

SENATE BILL NO. 99

BY SENATOR FIELDS

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

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AN ACT

To amend and reenact R.S. 17:5002(B)(2), 5027(B), the introductory paragraph of (C), and (C)(1), 5029(A)(1)(c), 5043(2), 5062(C)(4) and (5), and 5103(B)(1) and to enact R.S. 17:5062(C)(6), relative to the Taylor Opportunity Program for Students; to clarify terminology; to provide relative to rules, procedures, and guidelines of the administering agency; to authorize the administering agency to waive certain initial eligibility requirements under certain circumstances; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:5002(B)(2), 5027(B), the introductory paragraph of (C), and (C)(1), 5029(A)(1)(c), 5043(2), 5062(C)(4) and (5), and 5103(B)(1) are hereby amended and reenacted and R.S. 17:5062(C)(6) is hereby enacted to read as follows:

§5002. Awards and amounts

\* \* \*

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

\* \* \*

(2) At any ~~regionally accredited~~ independent college or university in the state ~~which that~~ is a member of the Louisiana Association of Independent Colleges and Universities **and that is accredited by an institutional accrediting agency recognized by the United States Department of Education** to pursue an academic undergraduate degree, shall be awarded by the state an amount to be determined by the administering agency to equal the weighted average of the tuition amounts charged to students attending public colleges and universities that offer academic undergraduate degrees at the baccalaureate level during the 2016-2017 academic

1 year.

2 \* \* \*

3 §5027. Postsecondary institution enrollment

4 \* \* \*

5 B. "Eligible college or university" means a public college or university in this  
6 state or a ~~regionally accredited~~ **an** independent college or university in the state that  
7 is a member of the Louisiana Association of Independent Colleges and Universities  
8 **and that is accredited by an institutional accrediting agency recognized by the**  
9 **United States Department of Education.**

10 C. Notwithstanding any provision of Subsection B of this Section, any  
11 student who meets all applicable initial and continuing program eligibility  
12 requirements of this Chapter for an Opportunity, Performance, or Honors Award  
13 may use ~~such the~~ award at an out-of-state nonpublic college or university when each  
14 of the following conditions is met:

15 (1) The college or university is accredited by a ~~regional~~ **an institutional**  
16 accrediting organization recognized by the United States Department of Education.

17 \* \* \*

18 §5029. Alternative initial eligibility requirements

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

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

24 \* \* \*

25 (c) The student graduated during the 2002-2003 school year or thereafter  
26 from an out-of-state high school that is accredited by a ~~regional~~ **an institutional**  
27 accrediting organization recognized by the United States Department of Education  
28 and that meets the standards adopted by the State Board of Elementary and  
29 Secondary Education for approval of nonpublic schools in Louisiana.

30 \* \* \*

1 §5043. Returning students

2 Notwithstanding any provision of this Chapter to the contrary, any otherwise  
3 qualified student who meets each of the following conditions and who enrolls as a  
4 first-time freshman in an out-of-state college or university, or beginning with the  
5 2009-2010 academic year, first enrolls as a first-time freshman in an eligible college  
6 or university in Louisiana and subsequently enrolls in an out-of-state college or  
7 university, may use the program award provided for by this Section at an eligible  
8 college or university in Louisiana in accordance with this Subsection and other  
9 applicable provisions of this Chapter; however, the time period of award eligibility  
10 set forth in R.S. 17:5002(E) shall be reduced by an equivalent number of units as  
11 may be applicable for each semester or equivalent time period that the student is  
12 enrolled in an out-of-state college or university:

13 \* \* \*

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

15 (a) An out-of-state college or university in accordance with the timelines  
16 specified by this Section for ~~such~~ enrollment in an eligible college or university in  
17 Louisiana and the out-of-state college or university is accredited by ~~a regional~~ **an**  
18 **institutional** accrediting organization recognized by the United States Department  
19 of Education.

