7 that would have been paid to the eligible institution on behalf of the student shall be
8 paid directly to the student.

9 (b) In order to receive the additional incentive payment provided for in Item
10 (a)(ii) of this Paragraph, the student, parent, or court-ordered custodian filing the
11 return shall provide such proof to the administering agency of the amount of federal
12 income tax credit for money expended on educational tuition claimed as required by
13 the agency, including access to their federal income tax records or other appropriate
14 records.

15 (c) In any case in which the award amount is paid directly to the student as
16 a result of an election under this Paragraph, the amount of the award may be
17 expended on any item considered as part of the "cost of attendance" as determined
18 for that student in accordance with regulations governing the award for federal
19 student aid under Title IV of the Higher Education Act of 1965, as amended.

20 (d) The administering agency shall establish by rule the procedure and time
21 schedules necessary for a student to make the election provided for in this Paragraph,
22 for receipt of notice of such an election by the agency, and for delayed payment of
23 the award and any applicable incentive.

24 (e) In any case in which a federal income tax credit claim for tuition is
25 disallowed, no additional payment shall be made by the agency as a result.

26 (f) The election provided for in this Paragraph may be made in any year for
27 which the student is eligible for an award under this Paragraph.

1 §5067. Program information reporting system; implementation; requirements;
2 applicability; participation by eligible institutions and others

3 A.(1) The Board of Regents shall formulate, develop, establish, and
4 implement a uniform Taylor Opportunity Program for Students information reporting
5 system for the purposes of policy analysis and program evaluation and for providing
6 accurate data and statistics to the legislature, the governor and appropriate executive
7 branch agencies, and the public relative to the program's impact on the state and on
8 students.

9 (2) In formulating and developing the information reporting system, the
10 Board of Regents shall consult with and seek written recommendations from the
11 Louisiana Student Financial Assistance Commission, each college or university
12 eligible for participation in the Taylor Opportunity Program for Students, each of the
13 public postsecondary education management boards, the Louisiana Association of
14 Independent Colleges and Universities, legislators, and knowledgeable others as
15 determined appropriate by the Board of Regents.

16 (3) It is the intention of the legislature that the reporting system provided by
17 this Section and the requirements thereof shall be applicable to all Taylor
18 Opportunity Program for Students applicants, all award recipients regardless of
19 eligible college or university attended, and all such eligible colleges and universities.
20 Effective for the 2002-2003 award year and thereafter, compliance with the
21 requirements of the Taylor Opportunity Program for Students information reporting
22 system shall be a condition for an eligible college or university to remain eligible to
23 receive payments from the state on behalf of an award recipient. Compliance
24 determinations shall be made annually by the Board of Regents.

25 B. The Taylor Opportunity Program for Students information reporting
26 system shall include but not be limited to the following:

27 (1) A report prepared as of the end of the Fall semester and again as of the
28 end of the Spring semester or equivalent periods of time during each academic year
29 relative to the rate of retention of program awards by students as they progress from

1 semester to semester or other equivalent periods of time as may be applicable once
2 enrolled at an eligible college or university. The data shall be reported by institution
3 attended, by the two-digit classification of instructional program, and by program
4 award category and shall include the percent of students losing program eligibility
5 due to not earning the minimum number of credit hours, the percent of students
6 losing program eligibility due to not having the required cumulative grade point
7 average, and the percent of students losing program eligibility for failing to make
8 steady academic progress.

9 (2) The persistence rates at colleges and universities of freshman,
10 sophomore, junior, and senior students receiving a program award reported by award
11 category and by award year.

12 (3) The graduation rates or rates of completion of the chosen postsecondary
13 education program if otherwise applicable for students receiving a program award,
14 reported by award category and award year, including for those graduating with an
15 academic degree at the baccalaureate level the rate for persons graduating within four
16 years, within five years, and within six years, respectively.

17 (4) The mean length of time required for a student receiving a program
18 award to graduate with an academic degree at the baccalaureate level or to complete
19 the chosen postsecondary education program if otherwise applicable with such
20 information being reported by award category and by award year.

