
DIGEST

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HB 40 Engrossed

2020 Second Extraordinary Session

Garofalo

Abstract: Modifies TOPS eligibility provisions for students impacted by Hurricane Laura and certain other disasters and emergencies.

Present law provides for the Taylor Opportunity Program for Students (TOPS), a merit-based college scholarship program. Provides eligibility criteria for the initial awarding of a scholarship to a student and for retaining the scholarship from one semester to the next.

Initial eligibility for students impacted by Hurricane Laura

Proposed law modifies initial eligibility requirements for a TOPS award for certain students as follows:

- (1) Present administrative rule provides that the deadline for taking the ACT is April. Proposed law provides that the 2020 deadline is Dec. 31, 2020, and prohibits reducing the period of eligibility for a student who qualifies under this extended deadline. Authorizes the administering agency to provide an exception if the student was registered for a test canceled due to the hurricane and unable to schedule a test before the deadline due to circumstances beyond his control. Specifies that the initial or upgraded award shall first be paid for the semester during which the qualifying score was achieved.
- (2) A student who graduates from an out-of-state high school shall not be required to have a higher ACT score than in-state graduates.
- (3) A student shall not be required to complete a core curriculum if his principal certifies that failure to comply was due to lack of course availability.
- (4) Residency requirements shall be satisfied:
 - (a) If a student actually resided in La. during his entire 11th grade year and was enrolled for such time in an eligible La. high school or, for dependent students, if he has a parent or court-ordered custodian who actually resided in an affected parish for at least the 12 months prior to Aug. 26, 2020.
 - (b) If a parent of a student who graduates from an out-of-state high school and who was displaced from an affected parish due to Hurricane Laura actually resided in La. for at least the 12 months prior to Aug. 26, 2020.
- (5) A home study student who attended a La. high school and who completes the 12th grade in a home study program shall not be required to have completed both the 11th and 12th grades in the program.

Proposed law above relative to initial eligibility applies only to a student who, on Aug. 26, 2020, met one of the following criteria:

- (1) He was enrolled in a public or nonpublic high school located in an affected parish.
- (2) He resided in an affected parish and was enrolled in a BESE-approved home study program.

Continuing eligibility for students impacted by Hurricane Laura

Proposed law, applicable to the 2020-2021 academic year, modifies continuing eligibility requirements for a TOPS award for certain students as follows:

- (1) Waives present law requirements for steady academic progress and a certain cumulative GPA.
- (2) Present law provides for possible reinstatement of an award suspended because of GPA or failure to make steady academic progress. Proposed law extends the time a student has to recover an award by one semester for each he is unable to enroll or complete.
- (3) Waives present law providing for the reduction of eligibility by a semester for each semester that a student is enrolled in an out-of-state college or university.

Proposed law above relative to continuing eligibility is only applicable to a person who, on Aug. 26, 2020, was eligible for or had a program award and met one of the following criteria:

- (1) He had a home of record in an affected parish.
- (2) He was enrolled in an eligible college or university in an affected parish.

For all of the above proposed law purposes, "affected parish" means Acadia, Allen, Beauregard, Caddo, Calcasieu, Cameron, Grant, Jackson, Jefferson Davis, LaSalle, Lincoln, Morehouse, Natchitoches, Ouachita, Rapides, Sabine, St. Landry, Union, Vermilion, Vernon, or Winn.

Proposed law authorizes the administering agency to waive present law relative to TOPS eligibility requirements that a student cannot comply with if it determines that failure to comply is, more likely than not, due solely to one of the following:

- (1) The effects of Hurricane Laura.
- (2) Another declared disaster or emergency; this authority is limited to the 2020-2021 academic year.

Rules adopted pursuant to this authority to waive eligibility requirements are subject to, in addition to present law relative to legislative oversight, the oversight and approval authority of the Jt. Legislative Committee on the Budget.

TOPS eligibility for students impacted by COVID-19

Present administrative rule provides that the deadline for taking the ACT is April. Present law moves this deadline for 2020 to Sept. 30, 2020, and prohibits reducing the period of eligibility for a student who qualifies under this extended deadline. Proposed law moves this deadline from Sept. 30, 2020, to Dec. 31, 2020, and authorizes the administering agency to provide an exception if the student was registered for a test canceled due to COVID-19 and unable to schedule a test before the deadline due to circumstances beyond his control. Specifies that the initial or upgraded award shall first be paid for the semester during which the qualifying score was achieved.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 17:5103(B)(1)(a); Adds R.S. 17:5104)