20 (b) An eligible college or university in Louisiana in accordance with the  
21 timelines specified by this Section for ~~such~~ enrollment, who subsequently enrolled  
22 in an out-of-state college or university that is accredited by ~~a regional~~ **an**  
23 **institutional** accrediting organization recognized by the United States Department  
24 of Education, and then reenrolled in an eligible college or university in Louisiana  
25 during the 2009-2010 academic year or thereafter.

26 \* \* \*

27 §5062. Rules, procedures, and guidelines

28 \* \* \*

29 C. The administering agency shall provide the following:

30 \* \* \*

1 (4)(a) Guidelines and procedures permitting the administering agency to  
2 receive and consider, ~~beginning with for~~ awards made for the 2000-2001 academic  
3 year ~~and~~ through the 2002-2003 academic year, an applicant's qualifying score on  
4 the ACT or on the SAT that is obtained on an authorized testing date after the date  
5 of the applicant's high school graduation but prior to July first of the year of ~~such~~  
6 graduation.

7 (b) Guidelines and procedures permitting the administering agency to receive  
8 and consider, ~~beginning with for~~ awards made for the 2003-2004 academic year ~~and~~  
9 ~~thereafter~~ **through the 2019-2020 academic year**, an applicant's qualifying score  
10 on the ACT or on the SAT ~~which~~ **that** is first obtained on an authorized testing date  
11 after the national April ACT testing date in the year of the applicant's high school  
12 graduation but prior to July first of the year of ~~such~~ graduation.

13 (c) Guidelines and procedures permitting the administering agency to receive  
14 and consider, ~~beginning with for~~ awards made for the 2011-2012 academic year ~~and~~  
15 ~~thereafter~~ **through the 2019-2020 academic year**, an applicant's qualifying score  
16 on the ACT or on the SAT ~~which~~ **that** is first obtained on an authorized testing date  
17 after the national April ACT testing date in the year of the applicant's high school  
18 graduation but prior to ~~July first~~ **September thirtieth** of the year of ~~such~~ graduation  
19 ~~or~~; if the administering authority determines that the applicant was prevented from  
20 taking the test prior to July first of the year of graduation due to circumstances  
21 beyond the immediate control of the student and attributable to the administration  
22 of the test, ~~prior to September thirtieth of the year of such graduation.~~

23 (d) **Guidelines and procedures permitting the administering agency to**  
24 **receive and consider, beginning with awards made for the 2020-2021 academic**  
25 **year, an applicant's qualifying score on the ACT or on the SAT that is first**  
26 **obtained on an authorized testing date after the national April ACT testing date**  
27 **in the year of the applicant's high school graduation but prior to August first**  
28 **of the year of graduation.**

29 (e) When granting an award to an applicant whose qualifying test score is  
30 considered by the agency pursuant to the provisions of this Paragraph, the agency

1 shall reduce the time period of eligibility for the award as set forth in R.S. 17:5002  
2 by one semester or an equivalent number of units at an eligible institution ~~which that~~  
3 operates on a schedule based on units other than semesters.

4 (5)(a) ~~Notwithstanding any other provision of law, guidelines~~ Guidelines and  
5 procedures by which the administering agency may receive and consider, for awards  
6 made through the 2019-2020 academic year, an applicant's qualifying score on the  
7 ACT or SAT ~~which that~~ is first obtained on an authorized testing date after the  
8 national April testing date in the year of the applicant's high school graduation  
9 provided that:

10 (i) The administering agency determines that the applicant was prevented  
11 from taking the test on or prior to the national April testing date of the year of the  
12 applicant's graduation due to circumstances beyond the immediate control of the  
13 student ~~which that~~ were attributable to the administration of the test.

14 (ii) The applicant's qualifying score is obtained on an authorized testing date  
15 prior to August first of the year of the applicant's graduation.

16 (b) Guidelines and procedures by which the administering agency may  
17 receive and consider, beginning with awards made for the 2020-2021 academic  
18 year, an applicant's qualifying score on the ACT or SAT that is first obtained  
19 on an authorized testing date after the national April testing date in the year of  
20 the applicant's high school graduation provided that:

21 (i) The administering agency determines that the applicant was  
22 prevented from taking the test on or prior to the national April testing date of  
23 the year of the applicant's graduation due to circumstances beyond the  
24 immediate control of the student that were attributable to the administration  
25 of the test.