21 (5) An annual report on the number of applicants as well as the percent of
22 high school graduates by high school and by parish who apply for a program award,
23 by award category, and the percent of those students who subsequently enroll in a
24 college or university.

25 (6) Statistical studies on the relationship between the courses taken and
26 grades earned by a high school student and the student's score on the ACT or the
27 SAT. Relative to public high schools, such statistical studies shall use student course
28 and grade data that is otherwise available from the schools and such studies shall be
29 conducted at no additional cost to the governing authority of any public high school.

1 (7) Demographic information of program award recipients, including but not
2 limited to race, gender, and parents' household income.

3 (8) High school grade point average and ACT or concordant SAT scores of
4 program award recipients grouped by mean, median, and mode.

5 (9) High school grade point average and ACT or concordant SAT score
6 cross-referenced with those students who lost the award and those who were placed
7 on probationary status and the reasons therefor.

8 C. When necessary due to limitations in existing secondary data sources and
9 systems, the Board of Regents, consistent with the general provisions of this Section,
10 may modify any specific requirement of this Section. However, prior to making any
11 such modifications the board shall report in writing to the House Committee on
12 Education and the Senate Committee on Education on the proposed action and the
13 board shall have received approval from each committee relative to the proposed
14 action.

15 D. The Board of Regents shall submit a written report including all of the
16 information required by this Section for the preceding academic year to the Senate
17 Committee on Education and the House Committee on Education, not later than
18 December first of each year.

19 E. All information reported pursuant to this Section shall be reported in the
20 aggregate only and shall contain no personally identifiable information for any
21 recipient of a program award.

22 §5068. Miscellaneous

23 A. Each student who initially qualifies for more than one award under the
24 provisions of this Chapter shall receive the award requiring the most rigorous
25 eligibility criteria.

26 B. Notwithstanding any other provision of this Chapter to the contrary, any
27 public or private entity, including any nonprofit organization, may make a directed
28 donation to any eligible postsecondary institution for a student who is a recipient of
29 a Louisiana Taylor Opportunity Program for Students eligibility.

1 C. Annually, the Louisiana Student Financial Assistance Commission shall,
2 with the cooperation and assistance of the state's institutions of postsecondary
3 education, query each first-time recipient of a Taylor Opportunity Program for
4 Students award to determine the extent to which receiving the award influenced the
5 decision of the student to attend a Louisiana college or university.

6 D.(1) Recognizing the success and growth of the Taylor Opportunity
7 Program for Students and in order to maintain the long-term financial stability of
8 such program, private businesses, industry, foundations, charities, and other
9 individuals or groups may, notwithstanding any provision of law to the contrary, ask
10 the division of administration for authority to create scholarship programs to make
11 payments to eligible colleges and universities on behalf of individual students. If the
12 division of administration authorizes a private scholarship program, scholarship
13 funds received by an eligible college or university from such private scholarship
14 program on behalf of a student shall cause a reduction in the dollar amount of any
15 award pursuant to this Chapter associated with that student to an amount that is equal
16 to the dollar amount that the award would have been if no such private scholarship
17 funds had been received less the amount of private scholarship funds received by the
18 eligible college or university.

19 (2) This Subsection shall in no way be interpreted in such a manner that a
20 student could receive less benefits from a combination of the award pursuant to this
21 Chapter and the private scholarship funded on his behalf than he would have
22 received solely from the award pursuant to this Chapter if there had been no private
23 scholarship funded on his behalf. Therefore, to the extent that any privately funded
24 scholarship funds provided for in this Subsection made to an eligible college or
25 university on behalf of a qualified student are for an amount less than the amount a
26 given student would have otherwise received if no such private scholarship funds had
27 been paid as an award pursuant to this Chapter, then the eligible college or university
28 shall receive that difference on behalf of the student as the student's award from the
29 Taylor Opportunity Program for Students.

