

Regular Session, 1997

HOUSE BILL NO. 2154

BY REPRESENTATIVES MCDONALD, DOWNER, DANIEL, FRITH,  
POWELL, AND WIGGINS AND SENATORS CASANOVA,  
GREENE, HAINKEL, SHORT, AND THEUNISSEN

AN ACT

To enact R.S. 17:3026(J) and (K), 3042.36, Chapter 20-G of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3048.1 and 3048.2, and R.S. 47:1508(B)(18), relative to tuition assistance; to provide relative to the application of grants awarded pursuant to the Tuition Assistance Plan and the combination of such grants with disbursements from the Louisiana Student Tuition Assistance and Revenue Trust Program account; to provide for the expenditure of any remaining balance of a grant award; to provide relative to the termination of the Tuition Assistance Plan and the Louisiana Honors Scholarship Program; to create and provide for the implementation of the Louisiana Tuition Opportunity Program for Students; to provide for the implementation of such comprehensive aid program; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3026(J) and (K), 3042.36, and Chapter 20-G of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3048.1 and 3048.2, are hereby enacted to read as follows:

§3026. College or university tuition; guarantee; eligibility;  
administration; exceptions; termination

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J. A grant awarded pursuant to this Section shall be applied to pay tuition except when the recipient of the grant is also a beneficiary of a Louisiana Student Tuition Assistance and Revenue Trust Program account as provided in R.S. 17:3091 through 3099.2. The grant may be

combined with a disbursement from a Louisiana Student Tuition Assistance and Revenue Trust Program account to pay the student's tuition, and any portion of the grant which is offset by such a disbursement shall then be expended in payment of current year educational expenses as defined by the administering agency and billed to the student by the institution. Any remaining balance of the grant award may then be expended by the student in payment of room and board.

K. No student shall be eligible to apply for any tuition or other assistance pursuant to this Section that would be received for the first time beginning with the 1998-1999 school year. All students to whom tuition payment has been awarded under this Section prior to 1998-1999 school year shall receive their award as an Opportunity Award pursuant to R.S. 17:3048.1(A)(1)(c) without the application to the student of any initial or continuing eligibility requirements of that program which exceed the requirements of this Section and without the application of any limitations of that program which would detrimentally affect the student.

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§3042.36. Termination of program

No student shall be eligible to apply for any tuition or other assistance pursuant to this Chapter that would be received for the first time beginning with the 1998-1999 school year. All students to whom tuition payment has been awarded under this Section prior to 1998-1999 school year shall receive their award as a Performance Award pursuant to R.S. 17:3048.1(A)(1)(d) without the application to the student of any initial or continuing eligibility requirements of that program which exceed the requirements of this Chapter and without the application of any limitations of that program which would detrimentally affect the student.

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CHAPTER 20-G. LOUISIANA TUITION OPPORTUNITY  
PROGRAM FOR STUDENTS

§3048.1. College or university tuition; guarantee; eligibility; administration

A. (1) As part of the Louisiana Tuition Opportunity Program for Students, the state shall financially assist any student who enrolls in a state college or university, a state vocational-technical institution, or a regionally accredited independent college or university in the state that is a member of the Louisiana Association of Independent Colleges or Universities, hereafter in this Chapter referred to collectively as "eligible colleges or universities", to pursue an academic undergraduate degree, and who meets the qualifications of Subparagraphs (c), (d), or (e) of this Paragraph and all of the applicable following qualifications:

(a) Has actually resided in Louisiana during the twenty-four months preceding college or university enrollment. For the purposes of this Subparagraph, residency shall be demonstrated by proof of the following as required by the administering agency:

(i) If registered to vote, is registered in Louisiana.

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

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

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

(b) Has a parent or guardian who is a domiciliary of Louisiana.

