

2017 Regular Session

HOUSE BILL NO. 171

BY REPRESENTATIVE STEVE CARTER

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

LEGISLATION: Provides for technical corrections in Title 17 of the La. Revised Statutes

1 AN ACT

2 To amend and reenact R.S. 17:7(2)(f)(iii), (6)(d), (28)(b), and (33)(b), 10.3(A),

3 10.7.1(D)(2)(introductory paragraph) and (c)(i) and (E)(6), 24.4(F)(2)(h) and (3)(a)

4 and (b)(ii) and (iii) and (J)(1)(introductory paragraph) and (a), 100.1(A)(1), (C)(6),

5 and (D), 183.2(B)(2)(a), 194(D), 223(B), 407.22(A)(2), (3), (4), (5), (6), (7), and (9),

6 407.23(B)(2) and (3)(a), 407.51(A)(5), (7), and (12) and (L)(1) and (2), 416.21(K),

7 436.3(C)(1) and (6)(introductory paragraph), 440(C)(2), 444(B)(4)(c)(i),

8 1519.2(C)(1), 1681(B), 1982(4), 2925(A)(2), (3), and (4), 3023(A)(2)(a), (6), and

9 (9), 3095(A)(1)(b) and (c) and (D), 3165.2(C)(1)(introductory paragraph),

10 3168(introductory paragraph), 3351(H)(4), 3351.20(C), 3803(B)(1)(e),

11 3995(A)(3)(b), 5002(D)(1) and (2) and (G), 5021(A)(2)(b), 5023(D)(1) and (2)(a),

12 5024(A)(3)(a), 5025(7), 5029(B)(1)(b)(i), 5061, 5064, 5067(A)(2), 5068(B) and (C),

13 5081(F) and (G), 5101(B)(1)(introductory paragraph) and (2) and (C), and

14 5102(B)(1)(introductory paragraph) and (2) and (C); to provide for technical

15 corrections in various education laws in Title 17 of the Louisiana Revised Statutes

16 of 1950; and to provide for related matters.

17 Be it enacted by the Legislature of Louisiana:

18 Section 1. R.S. 17:7(2)(f)(iii), (6)(d), (28)(b), and (33)(b), 10.3(A),

19 10.7.1(D)(2)(introductory paragraph) and (c)(i) and (E)(6), 24.4(F)(2)(h) and (3)(a) and

20 (b)(ii) and (iii) and (J)(1)(introductory paragraph) and (a), 100.1(A)(1), (C)(6), and (D),

1 183.2(B)(2)(a), 194(D), 223(B), 407.22(A)(2), (3), (4), (5), (6), (7), and (9), 407.23(B)(2)  
2 and (3)(a), 407.51(A)(5), (7), and (12) and (L)(1) and (2), 416.21(K), 436.3(C)(1) and  
3 (6)(introductory paragraph), 440(C)(2), 444(B)(4)(c)(i), 1519.2(C)(1), 1681(B), 1982(4),  
4 2925(A)(2), (3), and (4), 3023(A)(2)(a), (6), and (9), 3095(A)(1)(b) and (c) and (D),  
5 3165.2(C)(1)(introductory paragraph), 3168(introductory paragraph), 3351(H)(4),  
6 3351.20(C), 3803(B)(1)(e), 3995(A)(3)(b), 5002(D)(1) and (2) and (G), 5021(A)(2)(b),  
7 5023(D)(1) and (2)(a), 5024(A)(3)(a), 5025(7), 5029(B)(1)(b)(i), 5061, 5064, 5067(A)(2),  
8 5068(B) and (C), 5081(F) and (G), 5101(B)(1)(introductory paragraph) and (2) and (C), and  
9 5102(B)(1)(introductory paragraph) and (2) and (C) are hereby amended and reenacted to  
10 read as follows:

11 §7. Duties, functions, and responsibilities of board

12 In addition to the authorities granted by R.S. 17:6 and any powers, duties, and  
13 responsibilities vested by any other applicable laws, the board shall:

14 \* \* \*

15 (2)

16 \* \* \*

17 (f)

18 \* \* \*

19 (iii) The State Board of Elementary and Secondary Education shall annually  
20 publish revenue and expenditure data, including but not limited to the allocation and  
21 expenditure of funds generated by the minimum foundation program, local revenues,  
22 and federal grants, for each city, parish, or other local public school board by district  
23 and by school level, to the extent possible, in an easily understandable format on the  
24 state Department of Education website. Such data shall include but not be limited to  
25 comparative per pupil expenses reported by the school system for personnel,  
26 transportation, and other major categories of common expenditures as determined  
27 by the state Department of Education. Student membership counts and any weighted  
28 student counts generated by student need characteristics as provided in the minimum  
29 foundation program formula, calculations of the amounts of minimum foundation

1 program funding allocated to each city, parish, or other local public school board  
2 through the minimum foundation program, amounts provided to and removed from  
3 calculations for each city, parish, or other local public school board including the  
4 source of funding shifts between city, parish, or other local public school ~~board~~  
5 boards, and expenditures of funds by school system relative to the amounts generated  
6 by the weighted student characteristics and factors through the formula applied to  
7 city, parish, or other local public school ~~board~~ boards shall also be reported.