1 (3) As provided in this Subsection, if an eligible college or university
2 receives privately funded scholarship funds on behalf of a student, the state funds for
3 the Taylor Opportunity Program for Students shall be reduced by the amount of the
4 private scholarship program funds so received. A reduction shall not affect the
5 estimated nature of the Taylor Opportunity Program for Students appropriation as
6 provided in the Act or Acts that contain such appropriations. The commissioner of
7 administration shall determine and specify the amount of the reduction from the
8 source of the funds to provide the maximum benefit to the state from the privately
9 funded scholarship program. The state treasurer shall deposit the amount of such
10 reduction as specified by the commissioner of administration into the
11 Overcollections Fund created in R.S. 39:100.21 and credit the deposit to an account
12 within the fund hereby established and created to be known as the "Program
13 Participation Savings Account".

14 E. Notwithstanding any rule by the administering agency to the contrary, no
15 student who graduates from high school in less than four years and who receives an
16 award under this Chapter shall be restricted or otherwise delayed as to the date the
17 award may be first used at an eligible institution due to the student having graduated
18 from high school in less than four years.

19 PART III. TOPS-TECH EARLY START AWARD

20 §5081. TOPS-Tech Early Start Award; purpose; eligibility; award amounts
21 limitations; administration; implementation; reports

22 A. The TOPS-Tech Early Start Award is hereby established as part of the
23 Louisiana Taylor Opportunity Program for Students for eligible eleventh and twelfth
24 grade students attending Louisiana public high schools.

25 B.(1) A TOPS-Tech Early Start Award may be used to fund any technical
26 or applied course leading to an Industry-Based Certification, a Certificate of Applied
27 Science, and a Certificate of Technical Sciences offered at a Louisiana public or
28 nonpublic postsecondary education institution or by any Louisiana training provider
29 recognized by the Louisiana Workforce Commission and approved by the State

1 Board of Elementary and Secondary Education as provided in Paragraph (4) of this
2 Subsection when such certification or certificate is approved by the Workforce
3 Investment Council as meeting the following requirements:

4 (a) Is identified by the Occupation Forecasting Conference as a credential
5 for an occupation in top demand in Louisiana.

6 (b) Is recognized by the State Industry-Based Certification Leadership
7 Council.

8 (2) An eligible recipient may receive a TOPS-Tech Early Start Award for
9 two semesters during the eleventh grade and two semesters during the twelfth grade,
10 excluding summer sessions.

11 (3) The administering agency, on behalf of a TOPS-Tech Early Start Award
12 recipient, shall pay to the Louisiana postsecondary education institution in which the
13 student is enrolled in an eligible program of studies or a training program provider
14 an amount of one hundred fifty dollars for each three credit-hour or equivalent time
15 course taken by the student, not to exceed two such courses per high school semester
16 for an eleventh-grade student and two such courses per high school semester for a
17 twelfth-grade student.

18 (4)(a) By January thirty-first annually, the State Board of Elementary and
19 Secondary Education shall determine which training program providers it approves
20 for the academic year that begins in the fall of that year.

21 (b) For the 2014-2015 academic year, the number of training program
22 providers at which a TOPS-Tech Early Start Award may be used shall be limited to
23 five providers as selected by the State Board of Elementary and Secondary
24 Education.

25 (c) The State Board of Elementary and Secondary Education shall
26 promulgate rules and regulations in accordance with the Administrative Procedure
27 Act to implement the provisions of this Paragraph.

28 (5) Implementation of the provisions of this Section shall be subject to the
29 appropriation of funds for this purpose.

1 C. An application for a TOPS-Tech Early Start Award shall be required at
2 a time and in a manner and form established by the administering agency. At a
3 minimum, information necessary to fully inform Louisiana public high school
4 students and their parents on the requirements of and procedures for applying for the
5 award shall be made available by the administering agency in the same manner as
6 required by law for other awards provided by the Taylor Opportunity Program for
7 Students.

8 D. To be eligible for an initial TOPS-Tech Early Start Award, a student shall
9 meet each of the following conditions and comply with other applicable provisions
10 of this Section and administering agency rules:

11 (1) Be in the eleventh or twelfth grade in a Louisiana public school.

