

Regular Session, 2014

HOUSE BILL NO. 1186

BY REPRESENTATIVE HUNTER

STUDENT/LOANS-SCHOLARSHIP: Places certain residency and program of study requirements on Taylor Opportunity Program for Students (TOPS) award recipients and authorizes use of TOPS awards for postgraduate study in certain circumstances

1 AN ACT

2 To enact R.S. 17:3048.1(A)(4)(f), (Y), (Z), and (AA), relative to the Taylor Opportunity
3 Program for Students; to provide relative to continued eligibility for such awards; to
4 place certain residency or repayment requirements on recipients of program awards;
5 to authorize the use of funds for postgraduate study if certain conditions are met; and
6 to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:3048.1(A)(4)(f), (Y), (Z), and (AA) are hereby enacted to read
9 as follows:

10 §3048.1. Program awards; eligibility; amounts; limitations; funding; administration

11 A.

12 * * *

13 (4) To maintain continued state payment of an amount equal to tuition and
14 other amounts pursuant to an award under this Chapter once enrolled in college a
15 student shall meet all of the following:

16 * * *

17 (f) For a student who first enrolls in an eligible institution for or during the
18 2014-2015 academic year or thereafter, such student is pursuing a degree or skill or
19 occupational training that would qualify him for employment in a four or five star

1 job, on a statewide basis, as defined by the Louisiana Workforce Commission.
2 Notwithstanding any provision of this Subparagraph to the contrary, such student
3 shall remain eligible to receive the award if all other requirements pursuant to this
4 Paragraph are met and after he enrolls in but before he completes the program that
5 would qualify him for employment in such four or five star job, the job is no longer
6 defined as a four or five star job.

7 * * *

8 Y.(1) Notwithstanding any provision of this Chapter to the contrary, an
9 otherwise qualified student who meets each of the following conditions may use the
10 program award provided for by this Section to pursue a postgraduate academic
11 degree at an eligible Louisiana institution:

(a) The student has been determined by the administering agency to meet the initial eligibility requirements established by this Section for an Opportunity, Performance, or Honors award.

(b) The student first enrolled as a full-time postsecondary student in an out-of-state college or university that is accredited by a regional accrediting organization recognized by the United States Department of Education and remains enrolled in and graduates from the college or university.

19 (c) While enrolled in such a college or university, the student met all
20 requirements of this Section for continuation of the initial award that would have
21 been applicable to the student if he had enrolled in an eligible college or university
22 in Louisiana.

23 (d) The student graduated from high school during the 2010-2011 school
24 year or thereafter.

25 (2) The amount of the award provided for in this Subsection shall not exceed
26 the amounts determined by the administering agency to equal the tuition charged for
27 the postgraduate study or for undergraduate full-time enrollment charged by the
28 highest cost public college or university in the state, whichever amount is less.

1 (3)(a) A student may continue to receive the award provided for in this
2 Subsection if he continues to meet all academic and other requirements, as provided
3 by this Section and by rule of the administering agency as applicable to an
4 undergraduate for continued receipt of the award, including any modifications of
5 such requirements by the administering agency that are necessary to apply such
6 requirements to postgraduate study.

7 (b) A student may receive the award provided for in this Subsection for not
8 more than three academic years or the equivalent number of semesters or quarters
9 and shall not receive an award for any term that begins more than seven years after
10 the student graduated from high school.

11 Z.(1) For a recipient of an Opportunity, Performance, or Honors award
12 pursuant to this Section who first enrolls in an eligible institution for or during the
13 2014-2015 academic year or thereafter, upon completion of a bachelor's or
14 postgraduate degree, as applicable, such recipient shall do one of the following:

15 (a) Reside in Louisiana for at least one year for each full academic year of
16 award received pursuant to this Section. "Reside" for purposes of this Subparagraph
17 includes filing an individual income tax return, having a Louisiana drivers license
18 if he is licensed to drive, registering his vehicle in Louisiana if he has a vehicle.

19 (b) Repay a full academic year of award for each year he fails to comply
20 with Subparagraph (a) of this Paragraph.

21 (c) If the student was not a resident of Louisiana, he shall repay no less than
22 fifty percent of the total amount of awards received if fails to comply with
23 Subparagraph (a) of this Paragraph.

24 (2) If such student loses eligibility to receive further awards provided for by
25 this Section for any reason other than completion of a bachelor's or postgraduate
26 degree or receipt for eight semesters or the equivalent, he shall repay all amounts
27 received as awards.

28 (3) If such student is required to repay awards pursuant to this Subsection,
29 he shall:

1 (a) Repay amounts in the reverse order from that in which they were
2 received.

3 (b) Repay one year of award within each calendar year until all awards have
4 been repaid; the student shall not be required to pay any interest on amounts owed
5 if they are paid in accordance with this Subparagraph.

6 (4) If such student is required to repay awards pursuant to this Subsection,
7 he may defer such repayment and no interest shall accrue:

8 (a) While he is a full time student pursuing an associate, undergraduate, or
9 graduate degree.

10 (b) While he is engaged in active duty service with the U.S. military.

11 (5) The provisions of this Subsection shall not apply to a student who
12 completes a degree at a Louisiana college or university and accepts employment and
13 remains employed in any of the following for at least four years:

14 (a) Government service including military service.

15 (b) Employment with a company that is based in Louisiana.

16 (c) Employment with a nonprofit organization that qualifies as tax-exempt
17 pursuant to Section 501(c)(3) of the Internal Revenue Code.