8 \* \* \*

9 (6)

10 \* \* \*

11 (d) Any examination selected by the state superintendent of education which  
12 would supercede the examination ~~currently utilized~~ used pursuant to Subparagraph  
13 (b) of this Paragraph; and any criteria established to determine the level at which  
14 either the examination ~~currently~~ used or any examination selected to supercede it is  
15 satisfactorily completed shall be approved by the State Board of Elementary and  
16 Secondary Education.

17 \* \* \*

18 (28)

19 \* \* \*

20 (b) The board shall appoint a task force to assist in developing forms and  
21 questions to be ~~utilized~~ used in the exit interview.

22 \* \* \*

23 (33)

24 \* \* \*

25 (b) The board may submit the report required by this Paragraph in electronic  
26 format; and ~~is further authorized, but is not required, to~~ may submit the report at the  
27 time of submission ~~to the legislature~~ of the progress profiles required by Paragraph  
28 (22) of this Section.

29 \* \* \*

1           §10.3. School and district accountability; prohibited testing; exceptions

2                   A. A student with an exceptionality as defined in R.S. 17:1942(B), ~~but~~ who  
3           is not deemed gifted and talented; and who is not pursuing a regular diploma shall  
4           not be administered any test pursuant to R.S. 17:24.4 or the state's school and district  
5           accountability system, including the American College Test, unless the student's  
6           parent or other legal guardian requests, in writing, that the student be administered  
7           the test or the student's Individualized Education ~~Plan~~ Program indicates that the test  
8           is an appropriate assessment instrument for the student.

9                                   \*           \*           \*

10          §10.7.1. Return of certain schools from the Recovery School District to the  
11                   transferring school system; time line; conditions; funding

12                                   \*           \*           \*

13                   D.

14                                   \*           \*           \*

15                   (2) Notwithstanding the provisions of this Subsection, unless otherwise  
16           agreed to by the Recovery School District and the local school system; and subject  
17           to any necessary approval by the appropriate federal agency, the following shall  
18           apply:

19                                   \*           \*           \*

20                   (c)(i) The Recovery School District shall return all buildings, facilities, and  
21           property that are related to a school ~~which~~ and that are owned by; or under the  
22           control of; the district to the local school system free of any encumbrances, including  
23           liens and judgments, other than those financing transactions to which the local school  
24           board is a party.

25                                   \*           \*           \*

26                   E. Notwithstanding any law to the contrary, in order to support and protect  
27           the interests and rights of the children it serves, the local school board:

28                                   \*           \*           \*

(6) May provide a lottery preference for enrollment at elementary and middle schools under the board's jurisdiction for students residing within defined geographic zones as one of the factors to determine student assignment, according to policies adopted by the board. Such preference shall be applied to not more than one-half of the seats available in each grade level to ensure that seats in all schools are accessible to students residing outside of a school's ~~respective~~ geographic ~~zones~~ zone. Notwithstanding the provisions of this Subsection, any Type 1 or Type 3 charter school ~~which~~ that was first authorized by the board on, or prior to, July 1, 2016, and whose charter contract includes a geographic preference in accordance with R.S. 17:3991; may maintain such preference with the approval of the board, in accordance with board policy adopted for this purpose.

\* \* \*

§24.4. Louisiana Competency-Based Education Program; statewide standards for required subjects; Louisiana Educational Assessment Program; parish or city school board comprehensive pupil progression plans; waivers

\* \* \*

F.

\* \* \*

(2) For assessments to be administered during the 2015-2016 school year:

\* \* \*

(h) The questions included in the end-of-course assessments administered in grades nine through eleven shall be developed using the same methodology ~~utilized~~ used for such assessments for the 2014-2015 school year.

\* \* \*

(3)(a) In lieu of the standards-based assessments prescribed in Subparagraphs (1)(c) and (d) of this Subsection, an alternate assessment shall be provided for and administered only to those students with disabilities who meet specific eligibility criteria developed by the state Department of Education and approved by the State Board of Elementary and Secondary Education. A

determination of whether any student meets the eligibility criteria established by the state Department of Education shall be made by the student's ~~Individual Education Plan~~ Individualized Education Program committee and shall be so noted on that student's ~~Individual Education Plan~~ Individualized Education Program. The alternate assessment developed pursuant to this Paragraph shall be administered on a schedule determined by the state Department of Education and approved by the State Board of Elementary and Secondary Education. The alternate assessment shall be part of the Louisiana Education Assessment Program otherwise provided for in this Subsection, and the alternate assessment shall be used for information, accountability, compliance, and planning purposes as provided by the State Board of Elementary and Secondary Education.

(b)

\* \* \*

(ii) Students with persistent academic disabilities shall be allowed to take academic assessments that are sensitive to measuring progress in their learning and that recognize their individual needs. Academic assessments ~~are to~~ shall be geared specifically toward accommodating students to enable them to perform on standards-based assessments prescribed in Subparagraphs (1)(c) and (d) of this Subsection. Such accommodations shall include at a minimum verbalized test questions and shall provide for writing assistance of a scribe and any other accommodations deemed appropriate by the student's ~~Individual Education Plan~~ Individualized Education Program committee. However, any such accommodations shall not breach test security or invalidate the meaning of the test score or the purpose of the test.

(iii) At each ~~IEP~~ Individualized Education Program meeting a written list of accommodations shall be discussed and provided to the parent of each student with a disability.