(c) Has graduated from a public school or a nonpublic school which has been approved by the State Board of Elementary and Secondary Education, has applied within two years of the date of graduation, has a minimum cumulative grade point average of 2.50 calculated on a 4.00 scale, has a composite score on the 1990 version of the American College Test which is at least equal to or higher than

the state's average composite score, rounded to the nearest whole number, reported for the prior year but never less than nineteen or an equivalent concordant value on an enhanced or revised version of such test or on the Scholastic Aptitude Test, and has enrolled in an eligible college or university as a first time freshman. As distinguished from all other students qualifying for this program, a student who meets the requirements of this Subparagraph shall be the recipient of an "Opportunity Award" for the purposes of this program.

(d) Has been certified as provided in Subsection C of this Section to have graduated among the top five percent of the graduating class in each public high school or nonpublic high school which has been approved by the State Board of Elementary and Secondary Education or be a student enrolled in a state-approved home study program and score in the upper five percent in the state on the National Merit Examination, has enrolled at an eligible institution within two years of the date of graduation, has achieved a minimum cumulative grade point average of 3.50 calculated on a 4.00 scale, and has a composite score on the 1990 version of the American College Test of twenty-three or higher or an equivalent concordant value on any enhanced or revised version of such test or on the Scholastic Aptitude Test. As distinguished from all other students qualifying for this program, a student who meets the requirements of this Subsection shall receive and be recognized as the recipient of a "Performance Award" for the purposes of this program.

(e) Has been certified as provided in Subsection C of this Section to have graduated from a public or state-approved nonpublic high school with a minimum cumulative grade point average of 3.50 on a 4.00 scale and a score of twenty-seven or higher on the 1990 version of the American College Test or an equivalent concordant value on any enhanced or revised version of such test or on the Scholastic Aptitude Test, and has enrolled in an eligible institution within two years of the

date of graduation. As distinguished from all other students qualifying for this program, a student who meets the requirements of this Subsection shall receive and be recognized as the recipient of an "Honors Award" for the purposes of this program.

(f) Has successfully completed at least sixteen and one-half units of high school course work, which constitutes a core curriculum and meets standards for admission to the desired college or university. For students qualifying under Subsection A(1)(d), the core curriculum requirements of this Subparagraph shall become effective beginning with the high school graduating class of the year 2001. The core curriculum shall be defined as follows:

- (i) English I, II, III, and IV (four units).
- (ii) Algebra I and II (two units).
- (iii) Geometry, Trigonometry, Calculus, or comparable Advanced Mathematics (one unit).
- (iv) Biology (one unit).
- (v) Chemistry (one unit).
- (vi) Earth Science, Environmental Science, Physical Science, Biology II, Chemistry II, or Physics (one unit).
- (vii) American History (one unit).
- (viii) World History, World Cultures, Western Civilization, or World Geography (one unit).
- (ix) Civics and/or Economics (one unit).
- (x) Fine Arts Survey (one unit; or substitute two units of performance courses in music, dance, or theater; or substitute two units of studio art courses; or substitute one unit as an elective from among the other subjects listed in this core curriculum).
- (xi) Foreign Language (two units in a single language).
- (xii) Computer Science, Computer Literacy, or Data Processing (one-half unit or substitute at least a half unit as an elective from among the other subjects listed in this core curriculum).

(g) Has no criminal conviction, except for misdemeanor traffic violations.

(h) Any student certified as receiving a Performance or Honors Award in accordance with Subsection A(1)(d) and (e) and who has attended college prior to accepting tuition payment under this program, shall provide a transcript of all college work evidencing a cumulative grade point average of at least 3.00 on a 4.00 scale.

(i) Students funded through the Louisiana Minimum Foundation Program and who are attending any high school in an adjoining state pursuant to an agreement in effect as of June 4, 1994, between the parish school system and the local governing authority of the school in the adjoining state, shall be considered as having graduated from a state-approved nonpublic high school for the purpose of qualifying under Subsection A(1)(c), (d), and (e).