12 (2) Have prepared a five-year education and career plan, including a
13 sequence of related courses with a career focus as provided by Subpart A-1 of Part
14 III of Chapter 1 of this Title.

15 (3) Have a cumulative high school grade point average on all courses
16 attempted of not less than 2.0 when calculated on a 4.0 scale.

17 (4) Score at least fifteen on the English subsection and fifteen on the
18 mathematics subsection of the ACT PLAN assessment administered as part of
19 Louisiana's Educational Planning and Assessment System.

20 E. To maintain continuing eligibility for a TOPS-Tech Early Start Award,
21 a student must meet each of the following conditions and comply with other
22 applicable provisions of this Section and administering agency rules:

23 (1) Be a student in good standing in a Louisiana public high school.

24 (2) Maintain a cumulative high school grade point average on all courses
25 attempted of not less than 2.0 when calculated on a 4.0 scale.

26 (3) Be a student in good standing while enrolled in a Louisiana public or
27 nonpublic postsecondary education institution or training program and continue to
28 pursue one or more courses leading to an industry-based credential.

1 F.(1) The provisions of this Section shall be administered by the Louisiana
2 Student Financial Assistance Commission, herein referred to as the "administering
3 agency". Except as otherwise provided by this Section, the authority granted to and
4 limitations placed on the administering agency by Parts I and II of this Chapter
5 relative to administering other awards pursuant to the Taylor Opportunity Program
6 for Students shall be deemed to apply also to the administration of the TOPS-Tech
7 Early Start Award.

8 (2) The agency shall adopt, in accordance with the Administrative Procedure
9 Act, rules to implement and administer the provisions of this Section. Such rules
10 shall include but not be limited to necessary guidelines, policies, procedures, forms,
11 and time lines.

12 G. Prior to the convening of each regular legislative session, the Louisiana
13 Student Financial Assistance Commission shall provide to the governor, the House
14 Committee on Education, and the Senate Committee on Education a written review
15 and analysis of TOPS-Tech Early Start awards relative to award use by students and
16 the benefits therefrom as well as the impact on subsequent use by students of TOPS-
17 Tech awards.

18 PART IV. STUDENTS DISPLACED BY CERTAIN NATURAL DISASTERS

19 §5101. Initial eligibility for program awards; students displaced by certain natural
20 disasters; waivers and exceptions; limitations

21 A.(1)(a) The legislature finds that due to the effects of natural disasters
22 declared by the governor on August 26, 2005, relative to Hurricane Katrina, and on
23 September 20, 2005, relative to Hurricane Rita, it is in the best interest for the
24 education of the people of the state that initial eligibility requirements established in
25 R.S. 17:3048.1 for awards pursuant to the Taylor Opportunity Program for Students
26 be modified as provided by this Section for the 2005-2006, 2006-2007, 2007-2008,
27 and 2008-2009 school years for students displaced as a result of the disasters.

28 (b) Notwithstanding any provision of this Section to the contrary, all
29 modifications of initial eligibility requirements established in Part I of this Chapter

1 for awards pursuant to the Taylor Opportunity Program for Students provided by this
2 Section for the 2005-2006 school year for a displaced student and for a dependent
3 student pursuant to the provisions of Subitems (B)(1)(c)(ii)(aa) and (bb) of this
4 Section shall be applicable to a displaced student and a dependent student, as
5 applicable, for the 2006-2007, 2007-2008, and 2008-2009 school years.

6 (2) For the purposes of this Section, the phrase "a student displaced as a
7 result of the disasters", hereinafter referred to in this Section as a "displaced student",
8 shall mean a student who meets either or both of the following conditions:

9 (a) The student, on August 26, 2005, was enrolled in a public high school or
10 a nonpublic high school having the approvals by the State Board of Elementary and
11 Secondary Education required by Part I of this Chapter for program eligibility
12 purposes and such school was located in Jefferson, Lafourche, Orleans, Plaquemines,
13 St. Bernard, St. Tammany, Tangipahoa, or Washington Parish or the student resided
14 in such a parish and was enrolled in a home study program approved by the State
15 Board of Elementary and Secondary Education.