\* \* \*

J.(1) Notwithstanding any provision of this Section or any other law to the contrary, a public high school student with an exceptionality as defined in R.S.

17:1942(B), except a gifted or talented student, ~~and~~ who is not pursuing a high school diploma shall not be administered any examination pursuant to this Section or the Louisiana school and district accountability system, including the American College Test, unless one or both of the following apply:

(a) The student's Individualized Education ~~Plan~~ Program indicates that the examination is an appropriate assessment instrument for the student.

\* \* \*

§100.1. Alternative educational programs; certain adjudicated students; students in the custody of the office of juvenile justice; funding; authority of the local school board to contract; inclusion in minimum foundation program; funding formula

A.(1) Any child who has been adjudicated delinquent or as a member of a family in need of services by a court or who is in the custody of the office of juvenile justice as a result of any such adjudication and is assigned by the office of juvenile justice to a community-based program or facility shall be counted by the city, parish, or other local public school board for the city or parish where such program or facility exists for purposes of the ~~Minimum Foundation Program~~ minimum foundation program and any other available state or federal funding for which the child is eligible. No other city, parish, or other local public school board shall include such a child in any count for purposes of the ~~Minimum Foundation Program~~ minimum foundation program or any other available state or federal funding for which the child may be eligible. Funds inuring to the city, parish, or other local public school board as a result of the presence of such children in ~~their~~ its jurisdiction shall be used to provide educational services for such children.

\* \* \*

C.

\* \* \*

(6) The State Board of Elementary and Secondary Education shall adopt necessary rules and regulations to assure that no funds provided through the

~~Minimum Foundation Program~~ minimum foundation program or any other state or federal program as provided in this Section shall supplant any other funding provided to the office of juvenile justice for the educational services for such children.

D. It is the intent of the legislature that the expenditure of minimum foundation program funds and other state and federal funds for ~~youth in~~ office of juvenile justice schools be subject to the same oversight and accountability as the expenditure of such funds for ~~other~~ city, parish, and other local public school boards.

\* \* \*

§183.2. Career option description

\* \* \*

B.

\* \* \*

(2) If an Individualized Education Program team determines that state-established benchmarks on the required state assessments are no longer a condition for promotion or graduation for a student, the team shall:

(a) Within thirty days of the student entering the course or grade level, establish minimum performance requirements in the student's Individualized Education ~~Plan~~ Program relevant to promotion or graduation requirements, including but not limited to end-of-course assessments, ~~and that~~ that shall be incorporated for awarding course credits. The state board shall make available a list of multiple appropriate assessments and guidance for use in establishing minimum score requirements on the assessments that an Individualized Education Program team may, but shall not be required to, use for this purpose. The Individualized Education Program team shall consider establishing minimum performance requirements for annual academic and functional goals designed to meet the student's needs that result from the student's disability and that will enable the student to be involved in and make progress in the general education curriculum, and to meet other educational needs of the student that result from the student's disability, including the student's



1 postsecondary goals related to training, education, employment, and, where  
2 appropriate, independent living skills.

3 \* \* \*

4 §194. Administration of nutrition program; general powers of governing authorities  
5 of nutrition program providers; funds for privately supplied programs for  
6 profit prohibited; exceptions

7 \* \* \*

8 D. The state Department of Education and any governing authority of a  
9 nutrition program provider may use the simplified acquisition procedures for small  
10 purchases up to the ~~Federal Small Purchase Threshold~~ federal threshold set by 41  
11 U.S.C. ~~403(h)~~, 134 in order to support procurement of local agricultural products  
12 and the USDA Farm to School initiatives. ~~No such authority in this statute shall be~~  
13 in, and such authority shall not conflict with the United States Department of  
14 Agriculture child nutrition program requirements, including 2 CFR 200.319(b).

15 \* \* \*

16 §223. Discipline of pupils; suspension from school, corporal punishment

17 \* \* \*

18 B. ~~In addition, school~~ School principals may suspend from school any pupil  
19 for good cause; as stated in R.S. 17:416. Principals shall notify the visiting teacher;  
20 or supervisor of child welfare ~~and/or~~ and attendance; of all suspensions. In all cases  
21 of suspensions, the parent, the superintendent of schools, and the visiting teacher; or  
22 supervisor of child welfare ~~and/or~~ and attendance; shall be notified in writing of the  
23 facts concerning each suspension, including reasons therefor and terms thereof.

24 \* \* \*

25 §407.22. Legislative findings and intent

26 A. The legislature finds and declares that:

27 \* \* \*

28 (2) ~~Publicly-funded~~ Publicly funded early childhood programs should  
29 prioritize kindergarten readiness and public monies should fund programs that excel

1 at achieving high levels of kindergarten readiness, or progression towards  
2 kindergarten readiness, as applicable for the ages of children served.

3 (3) Parents who choose to send their children to ~~publicly-funded~~ publicly  
4 funded early childhood programs should have clear and actionable information on  
5 the quality of the programs available.

6 (4) Providers of ~~publicly-funded~~ publicly funded early childhood programs  
7 should be held accountable for the public monies they receive; but given the  
8 autonomy to implement an educational program that promotes and achieves  
9 kindergarten readiness without undue regulation.