26 (ii) The applicant's qualifying score is obtained on an authorized testing  
27 date prior to September thirtieth of the year of the applicant's graduation.

28 (c) When granting an award to an applicant whose qualifying test score is  
29 considered by the agency pursuant to the provisions of this Paragraph, the agency  
30 shall not reduce the time period of eligibility for the award as set forth in R.S.

1 17:5002.

2 (6)(a) Guidelines and procedures by which the administering agency may  
3 receive and consider, beginning with awards made for the 2020-2021 academic  
4 year, an application for an initial award from an applicant who graduated from  
5 an approved home study program who did not meet the requirements of R.S.  
6 17:5029(B)(1)(b)(i) provided that:

7 (i) The administering agency determines the applicant's move to an  
8 approved home study program was precipitated by circumstances documented  
9 to be beyond the immediate control of the applicant.

10 (ii) The applicant meets all other requirements of R.S. 17:5029(B).

11 (b)When granting an award to an applicant whose qualifying test score  
12 is considered by the agency pursuant to the provisions of this Paragraph, the  
13 agency shall not reduce the time period of eligibility for the award as set forth  
14 in R.S. 17:5002.

15 \* \* \*

16 §5103. Eligibility under declared health emergency

17 \* \* \*

18 B.(1) In response to the public health emergency, provisions of this Chapter  
19 that provide for initial eligibility are modified or waived as more fully specified in  
20 this Subsection:

21 (a) Notwithstanding the provisions of R.S. 17:5062, the deadline for taking  
22 the ACT or SAT for **purposes of** consideration for an award for students graduating  
23 from high school in 2020 is December 31, 2020.

24 (i) The administering agency may provide an exception to this deadline if the  
25 student provides documentation ~~that he was registered for a test that was canceled~~  
26 due to COVID-19 and was unable to schedule **of**:

27 (aa) Registration for a test scheduled on a date prior to the deadline.

28 (bb) Inability to take the test as scheduled due to circumstances related  
29 to COVID-19.

30 (cc) Inability to reschedule a test before the deadline due to circumstances

beyond ~~his~~ **the student's** control, as determined by the administering agency.

**(ii)** The administering agency shall not reduce the time period of eligibility for the award, as set forth in R.S. 17:5002, of an applicant who qualifies for an award pursuant to authority granted by this ~~Subparagraph~~ **Item**. The initial award or upgraded award shall be paid for the first time beginning with the semester during which the qualifying score was achieved.

**(b)(i)** **Notwithstanding the provisions of R.S. 17:5062, the deadline for taking the ACT or SAT for consideration for an award for students graduating from high school in 2021 may be extended beyond the deadline if the applicant provides documentation of:**

**(aa)** **Registration for a test scheduled on a date prior to the deadline.**

**(bb)** **Inability to take the test as scheduled due to circumstances related to COVID-19.**

**(cc)** **Inability to reschedule a test before the deadline due to circumstances beyond the student's control, as determined by the administering agency.**

**(ii)** **The administering agency shall not reduce the time period of eligibility for the award, as set forth in R.S. 17:5002, of an applicant who qualifies for an award pursuant to authority granted by this Item.**

~~(b)(c)~~ Notwithstanding the provisions of R.S. 17:5026, a student on a Jump Start graduation track shall not be required to complete any Jump Start course, experience, or credential that was waived by the student's high school for high school graduation purposes.

~~(e)(d)~~ The administering agency may waive the home study requirements of R.S. 17:5029 **R.S. 17:5029(B)(1)(b)(i)** for a student if it determines that the student's failure to meet those requirements was, more likely than not, due solely to consequences of measures taken to limit the spread of COVID-19.

\* \* \*

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature

1 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
2 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
3 effective on the day following such approval.

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

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