16 (b) The student, on September 20, 2005, was enrolled in a public high school
17 or a nonpublic high school having the approvals by the State Board of Elementary
18 and Secondary Education required by Part I of this Chapter for program eligibility
19 purposes and such school was located in Acadia, Allen, Beauregard, Calcasieu,
20 Cameron, Iberia, Jefferson Davis, St. Mary, Terrebonne, or Vermilion Parish or the
21 student resided in such a parish and was enrolled in a home study program approved
22 by the State Board of Elementary and Secondary Education.

23 B.(1) Relative to initial eligibility requirements for a Taylor Opportunity
24 Program for Students award applicable to a student displaced during the 2005-2006
25 school year, the Louisiana Student Financial Assistance Commission, in accordance
26 with the Administrative Procedure Act, shall provide by rule as follows:

27 (a) A displaced student who has been certified by the principal or headmaster
28 to have graduated during the 2005-2006 school year from an out-of-state high school
29 that meets the criteria to be an eligible out-of-state high school as provided in R.S.

1 17:5029 shall not be required to have for the respective awards a higher minimum
2 composite score on the ACT or on the SAT than required for a student who graduates
3 from an eligible Louisiana high school provided such student has, for a TOPS-Tech
4 Award or Opportunity Award, a cumulative high school grade point average on all
5 courses on the high school transcript of at least 2.50 calculated on a 4.00 scale or, for
6 a Performance or Honors award, a cumulative high school grade point average on all
7 courses on the high school transcript of at least 3.50 calculated on a 4.00 scale.

8 (b) The program requirement that a student who graduates from an eligible
9 Louisiana high school during the 2005-2006 school year must have successfully
10 completed the applicable core curriculum shall be waived for a displaced student
11 upon proper documentation by the student's high school principal or headmaster or
12 authorized designee that failure to comply with such requirement is due solely to the
13 fact that the required course or courses were not available to the student at the school
14 attended.

15 (c)(i) A dependent or independent displaced student shall be deemed to meet
16 the residency requirements for a program award if such student actually resided in
17 Louisiana during his entire eleventh grade year of high school and was enrolled for
18 such time in an eligible Louisiana high school or, for dependent students, if the
19 displaced student has a parent or court-ordered custodian who actually resided in a
20 parish listed in Subparagraph (A)(2)(a) of this Section for at least the twelve months
21 prior to August 26, 2005, or in a parish listed in Subparagraph (A)(2)(b) of this
22 Section for at least the twelve months prior to September 20, 2005.

23 (ii)(aa) A parent or court-ordered custodian of a dependent student who is
24 eligible for a program award pursuant to the provisions of R.S. 17:5029, relative to
25 students who graduate from certain out-of-state high schools, and who was displaced
26 as a resident from a parish listed in Subparagraph (A)(2)(a) of this Section due to
27 Hurricane Katrina shall be deemed to meet program residency requirements if such
28 parent or court-ordered custodian actually resided in Louisiana for at least the twelve
29 months prior to August 26, 2005.

1 (bb) A parent or court-ordered custodian of a dependent student who is
2 eligible for a program award pursuant to the provisions of R.S. 17:5029, relative to
3 students who graduate from certain out-of-state high schools, and who was displaced
4 as a resident from a parish listed in Subparagraph (A)(2)(b) of this Section due to
5 Hurricane Rita shall be deemed to meet program residency requirements if such
6 parent or court-ordered custodian actually resided in Louisiana for at least the twelve
7 months prior to September 20, 2005.

8 (d) A displaced student who during the 2005-2006 school year successfully
9 completes at the twelfth grade level a home study program approved by the State
10 Board of Elementary and Secondary Education shall be eligible for program awards
11 by complying with the provisions of R.S. 17:5029, relative to certain students who
12 have successfully completed home study programs approved by the state board. In
13 such case, the statutory requirement that a student, if ever enrolled in an eligible
14 Louisiana high school, must have begun his approved home study program no later
15 than the conclusion of the tenth grade year shall not apply to the displaced student.