(2) Any student who qualifies to receive an Opportunity Award in accordance with Subsection A(1)(c), who enrolled in any public college or university in the state to pursue an academic undergraduate degree, who applied therefor, and who meets the qualifications enumerated in R.S. 17:3048.1(A)(1)(a), (b), (f), and (g), shall have tuition paid by the state and for any student who meets such qualifications and who has enrolled at any regionally accredited independent college or university in the state which is a member of the Louisiana Association of Independent Colleges and Universities, the state shall pay the average tuition paid under this Section for students attending public colleges and universities.

(3) Any student who qualifies to receive a Performance or an Honors Award in accordance with Subsection A(1)(d) or (e), who enrolled to pursue an academic undergraduate degree, who applied therefor, and who meets the qualifications enumerated in R.S. 17:3048.1(A)(1)(a), (b), (f), (g), (h) and this Subsection, shall have payments made on their behalf as follows:

(a) For any student who qualifies to receive an Honors Award in accordance with Subsection A(1)(e) and who has enrolled at any public college or university, the state shall pay the student's tuition, plus the sum of four hundred dollars per semester or eight hundred dollars per academic year.

(b) For any student who qualifies to receive an Honors Award in accordance with Subsection A(1)(e) and who has enrolled at any regionally accredited independent college or university in the state which is a member of the Louisiana Association of Independent Colleges and Universities, the state shall pay the average tuition paid under this Section for students attending public colleges and universities, plus the sum of four hundred dollars per semester or eight hundred dollars per academic year.

(c) For any student who qualifies to receive a Performance Award in accordance with Subsection A(1)(d) and who has enrolled at any public college or university, the state shall pay the student's tuition, plus the sum of two hundred dollars per semester or four hundred dollars per academic year.

(d) For any student who qualifies to receive a Performance Award in accordance with Subsection A(1)(d) and who has enrolled at any regionally accredited independent college or university in the state which is a member of the Louisiana Association of Independent Colleges and Universities, the state shall pay the average tuition paid under this Section for students attending public colleges and universities, plus the sum of two hundred dollars per semester or four hundred dollars per academic year.

(4) To maintain continued state payment of tuition pursuant to an award under this Chapter once enrolled in college a student shall meet all of the following:

(a) Make steady academic progress toward a degree, earning not less than the minimum number of hours of credit required for full-time

standing in each academic year or the required number of hours needed to complete the undergraduate degree during that semester or quarter. If at anytime a student fails to maintain the cumulative grade point average required for continuation in the program or is placed on academic probation by the college or university attended, such student shall become ineligible for further payments. Payments limited to those provided in Subsection A(2) of this Section regardless of whether the originally granted award was an Opportunity, Performance, or Honors Award may be reinstated upon attainment of the grade point average required for the original award or upon the lifting of academic probation, provided that the period of ineligibility did not persist for more than two years from the date of loss of eligibility.

(b) Maintain continuous enrollment for not less than two semesters or three quarters in each successive academic year, unless granted an exception for cause by the administering agency.

(c) For students qualifying for an Opportunity Award under R.S. 17:3048.1(A)(1)(c), have a cumulative grade point average of the following as evaluated at the end of each academic year:

(i) At least 2.10 calculated on a 4.00 scale after completion of twenty-four hours of credit.

(ii) At least 2.30 calculated on a 4.00 scale after completion of forty-eight hours of credit.

(iii) At least 2.50 calculated on a 4.00 scale after completion of seventy-two hours of credit.

(d) For students qualifying to receive a Performance or an Honors Award under R.S. 17:3048.1(A)(1)(d) or (e), have a cumulative grade point average of at least 3.00 on a 4.00 scale at the end of each academic year.

(e) Have no criminal conviction, except for misdemeanor traffic violations.



B.(1) The provisions of this Section shall be administered by the Louisiana Student Financial Assistance Commission. The administering agency may provide by rule adopted as provided by the Administrative Procedure Act for all matters necessary to the implementation of this Section.