10 (5) State entities involved in the oversight or provision of early childhood  
11 programs should collaborate, set standards of educational achievement for young  
12 children that align with standards established for children enrolled in grades  
13 kindergarten through twelve, and hold providers of ~~publicly-funded~~ publicly funded  
14 early childhood programs accountable without imposing undue regulation on ~~said~~  
15 such programs.

16 (6) There are high quality early childhood programs in this state that can  
17 serve as a model for increasing standards of achievement and financial efficiency in  
18 ~~publicly-funded~~ publicly funded early childhood programs.

19 (7) ~~Publicly-funded~~ Publicly funded early childhood programs receive a  
20 significant amount of public monies that can and should be maximized in pursuit of  
21 high quality early childhood programs that achieve high levels of kindergarten  
22 readiness or progression towards kindergarten readiness, as applicable for the ages  
23 of children served.

24 \* \* \*

25 (9) A fragmented system of standards, funding, and oversight of the state's  
26 ~~publicly-funded~~ publicly funded early childhood programs serves as a barrier to  
27 providing every child with the high quality services and programs which he deserves

1 and to providing parents with the information needed to make an informed choice  
2 when selecting the programs that best fit the needs of their children.

3 \* \* \*

4 §407.23. Early Childhood Care and Education Network; creation; components;  
5 duties and responsibilities

6 \* \* \*

7 B. To facilitate the creation of this network, the state board shall:

8 \* \* \*

9 (2) Establish performance targets for children under the age of three and  
10 academic standards for kindergarten readiness for three- and four-year old children  
11 to be used in ~~publicly-funded~~ publicly funded early childhood education programs.

12 (3)(a) Create a uniform assessment and accountability system for ~~publicly-~~  
13 ~~funded~~ publicly funded early childhood education programs that includes a letter  
14 grade indicative of student performance.

15 \* \* \*

16 §407.51. Advisory Council

17 A. The board shall establish an Advisory Council on Early Childhood Care  
18 and Education that shall consist of the following members:

19 \* \* \*

20 (5) Two representatives of local education agencies operating ~~publicly-~~  
21 ~~funded~~ publicly funded early childhood programs other than Head Start, selected by  
22 the state board.

23 \* \* \*

24 (7) Two representatives of approved nonpublic schools with ~~publicly-funded~~  
25 publicly funded early childhood care and education programs, selected by the state  
26 board.

27 \* \* \*

(12) One parent of a child currently enrolled in a ~~publicly-funded~~ publicly funded early learning center or prekindergarten program, selected by the state board.

\* \* \*

L. The department shall provide the council with reports not less than annually of the following activities, provided that data is available, pursuant to a schedule agreed upon by the chair and the state superintendent of education:

(1) A description of each ~~publicly-funded~~ publicly funded early care and education program, including the eligibility criteria, the program requirements, average number of hours and days of the program, and the amount of total funding and source of funding for each program. The description shall also include a specific description of the fee structure for the Child Care Assistance Program.

(2) The number of children served in each ~~publicly-funded~~ publicly funded early childhood care and education program in Louisiana, broken down by the age of the child and amount of public funding per child per program.

\* \* \*

§416.21. Behavior of students with exceptionalities; use of seclusion and physical restraint

\* \* \*

K. If a student is involved in five incidents in a single school year involving the use of physical restraint or seclusion, the student's Individualized Education ~~Plan~~ Program team shall review and revise the student's behavior intervention plan to include any appropriate and necessary behavioral supports. Thereafter, if the student's challenging behavior continues or escalates requiring repeated use of seclusion or physical restraint practices, the special education director or his designee shall review the student's plans at least once every three weeks.

\* \* \*

§436.3. Students with diabetes; management and treatment plans; provision of care; unlicensed diabetes care assistants; student self-monitoring and treatment

\* \* \*

1 C.(1) For purposes of this Section, "unlicensed diabetes care assistant"  
2 means a school employee who volunteers to be trained in accordance with this  
3 Section. "Unlicensed diabetes care assistant" also means an employee of an entity  
4 that contracts with the school or school system to provide school nurses who are  
5 responsible for providing health care services required by law or state Department  
6 of Education regulation.

7 \* \* \*

8 (6) The State Board of Elementary and Secondary Education and the  
9 Louisiana State Board of Nursing jointly shall promulgate rules and regulations  
10 specifying methods and a curriculum for the training of unlicensed diabetes care  
11 assistants in accordance with the Administrative Procedure Act. The rules and  
12 regulations shall ~~utilize~~ use the guidelines as required by this Section and by the  
13 latest National Diabetes Education Program, "Helping the Student with Diabetes  
14 Succeed: A Guide for School Personnel". In developing such rules and regulations,  
15 the boards shall include the following in the rule-making process:

16 \* \* \*

17 §440. School employees; prohibition on use of social security numbers as personal  
18 identifiers

19 \* \* \*

20 C. No teacher or school employee in the course of his employment shall be  
21 required to include or provide his social security number on any form or other  
22 written document unless:

23 \* \* \*

24 (2) The form or written document is required for employment, retirement,  
25 application for leave, or an ~~individualized education plan~~ Individualized Education  
26 Program.

27 \* \* \*

§444. Promotions to and employment into positions of higher salary and tenure

\* \* \*

B.