16 (2)(a)(i) Relative to initial eligibility requirements for a Taylor Opportunity
17 Program for Students award applicable for the 2005-2006 school year to a displaced
18 student, the Louisiana Student Financial Assistance Commission, in consultation
19 with the commissioner of higher education and in accordance with the
20 Administrative Procedure Act, shall by rule waive any provision of Part I of this
21 Chapter that imposes on such displaced student a program requirement or condition
22 that such student cannot comply with or meet when it is determined by the
23 commission that a failure to comply with the requirement or meet the condition,
24 more likely than not, is due solely to a consequence of Hurricane Katrina or Rita, or
25 both.

26 (ii) Relative to initial eligibility requirements for a Taylor Opportunity
27 Program for Students award applicable for the 2005-2006 school year to any student
28 displaced during the 2005-2006 school year as a consequence of a disaster or
29 emergency other than Hurricane Katrina or Rita and for which the governor declares

1 a state of emergency to exist, the Louisiana Student Financial Assistance
2 Commission, in consultation with the commissioner of higher education and in
3 accordance with the Administrative Procedure Act, shall by rule waive any provision
4 of Part I of this Chapter that imposes on such student a program requirement or
5 condition that the student cannot comply with or meet when it is determined by the
6 commission that a failure to comply with the requirement or meet the condition,
7 more likely than not, is due solely to a consequence of the declared disaster or
8 emergency.

9 (b) In addition to provisions of the Administrative Procedure Act relative to
10 oversight by the legislature of the adoption of commission rules, the Joint Legislative
11 Committee on the Budget, in accordance with procedures and threshold amounts
12 established by the committee, shall have oversight and approval authority over any
13 rule proposed for adoption pursuant to the provisions of this Paragraph that has a
14 significant program or other cost, or both, to the state.

15 C. The Louisiana Student Financial Assistance Commission shall take all
16 administrative action necessary to expedite full implementation of the provisions of
17 this Section. The commission also shall disseminate information to displaced
18 students and others regarding program changes pursuant to the provisions of this
19 Section in the most timely manner possible.

20 §5102. Continuing eligibility for program awards; students displaced by certain
21 natural disasters; waivers and exceptions; limitations

22 A.(1) The legislature finds that due to the effects of natural disasters declared
23 by the governor on August 26, 2005, relative to Hurricane Katrina, and on September
24 20, 2005, relative to Hurricane Rita, it is in the best interest for the education of the
25 people of the state that continuing eligibility requirements established in Part I of this
26 Chapter for awards pursuant to the Taylor Opportunity Program for Students be
27 modified as provided by this Section for the 2005-2006 academic year for students
28 displaced as a result of either, or both, of the disasters.

1 (2) For the purposes of this Section, the phrase "a student displaced as a
2 result of either, or both, of the disasters", hereinafter referred to in this Section as a
3 "displaced student", shall mean a person who meets any of the following conditions:

4 (a) The person, on August 26, 2005, was eligible for or had a program award
5 and had a home of record in Jefferson, Lafourche, Orleans, Plaquemines, St.
6 Bernard, St. Tammany, Tangipahoa, or Washington Parish.

7 (b) The person, on September 20, 2005, was eligible for or had a program
8 award and had a home of record in Acadia, Allen, Beauregard, Calcasieu, Cameron,
9 Iberia, Jefferson Davis, St. Mary, Terrebonne, or Vermilion Parish.