18 (6) The administering agency may promulgate rules necessary to implement
19 the provisions of this Subsection. Such rules shall include provision for all available
20 means of collecting amounts owed and interest on unpaid amounts.

21 AA. Notwithstanding any provision of this Section to the contrary, no
22 student who has received an award pursuant to this Section shall be deemed to be
23 making steady academic progress if he:

24 (1) Fails to successfully complete fifteen hours of credit in a semester.

25 (2) Has not declared a major other than general studies.

26 (3) Is not pursuing a degree or skill or occupational training that would
27 qualify him for employment in a four or five star job, on a statewide basis, as defined
28 by the Louisiana Workforce Commission. Notwithstanding any provision of this
29 Paragraph to the contrary, such student shall remain eligible to receive an award if

1 after he enrolls in but before he completes the program that would qualify him for
 2 employment in such four or five star job, the job is no longer defined as a four or five
 3 star job.

4 Section 2. The Louisiana Office of Student Financial Assistance shall annually
 5 report to the Louisiana House of Representatives, the House Committee on Education, the
 6 Louisiana Senate, and the Senate Committee on Education on the costs of the Taylor
 7 Opportunity Program for Students for the previous fiscal year. The report shall be submitted
 8 to each member of the committees by August first. If any member of the board of trustees
 9 of the Patrick F. Taylor Foundation receives state funds that were appropriated for the
 10 program, such costs of the program shall specifically be disclosed in the report.

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)]

Hunter

HB No. 1186

Abstract: Authorizes use of TOPS awards for postgraduate study in certain circumstances; requires recipients of TOPS awards to (1) pursue a field of study that will qualify the recipient for employment in certain categories of jobs, (2) repay awards unless the recipient completes a bachelor's or postgraduate degree and resides in La. for at least one year for each year of award received.

Continuing Eligibility for Award

Present law requires that a recipient of a Taylor Opportunity Program for Students (TOPS) award meet certain criteria in order to maintain continued receipt of such award. Such criteria include, but are not limited to:

- (1) Earning enough credits to maintain full-time status as a student.
- (2) Maintain a minimum required grade point average, depending on the type of award received.
- (3) Have no criminal conviction, except for misdemeanor traffic violations.

Proposed law adds a requirement that the student pursue a degree or skill or occupational training that would qualify him for employment in a four or five star job, on a statewide basis, as defined by the Louisiana Workforce Commission. Further provides that a student shall remain eligible for an award if all other conditions of present law are met and if after the student enrolls in but before he completes the program of study such job is no longer defined as a four or five star job.

Awards for Postgraduate Study

Proposed law provides that an otherwise qualified student who meets each of the following conditions may use the TOPS award to pursue a postgraduate academic degree at an eligible La. institution:

- (1) The student meets the initial eligibility requirements for an Opportunity, Performance, or Honors award.
- (2) The student first enrolled as a postsecondary student in and graduated from an out-of-state college or university accredited by a regional accrediting organization recognized by the U.S. Dept. of Education.
- (3) While enrolled in such a college or university, the student met all requirements for continuation of the initial award that would have been applicable had he been enrolled in a La. college or university.
- (4) The student graduated from high school during the 2010-2011 school year or thereafter.

Provides that the amount of the tuition award shall not exceed the amounts determined by the administering agency to equal the tuition charged for the postgraduate study or for undergraduate full-time enrollment charged by the highest cost public college or university in the state, whichever is less.

Provides that the student may continue to receive the award if he continues to meet all academic and other requirements for continued receipt of the award as applicable to an undergraduate, including any modifications of such requirements made by the administering agency as needed to apply such requirements to postgraduate study.

Permits student to receive the award for not more than three academic years or the equivalent number of semesters or quarters; prohibits receipt of the award for a term that begins more than seven years after high school graduation.

Repayment of Award Amounts

Proposed law provides that for an award recipient first enrolling in an eligible institution for or during the 2014-2015 academic year or thereafter, upon completion of a bachelor's or postgraduate degree, such former recipient of an award shall either reside in La for at least one year for each year of award he received or repay one year of award for each year he fails to meet this residency requirement. Requires any such recipient who loses eligibility to receive awards to repay amounts received.

Proposed law requires that the former recipient repay amounts in the reverse order from that in which they were received and repay one year of awards within each calendar year until all awards have been repaid. Authorizes deferral of repayment for full-time students and those engaged in military service. Waives the repayment requirement for a recipient who completes a degree and works for at least four years in any of the following: government service including military service; for a La.-based company; or for a nonprofit organization.

Proposed law authorizes the administering agency to promulgate rules necessary to implement proposed law, including provision for collecting amounts owed and interest on unpaid amounts.

Proposed law provides that notwithstanding present law, a student is not making steady academic progress if he:

- (1) Fails to successfully complete fifteen hours of credit in a semester.
- (2) Has not declared a major other than general studies.

- (3) Is not pursuing a degree or skill or occupational training that would qualify him for employment in a four or five star job, on a statewide basis, as defined by the La. Workforce Commission.

Proposed law requires the La. Office of Student Financial Assistance shall annually report to the House of Representatives, the House Committee on Education, the Senate, and the Senate Committee on Education on the costs of the program for the previous fiscal year. Provides that if any member of the board of trustees of the Patrick F. Taylor Foundation receives state funds that were appropriated for the program, such costs of the program shall specifically be disclosed in the report.

(Adds R.S. 17:3048.1(A)(4)(f), (Y), (Z), and (AA))