\* \* \*

(4)

\* \* \*

(c)(i) The board and the employee may enter into subsequent contracts of employment. Not less than one hundred and twenty days prior to the termination of such a contract, the superintendent shall notify the employee of termination of employment under such contract, or in lieu thereof the board and the ~~employer~~ employee may negotiate and enter into a contract for subsequent employment.

\* \* \*

§1519.2. State hospitals operated by the Board of Supervisors of Louisiana State

University and Agricultural and Mechanical College as part of the Louisiana

State University Health Sciences Center

\* \* \*

C.(1) Notwithstanding any provision of law to the contrary, ~~in the event if~~ if the board determines it is in the best interest of the state, the legislature has authorized the closure of a hospital, and the building is no longer being ~~utilized~~ used for the provision of healthcare services, or the board receives an inquiry from a financially viable party regarding the purchase of a hospital listed in Subsection B of this Section, ~~hereinafter~~ hereafter in this Section referred to as the property, the board shall notify the commissioner of administration within five business days that it is contemplating the option of selling the property or is in receipt of such an inquiry. The board shall participate in and cooperate with the commissioner of administration in reviewing the benefits and consequences of selling the property.

\* \* \*

§1681. Children of police officers and deputy sheriffs; definitions

\* \* \*

B. College or university means any institution of ~~post-secondary~~ postsecondary education situated in this state, operated by an agency, board, or other body created by the constitution or laws of this state, operated in whole or in part with funds appropriated for that purpose by the legislature, and authorized to confer degrees in the arts and sciences.

\* \* \*

## §1982. Definitions

As used in this Part, the following words, terms, and phrases shall have the meanings ascribed to them in this Section as follows:

\* \* \*

(4) "~~Individualized education program~~ Education Program" means a written statement developed for a student eligible for special education services pursuant to ~~Section 602(a)(20) of Part A of the Individuals with Disabilities Education Act, 20 U.S.C. Section 1401(a)~~ 1401.

\* \* \*

§2925. Individual graduation plans

A.

\* \* \*

(2) By the end of the eighth grade, each student's Individual Graduation Plan; or the student's Individualized Education Plan Program, if applicable, shall list the required core courses to be taken through the tenth grade and shall identify the courses to be taken in the first year of high school. Students who fail to meet the standard for promotion to the ninth grade, pursuant to policies adopted by the State Board of Elementary and Secondary Education, shall have any necessary remedial courses included in their Individual Graduation Plan. The plan shall be reviewed annually and updated as necessary to identify the courses to be taken each year until all required core courses are completed.

(3) By the end of the tenth grade, each student's Individual Graduation Plan, based on the student's academic record, talents, and interests, shall outline high

1 school graduation requirements relevant to the student's chosen postsecondary goals.

2 Each student, with the assistance of his parent or other legal custodian and school  
3 counselor, shall choose the high school curriculum framework and related graduation  
4 requirements that best meet his postsecondary goals. Each student's Individual  
5 Graduation Plan, or the student's Individualized Education ~~Plan~~ Program, if  
6 applicable, shall include the recommended sequence of courses for successful  
7 completion of a standard diploma and shall be reviewed annually and updated or  
8 revised as needed.

9 (4) The Individual Graduation Plan shall be sufficiently flexible to allow the  
10 student to change his program of study, yet be sufficiently structured to ensure that  
11 the student will meet the high school graduation requirements for his chosen major;  
12 or the requirements of the student's Individualized Education ~~Plan~~ Program, if  
13 applicable, and be qualified for admission to a postsecondary education institution  
14 or to enter the workforce.

15 \* \* \*

16 §3023. Powers and duties

17 A. The board may:

18 \* \* \*

19 (2)(a) Pay to the lending agencies ~~and/or~~ or any holders of such loans the  
20 interest as prescribed in R.S. 17:3023.4; on loans made to students; as long as the  
21 student is enrolled in any postsecondary education institution ~~of higher learning~~  
22 approved by the board; or for not in excess of three years during which the borrower  
23 is in the active military service of the United States.

24 \* \* \*

25 (6) Enter into contracts with any bank or other lending agency ~~and/or~~ or any  
26 holder of such loan upon such terms as may be agreed upon between the board and  
27 the bank or other lending agency or holder, to provide for the administration by such  
28 bank or other lending agency or holder, of any loan or loan plan guaranteed by the  
29 commission including but not limited to applications therefor and terms of



repayment thereof, and to establish the conditions for payment by the board to the bank or other lending agency ~~and/or~~ or the holder of the guarantee on any loan. A loan shall be defaulted when the bank or other lending agency ~~and/or~~ or holder makes application to the board for payment on the loan stating that such loan is in default in accordance with the terms of a contract executed under this Paragraph.

\* \* \*

(9) Adopt rules and regulations in accordance with the provisions of the Administrative Procedure Act, not inconsistent with the provisions of this Chapter, governing the guarantee, disbursement, ~~and/or~~ or servicing of loans made by the board; and governing any other matters relating to the activities of the board. Such rules and regulations shall include procedures for the denial of licenses, permits, and certificates required by the state to practice or engage in a trade, occupation, or profession to applicants and renewal applicants in default on the repayment of loans guaranteed by the board, for the conditional issuance or renewal of such a license, permit, or certificate pending an applicant's compliance with loan repayment requirements, and for other matters necessary to implement the provisions of R.S. 37:2951.