(2) By rule, the administering agency shall provide for:

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

(b) Applications, forms, financial audit procedures, eligibility and other program audit procedures, and other matters related to efficient operation.

(c) A procedure for waiver of the student's requirement to complete the curriculum specified in Subsection A(1)(f) of this Section, upon proper documentation by the high school's principal or authorized designee that failure to comply with such requirement was due solely to the fact that the required course or courses were not available to the applicant at the school attended.

(d) A procedure for identifying, ranking, and certifying students who qualify for consideration under Subsection A(1)(d).

C. Each city and parish school board for the high school under its jurisdiction and the principal or headmaster of each nonpublic high school approved by the State Board of Elementary and Secondary Education shall, using the criteria in R.S. 17:3048.1(A)(1)(d), (e), and (f) as the minimum qualifications for selection, identify and certify to the administering agency the achievement of those students graduating in the top five percent of their class who qualify for a Performance Award and those achieving the required academic standards to qualify for an Honors Award. The state Department of Education shall report to the administering agency the names of those students enrolled in a

state-approved home study program who score in the upper five percent in the state on the National Merit Examination.

D. The legislature annually shall appropriate to the administering agency funds which, together with any other funds available, are sufficient to cover the costs required to be paid, both initial and continuing, for the coming academic year. All such payments shall be made directly to the institution to which such payment is due after notice to the school that the state shall pay, on behalf of the qualifying student, the amount stipulated in Subsections A(2) or A(3) of this Section and after notice from the school that the student has actually enrolled.

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

F. No student shall receive a grant pursuant to this Section in an amount greater than the tuition charged by the institution attended or, if the student is the recipient of a Performance or an Honors Award as defined by Subsection A(1)(d) and (e) of this Section, the amount stipulated in Subsection A(3). The institution shall credit any amount in excess of the cost of tuition to the student's account to pay room and board or other educational costs billed by the institution. The student shall apply for a federal grant prior to receiving a grant of state funds under this Section.

G. Implementation of the tuition payment program provided by this Section shall be subject to the appropriation of funds for this purpose.

H. No student shall be eligible for tuition payment pursuant to this Section for more than eight semesters or an equivalent number of units in an eligible institution which operates on a schedule based on

units other than semesters, unless an extension is granted by the administering agency in accordance with its rules.

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

J. Students receiving tuition payment under this Section shall not be eligible for any other financial assistance from state colleges and universities that, when combined, would exceed the "Cost of Education" as determined for that student in accordance with regulations governing the award of federal student aid under Title IV of the Higher Education Act of 1965, as amended or hereafter amended.

K. Students who qualify for payment under more than one Subsection of this Section shall only be entitled to receive payment under that Subsection which requires of them the highest of the academic standards found in Subsection A(1)(c), (d), and (e).

L. Students qualifying as recipients of Performance or Honors Awards in accordance with Subsection A(1)(d) and (e) shall be presented a certificate of achievement during the graduation ceremony or other appropriate occasion. Members of the legislature representing the district in which a recipient's high school is located shall be invited to attend the ceremony and may make the presentation of the certificate or achievement provided by the administering agency.

M. Students qualifying as recipients of any of the awards provided in this Chapter who enroll in a state vocational-technical

institution shall receive only the amount of the tuition charged at such institution.

N. In the event the legislature appropriates insufficient money to fund all awards made to students qualifying under Subsection A(1)(c) and (e) of this Section, the number of students to whom awards shall be made shall be reduced as necessary pursuant to a procedure set out by rule adopted by the administering agency. Such procedure shall provide for such reduction to be based on a determination of the ability of each student's family to pay the student's tuition evidenced by the adjusted gross income reported by the family on state or federal tax returns. Among students denied their award as provided in this Subsection, those students whose families have the least capacity to pay shall be the first to receive their award if monies become available.

§3048.2. Effectiveness of Chapter

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

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_