10 (c) The person, on August 26, 2005, was eligible for or had a program award
11 and was enrolled in an eligible Louisiana institution listed below:

12 (i) Delgado Community College

13 (ii) Dillard University

14 (iii) Louisiana State University Health Sciences Center at New Orleans

15 (iv) Louisiana Technical College: Jefferson, Sidney N. Collier, Slidell,
16 Sullivan, and West Jefferson campuses

17 (v) Loyola University

18 (vi) New Orleans Baptist Theological Seminary

19 (vii) Nunez Community College

20 (viii) Our Lady of Holy Cross College

21 (ix) St. Joseph Seminary College

22 (x) Southern University at New Orleans

23 (xi) Tulane University

24 (xii) University of New Orleans

25 (xiii) Xavier University

26 (d) The person, on September 20, 2005, was eligible for or had a program
27 award and was enrolled in McNeese State University or Sowela Technical
28 Community College.

1 (3) For the purposes of Subparagraphs (2)(a) and (b) of this Subsection,
2 "home of record" for a dependent student shall mean the domiciliary address of the
3 student's parent or court-ordered custodian and for an independent student shall mean
4 the domiciliary address of such student.

5 B.(1) Relative to continuing eligibility requirements for a Taylor
6 Opportunity Program for Students award applicable for the 2005-2006 academic year
7 to a student displaced during the 2005-2006 academic year, the Louisiana Student
8 Financial Assistance Commission, in accordance with the Administrative Procedure
9 Act, shall provide by rule as follows:

10 (a)(i) The provisions of R.S. 17:5043 permitting a student qualified for a
11 program award who enrolls as a first-time freshman in an eligible out-of-state
12 college or university to subsequently use the award at an eligible Louisiana college
13 or university shall apply to a displaced student except that the time period of award
14 eligibility shall not be reduced due to the student's attendance at an eligible out-of-
15 state institution during the 2005-2006 academic year.

16 (ii) Relative to a displaced student having a suspended program award due
17 to the student not meeting a requirement relative to having a specified grade point
18 average or making steady academic progress, the respective time periods provided
19 in Part I of this Chapter for the student to meet such requirement or lose program
20 eligibility shall be extended on a one-for-one basis for each semester or other term
21 in which the student does not enroll on a full-time basis in an eligible college or
22 university during the 2005-2006 academic year.

23 (iii) The program award for a displaced student shall not be canceled if the
24 student enrolls during the 2005-2006 academic year in an eligible out-of-state
25 institution subsequent to use of a program award at an eligible Louisiana college or
26 university. Additionally, the periods of time provided in Part I of this Chapter for
27 use by eligible recipients of program awards shall not be reduced for those semesters
28 or terms such displaced student was enrolled in an eligible out-of-state institution
29 during the 2005-2006 academic year and the unused period of time shall remain

1 available to the displaced student for use at an eligible Louisiana college or
2 university.

3 (iv) In addition to the provisions of Part I of this Chapter permitting a
4 recipient to use a TOPS-Tech Award at an eligible Louisiana college or university
5 to pursue skill or occupational training, as defined by the administering agency,
6 including a vocational or technical education certificate or diploma program or a
7 nonacademic degree, a TOPS-Tech Award also may be used during the 2005-2006
8 academic year by a displaced student to enroll on a full-time basis at an eligible
9 Louisiana college or university granting academic undergraduate degrees to take
10 courses that contribute to the pursuit of a skill or occupation. In such case, the award
11 amount paid by the state on behalf of the student shall be at the Opportunity Award
12 level.

13 (2)(a)(i) Relative to continuing eligibility requirements for a Taylor
14 Opportunity Program for Students award applicable for the 2005-2006 academic year
15 to a student displaced during the 2005-2006 academic year, the Louisiana Student
16 Financial Assistance Commission, in consultation with the commissioner of higher
17 education and in accordance with the Administrative Procedure Act, shall by rule
18 waive any provision of Part I of this Chapter that imposes on a displaced student a
19 program requirement or condition that such student cannot comply with or meet
20 when it is determined by the commission that a failure to comply with the
21 requirement or meet the condition, more likely than not, is due solely to a
22 consequence of Hurricane Katrina or Rita, or both.