\* \* \*

## §3095. Education savings accounts; types, use, limitations, and disclosures

## A.(1)

\* \* \*

(b) For tax years beginning on and after January 1, 2001, amounts which an account owner deposits into an education savings account shall be exempt from inclusion in the account owner's taxable income for the purposes of state income tax up to a maximum of two thousand four hundred dollars per account owned per taxable year for account owners filing single returns and up to a maximum of four thousand eight hundred dollars per beneficiary per taxable year for account owners filing joint returns, as provided in R.S. 47:293(9)(a)(vi). If an account owner deposits less than the maximum two thousand four hundred dollars per year in an

1 owned account and files a single return or if married account owners deposit less  
2 than the maximum of four thousand eight hundred dollars per year in an account or  
3 accounts for a beneficiary and file a joint return, the difference between the total  
4 deposits and two thousand four hundred dollars or four thousand eight hundred  
5 dollars, respectively, ~~will~~ shall roll over to subsequent years and ~~will~~ shall be exempt  
6 from inclusion in the account owner's taxable income for the purposes of state  
7 income tax in addition to the two thousand four hundred dollars or four thousand  
8 eight hundred dollars in the year actually deposited, as provided in R.S.  
9 47:293(9)(a)(vi).

10 (c) For tax years beginning on and after January 1, 2005, twice the amount  
11 that an account owner donates into an education savings account classified under  
12 R.S. 17:3096(A)(1)(e) shall be exempt from inclusion in the account owner's taxable  
13 income for the purposes of state income tax, up to a maximum donation of two  
14 thousand four hundred dollars per account owned, per taxable year, if the  
15 beneficiary's family reported a federal adjusted gross income of less than thirty  
16 thousand dollars or the beneficiary was entitled to a free lunch under the Richard B.  
17 Russell National School Lunch Act, (42 U.S.C. 1751 et seq.), as provided in R.S.  
18 47:293(9)(a)(viii). If an account owner deposits less than the amount that would  
19 qualify for the maximum exclusion or two thousand four hundred dollars per year  
20 in an owned account, the difference between the total deposits and two thousand four  
21 hundred dollars ~~will~~ shall roll over to subsequent years and shall increase the amount  
22 of deposits that qualify for the double exclusion from the account owner's taxable  
23 income for the purposes of state income tax in addition to the applicable exclusion  
24 for the year actually deposited, as provided in R.S. 47:293(9)(a)(vi).

25 \* \* \*

26 D. An education savings account depositor's agreement may provide that the  
27 authority ~~will~~ shall pay directly to the institution of postsecondary education in

1 which the beneficiary is enrolled the amount represented by the qualified higher  
2 education expenses incurred that term.

3 \* \* \*

4 §3165.2. College credit for military service; spouses of veterans

5 \* \* \*

6 C.(1) The Statewide Articulation and Transfer Council shall coordinate and  
7 oversee the development of a military articulation and transfer process that shall be  
8 adhered to by all public postsecondary education institutions and that ~~will~~ shall:

9 \* \* \*

10 §3168. Reporting

11 The Board of Regents shall submit a written report to the Senate and House  
12 committees on education, not later than September thirtieth of each year, on the  
13 status of statewide articulation and transfer of credit across all ~~educational~~ education  
14 institutions in Louisiana as provided in this Chapter. Such report shall, at a  
15 minimum, include the following:

16 \* \* \*

17 §3351. General powers, duties, and functions of postsecondary education  
18 management boards

19 \* \* \*

20 H.

21 \* \* \*

22 (4) The provisions of this Subsection shall be implemented as expeditiously  
23 as and to the maximum extent possible ~~utilizing~~ using any and all available funding  
24 sources, including funding provided by the legislature.

25 \* \* \*

26 §3351.20. Mandatory fees

27 \* \* \*

28 C. Each management board shall establish a need-based financial assistance  
29 fund at each of its member institutions. Each institution shall allocate to its fund

1 funds from its operating budget in an amount not less than five percent of revenues  
 2 realized by the institution from fees assessed pursuant to this Section. Such funds  
 3 shall be ~~utilized~~ used to provide need-based financial assistance to students at that  
 4 institution who are eligible to receive a Pell Grant.

5 \* \* \*

6 §3803. Investment authority; treasurer

7 \* \* \*

8 B. Grant of authority. (1) The state treasurer is hereby authorized and  
 9 directed to invest offshore revenues which are deposited into any fund created  
 10 pursuant to the constitution or statutes of the state which are determined by the state  
 11 treasurer to be available for investment in the following permitted investments:

12 \* \* \*

13 (e)(i) Investment grade commercial paper issued in the United States, traded  
 14 in the United States markets, denominated in United States dollars, with a short-term  
 15 rating of at least A-1 by Standard & Poor's Financial Services LLC or P-1 by  
 16 Moody's Investor Service, Inc. or the equivalent rating by a ~~Nationally Recognized~~  
 17 ~~Statistical Rating Organization (NRSRO)~~ nationally recognized statistical rating  
 18 organization.

19 (ii) Investment grade corporate notes and bonds issued in the United States,  
 20 traded in United States markets, denominated in United States dollars, rated Baa or  
 21 better by Moody's Investor Service, Inc. or BBB or better by Standard & Poor's  
 22 Financial Services LLC, and the trades of which are settled through The Depository  
 23 Trust & Clearing Corporation (~~DTCC~~), a national clearinghouse in the United States  
 24 for the settlement of securities trades.

25 \* \* \*

26 §3995. Charter school funding

27 A.

28 \* \* \*

(3) Notwithstanding Paragraph (1) of this Subsection and unless otherwise provided for in the approved minimum foundation program formula:

\* \* \*

(b) The local school board shall adopt a policy that establishes a process to determine the district-level funding allocation to be effective beginning July 1, 2017, and as revised in subsequent years as appropriate, based upon student characteristics or needs to distribute the total amount of minimum foundation program formula funds allocated to the local school board and to Type 1, ~~1B~~, 3, 3B, 4, and 5 charter schools that are located within the geographic boundaries of the local school system.

\* \* \*

§5002. Awards and amounts

\* \* \*

D.(1) Except as otherwise provided in this Subsection, a student who is eligible for a TOPS-Tech Award pursuant to this Chapter and who is enrolled:

(a) In an eligible public college or university that does not offer an academic undergraduate degree at the baccalaureate level in those associate's degree or other shorter-term training and education programs that are aligned to state workforce priorities as determined by the Board of Regents and the Louisiana Workforce Investment Council, shall be awarded by the state an amount determined by the administering agency to equal the tuition charged by the college or university during the 2016-2017 academic year. If the Board of Regents and the Louisiana Workforce Investment Council determine that a program is no longer aligned with those priorities, an otherwise eligible student who had previously received an award and enrolled in that program may continue to use the award.

(b) In an eligible college or university other than as provided for in Subparagraph (a) of this Paragraph in those associate's degree or other shorter-term training education programs that are aligned to state workforce priorities as determined by the Board of Regents and the Louisiana Workforce Investment Council, shall be awarded by the state an amount determined by the administering

1 agency to equal the weighted average of amounts paid to students attending an  
2 eligible public college or university that does not offer an academic undergraduate  
3 degree at the baccalaureate level during the 2016-2017 academic year. If the Board  
4 of Regents and the Louisiana Workforce Investment Council determine that a  
5 program is no longer aligned with those priorities, an otherwise eligible student who  
6 had previously received an award and enrolled in that program may continue to use  
7 the award.

8 (2) A student who graduated prior to the 2016-2017 school year, who is  
9 eligible for a TOPS-Tech Award pursuant to this Chapter, and who is enrolled:

10 (a) In an eligible college or university that does not offer an academic  
11 undergraduate degree at the baccalaureate level, shall be awarded by the state an  
12 amount determined by the administering agency to equal the tuition charged by the  
13 college or university during the 2016-2017 academic year.

14 (b) In an eligible college or university other than as provided for in  
15 Subparagraph (a) of this Paragraph, shall be awarded by the state an amount  
16 determined by the administering agency to equal the weighted average of amounts  
17 paid to students attending an eligible public college or university that does not offer  
18 an academic undergraduate degree at the baccalaureate level during the 2016-2017  
19 academic year.

20 \* \* \*

21 G. In lieu of the payment of tuition as provided in this Section, any student  
22 participating in the program provided by R.S. 29:36.1 for persons serving in the  
23 Louisiana National Guard shall receive the tuition exemption as provided therein.  
24 ~~However, in~~ In addition to any other payments provided for by R.S. 29:36.1:

25 (1) For any student ~~who is participating in the tuition exemption program~~  
26 ~~provided by R.S. 29:36.1 and~~ who also meets the qualifications provided in this  
27 Section for receipt of an Opportunity Award or a TOPS-Tech Award, the state shall  
28 pay on behalf of such student a sum of three hundred dollars per semester or six

hundred dollars per academic year to be applied toward the cost of books and other instructional materials.

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

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

\* \* \*

§5021. Louisiana high school graduation

A.

\* \* \*

(2)

\* \* \*

(b) Notwithstanding the requirements of Subparagraph (a) of this Paragraph, those nonpublic high schools that, not later than May 15, 2000, were approved by the State Board of Elementary and Secondary Education pursuant to R.S. 17:11 and applied for and had their application forwarded by the state Department of Education seeking the approval necessary for the students in such ~~school~~ schools to be eligible

1 to receive from the state the benefits of appropriations for such items as  
2 transportation, textbooks, and administrative cost reimbursement shall have until the  
3 2003-2004 school year to meet the latter requirement in order for the graduates from  
4 such high ~~school~~ schools to be eligible for an award under this Chapter.

5 \* \* \*

6 §5023. Residency requirements

7 \* \* \*

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

16 (2)(a) Any displaced student as defined by R.S. 17:5101(A)(2) who  
17 graduates from an out-of-state school during the 2006-2007 school year and is  
18 awarded a Louisiana Distance Diploma issued by the state Department of Education  
19 shall meet the requirements of this Section if he actually resided in Louisiana during  
20 his entire tenth grade year of high school and was enrolled for such time in an  
21 eligible Louisiana high school or, for dependent students, if the displaced student has  
22 a parent or court-ordered custodian who actually resided in a parish listed in R.S.  
23 17:5101(A)(2)(a) for at least the twelve months prior to August 26, 2005, or in a  
24 parish listed in R.S. 17:5101(A)(2)(b) for at least the twelve months prior to  
25 September 20, 2005.