23 (ii) Relative to continuing eligibility requirements for a Taylor Opportunity
24 Program for Students award applicable for the 2005-2006 academic year to any
25 student displaced during the 2005-2006 academic year as a consequence of a disaster
26 or emergency other than Hurricane Katrina or Rita and for which the governor
27 declares a state of emergency to exist, the Louisiana Student Financial Assistance
28 Commission, in consultation with the commissioner of higher education and in
29 accordance with the Administrative Procedure Act, shall by rule waive any provision

1 of Part I of this Chapter that imposes on such student a program requirement or
2 condition that the student cannot comply with or meet when it is determined by the
3 commission that a failure to comply with the requirement or meet the condition,
4 more likely than not, is due solely to a consequence of the declared disaster or
5 emergency.

6 (b) In addition to provisions of the Administrative Procedure Act relative to
7 oversight by the legislature of the adoption of commission rules, the Joint Legislative
8 Committee on the Budget, in accordance with procedures and threshold amounts
9 established by the committee, shall have oversight and approval authority over any
10 rule proposed for adoption pursuant to the provisions of this Paragraph that has a
11 significant program or other cost, or both, to the state.

12 C. The Louisiana Student Financial Assistance Commission shall take all
13 administrative action necessary to expedite full implementation of the provisions of
14 this Section. The commission also shall disseminate information to displaced
15 students and others regarding program changes pursuant to the provisions of this
16 Section in the most timely manner possible.

17 PART V. ANCILLARY AND CONTINUATION PROVISIONS

18 §5121. Effectiveness of Chapter; continuance of certain tuition payments

19 A. Awards pursuant to this Chapter may be made for the first time such that
20 payments would be made beginning with the 1998-1999 school year.

21 B. Students graduating from high school or who have successfully completed
22 at the twelfth grade level a home study program approved by the State Board of
23 Elementary and Secondary Education during a 1996-1997 school year and thereafter
24 may apply for and if otherwise qualified be eligible to receive an Opportunity
25 Award, Performance Award, or Honors Award as provided by this Chapter.

26 C. Students graduating from high school or who have successfully completed
27 at the twelfth grade level a home study program approved by the State Board of
28 Elementary and Secondary Education during the 1997-1998 school year and

1 Section 3. Chapter 20-G of Title 17 of the Louisiana Revised Statutes of 1950,
2 comprised of R.S. 17:3048.1 through 3048.7, is hereby repealed in their entirety.

3 Section 4. The provisions of R.S. 17:3048.1(A)(1)(a)(i), (ii), and (iii)(ee)(III) and
4 (S)(1) through (3) and 3048.2(D) through (G) as repealed by this Act remain in effect for
5 students to whom they are applicable under the terms specified therein. The administering
6 agency shall continue to grant awards to students who are not otherwise qualified but who
7 qualify under those provisions and shall otherwise give full force and effect to those
8 provisions.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 705 Engrossed

2015 Regular Session

Broadwater

Abstract: Reorganizes the law providing for the Taylor Opportunity Program for Students (TOPS) without making any changes to the program.

Present law generally provides a state-funded scholarship program for the payment of higher education tuition for Louisiana highschool students who merit certain grades and achievements. Now called the Taylor Opportunity Program for Students (TOPS), present law was enacted over 25 years ago and over the years has been frequently amended. Proposed law reorganizes, renumbers, and recodifies present law without making any substantive changes to TOPS.

Present law is designated as Chapter 20-G of Title 17 of the Louisiana Revised Statutes and contains seven individual statutes. The main TOPS provision is R.S. 17:3048.1. Proposed law untangles the many provisions of R.S. 17:3048.1 into 25 separate statutes and organizes all TOPS provisions into five Parts, now all contained in Chapter 50 of Title 17 of the Louisiana Revised Statutes.

(Adds R.S. 17:5001 - 5122; Repeals R.S. 17:3048.1 - 3048.7)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Education to the original bill:

1. Were generally technical.
2. Remove certain provisions applicable to students who graduated from high school prior to 2000 from the bill but provide that they remain in effect.
3. Clarify that a 24-month state residency requirement applies to independent students. In present law the requirement clearly applies to dependent students but its applicability to independent students is ambiguous.