26 \* \* \*

27 §5024. Academic requirements

28 A.

29 \* \* \*



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

\* \* \*

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

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

\* \* \*

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

\* \* \*

1           §5029. Alternative initial eligibility requirements

2                                   \*           \*           \*

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

5                                   \*           \*           \*

6                   (1)

7                                   \*           \*           \*

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

12                                  \*           \*           \*

13           §5061. Administering agency

14                   The provisions of this Chapter shall be administered by the ~~Louisiana Student~~  
15 ~~Financial Assistance Commission~~ Board of Regents. The administering agency may  
16 provide by rule adopted as provided by the Administrative Procedure Act for all  
17 matters necessary to the implementation of this Chapter.

18                                  \*           \*           \*

19           §5064. School boards

20                   Each ~~city and parish~~ city, parish, or other local public school board for the  
21 high school under its jurisdiction or the principals of such high schools and the  
22 principal or headmaster of each nonpublic high school approved by the State Board  
23 of Elementary and Secondary Education shall, using the criteria in Subpart B of Part  
24 I of this Chapter as the minimum qualifications for selection, identify and certify to  
25 the administering agency those achieving the required academic standards to qualify  
26 for an award pursuant to this Chapter.

27                                  \*           \*           \*

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

A.

\* \* \*

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

\* \* \*

§5068. Miscellaneous

\* \* \*

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

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

\* \* \*

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

\* \* \*

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

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

18 \* \* \*

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

21 \* \* \*

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

27 \* \* \*

28 (2)(a)(i) Relative to initial eligibility requirements for a Taylor Opportunity  
29 Program for Students award applicable for the 2005-2006 school year to a displaced

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

9 (ii) Relative to initial eligibility requirements for a Taylor Opportunity  
10 Program for Students award applicable for the 2005-2006 school year to any student  
11 displaced during the 2005-2006 school year as a consequence of a disaster or  
12 emergency other than Hurricane Katrina or Rita and for which the governor declares  
13 a state of emergency to exist, the ~~Louisiana Student Financial Assistance~~  
14 ~~Commission~~ administering agency, in consultation with the commissioner of higher  
15 education and in accordance with the Administrative Procedure Act, shall by rule  
16 waive any provision of Part I of this Chapter that imposes on such student a program  
17 requirement or condition that the student cannot comply with or meet when it is  
18 determined by the ~~commission~~ administering agency that a failure to comply with  
19 the requirement or meet the condition, more likely than not, is due solely to a  
20 consequence of the declared disaster or emergency.

21 (b) In addition to provisions of the Administrative Procedure Act relative to  
22 oversight by the legislature of the adoption of ~~commission~~ administering agency  
23 rules, the Joint Legislative Committee on the Budget, in accordance with procedures  
24 and threshold amounts established by the committee, shall have oversight and  
25 approval authority over any rule proposed for adoption pursuant to the provisions of  
26 this Paragraph that has a significant program or other cost, or both, to the state.

27 C. The ~~Louisiana Student Financial Assistance Commission~~ administering  
28 agency shall take all administrative action necessary to expedite full implementation  
29 of the provisions of this Section. The ~~commission~~ administering agency also shall

1 disseminate information to displaced students and others regarding program changes  
2 pursuant to the provisions of this Section in the most timely manner possible.

3 §5102. Continuing eligibility for program awards; students displaced by certain  
4 natural disasters; waivers and exceptions; limitations

5 \* \* \*

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

11 \* \* \*

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

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

1 requirement or condition that the student cannot comply with or meet when it is  
 2 determined by the ~~commission~~ administering agency that a failure to comply with  
 3 the requirement or meet the condition, more likely than not, is due solely to a  
 4 consequence of the declared disaster or emergency.

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

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

16 \* \* \*

---

#### 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 171 Original

2017 Regular Session

Steve Carter

Proposed law makes technical corrections to various education laws in Title 17.

(Amends R.S. 17:7(2)(f)(iii), (6)(d), (28)(b), and (33)(b), 10.3(A), 10.7.1(D)(2)(intro. para.) and (c)(i) and (E)(6), 24.4(F)(2)(h) and (3)(a) and (b)(ii) and (iii) and (J)(1)(intro. para.) and (a), 100.1(A)(1), (C)(6), and (D), 183.2(B)(2)(a), 194(D), 223(B), 407.22(A)(2), (3), (4), (5), (6), (7), and (9), 407.23(B)(2) and (3)(a), 407.51(A)(5), (7), and (12) and (L)(1) and (2), 416.21(K), 436.3(C)(1) and (6)(intro. para.), 440(C)(2), 444(B)(4)(c)(i), 1519.2(C)(1), 1681(B), 1982(4), 2925(A)(2), (3), and (4), 3023(A)(2)(a), (6), and (9), 3095(A)(1)(b) and (c) and (D), 3165.2(C)(1)(intro. para.), 3168(intro. para.), 3351(H)(4), 3351.20(C), 3803(B)(1)(e), 3995(A)(3)(b), 5002(D)(1) and (2) and (G), 5021(A)(2)(b), 5023(D)(1) and (2)(a), 5024(A)(3)(a), 5025(7), 5029(B)(1)(b)(i), 5061, 5064, 5067(A)(2), 5068(B) and (C), 5081(F) and (G), 5101(B)(1)(intro. para.) and (2) and (C), and 5102(B)(1)(intro. para.) and (2) and (C))