

Regular Session, 2012

HOUSE BILL NO. 945

BY REPRESENTATIVE HENRY BURNS

STUDENT/LOANS-SCHOLARSHIP: Extends TOPS eligibility for certain students who reenlist in the U.S. Armed Forces and maintain continuous active duty

1 AN ACT

2 To amend and reenact R.S. 17:3048.1(A)(1)(b)(i), (c)(i), (d)(i) and (4)(a)(iii), (B)(3)(a),
3 (P)(1)(c), (2)(b), (3)(b) and (4)(b), (Q)(1)(d), and (V)(1)(c), relative to the Taylor
4 Opportunity Program for Students; to provide for initial award eligibility and
5 continuing eligibility for certain students who reenlist in the United States Armed
6 Forces and maintain continuous active duty under certain circumstances; to extend
7 the length of time required to claim or maintain an award for certain students on
8 active duty under certain circumstances; to provide for applicability; to provide an
9 effective date; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 17:3048.1(A)(1)(b)(i), (c)(i), (d)(i) and (4)(a)(iii), (B)(3)(a),
12 (P)(1)(c), (2)(b), (3)(b) and (4)(b), (Q)(1)(d), and (V)(1)(c) are hereby amended and
13 reenacted to read as follows:

14 §3048.1. Program awards; eligibility; amounts; limitations; funding; administration

15 A.(1) As part of the Louisiana Taylor Opportunity Program for Students, the
16 state shall financially assist any student who enrolls on a full-time basis in a public
17 college or university in this state or a regionally accredited independent college or
18 university in the state that is a member of the Louisiana Association of Independent
19 Colleges or Universities, hereafter in this Chapter referred to collectively as "eligible
20 colleges or universities", to pursue an academic undergraduate degree or, as provided

1 by this Subsection, skill or occupational training as defined by the Board of Regents,
2 including a vocational or technical education certificate or diploma program or a
3 nonacademic undergraduate degree, and who meets the qualifications of
4 Subparagraph (b), (c), or (d) of this Paragraph and all of the applicable following
5 qualifications:

6 * * *

7 (b)(i) Has been certified as provided in Subsection D of this Section to have
8 graduated from a public high school or a nonpublic high school which has been
9 approved by the State Board of Elementary and Secondary Education, has a
10 minimum cumulative grade point average of 2.50 calculated on a 4.00 scale, has a
11 composite score on the 1990 version of the American College Test which is at least
12 equal to or higher than the state's average composite score, rounded to the nearest
13 whole number, reported for the prior year but never less than twenty or an equivalent
14 concordant value on an enhanced or revised version of such test or on the Scholastic
15 Aptitude Test, and, unless granted an exception for cause by the administering
16 agency, has enrolled in an eligible college or university as a first-time freshman not
17 later than the semester, excluding summer semesters or sessions, immediately
18 following the first anniversary of the date that the student graduated from high
19 school or, if the student joins the United States Armed Forces within one year after
20 graduating from high school, has enrolled in an eligible college or university as a
21 first-time freshman not later than the semester, excluding summer semesters or
22 sessions, immediately following the fifth anniversary of the date that the student
23 graduated from high school. However, effective for the 1996-1997 school year and
24 thereafter, if, on or prior to the fifth anniversary of the date that the student graduated
25 from high school, the student reenlists in the United States Armed Forces and
26 maintains continuous active duty, the five-year period shall be extended to the
27 semester immediately following the one year anniversary of the student's separation
28 from active duty service. As distinguished from all other students qualifying for this

1 program, a student who meets the requirements of this Subparagraph shall be the
2 recipient of an "Opportunity Award" for the purposes of this program.

3 * * *

4 (c)(i)(aa) Has been certified as provided in Subsection D of this Section to
5 have graduated from a public high school or nonpublic high school which has been
6 approved by the State Board of Elementary and Secondary Education, has enrolled,
7 unless granted an exception for cause by the administering agency, in an eligible
8 college or university as a first-time freshman not later than the semester, excluding
9 summer semesters or sessions, immediately following the first anniversary of the
10 date that the student graduated from high school ~~or, if the student joins the United~~
11 ~~States Armed Forces within one year after graduating from high school, has enrolled~~
12 ~~in an eligible college or university as a first-time freshman not later than the~~
13 ~~semester, excluding summer semesters or sessions, immediately following the fifth~~
14 ~~anniversary of the date that the student graduated from high school, except as~~
15 provided in Subitem (bb) of this Item, has achieved a minimum cumulative grade
16 point average of 3.50 calculated on a 4.00 scale, and has a composite score on the
17 1990 version of the American College Test of twenty-three or higher or an
18 equivalent concordant value on any enhanced or revised version of such test or on
19 the Scholastic Aptitude Test. As distinguished from all other students qualifying for
20 this program, a student who meets the requirements of this Subparagraph shall
21 receive and be recognized as the recipient of a "Performance Award" for the
22 purposes of this program.

23 (bb) If the student joins the United States Armed Forces within one year after
24 graduating from high school, has enrolled in an eligible college or university as a
25 first-time freshman not later than the semester, excluding summer semesters or
26 sessions, immediately following the fifth anniversary of the date that the student
27 graduated from high school. However, effective for the 1996-1997 school year and
28 thereafter, if, on or prior to the fifth anniversary of the date that the student graduates
29 from high school, the student reenlists in the United States Armed Forces and

1 maintains continuous active duty, the five-year period shall be extended to the
2 semester immediately following the one year anniversary of the student's separation
3 from active duty service.

4 * * *

5 (d)(i) Has been certified as provided in Subsection D of this Section to have
6 graduated from a public high school or nonpublic high school which has been
7 approved by the State Board of Elementary and Secondary Education with a
8 minimum cumulative grade point average of 3.50 on a 4.00 scale and a score of
9 twenty-seven or higher on the 1990 version of the American College Test or an
10 equivalent concordant value on any enhanced or revised version of such test or on
11 the Scholastic Aptitude Test, and, unless granted an exception for cause by the
12 administering agency, has enrolled in an eligible college or university as a first-time
13 freshman not later than the semester, excluding summer semesters or sessions,
14 immediately following the first anniversary of the date that the student graduated
15 from high school or, if the student joins the United States Armed Forces within one
16 year after graduating from high school, has enrolled in an eligible college or
17 university as a first-time freshman not later than the semester, excluding summer
18 semesters or sessions, immediately following the fifth anniversary of the date that
19 the student graduated from high school. However, effective for the 1996-1997
20 school year and thereafter, if, on or prior to the fifth anniversary of the date that the
21 student graduated from high school, the student reenlists in the United States Armed
22 Forces and maintains continuous active duty, the five-year period shall be extended
23 to the semester immediately following the one year anniversary of the student's
24 separation from active duty service. As distinguished from all other students
25 qualifying for this program, a student who meets the requirements of this
26 Subparagraph shall receive and be recognized as the recipient of an "Honors Award"
27 for the purposes of this program.

28 * * *

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

(a)

* * *

(iii) If at any time a student fails to maintain the cumulative grade point average required for continuation in the program or as of the end of any semester or term during the academic year fails to make steady academic progress as defined by the administering agency, such student shall become ineligible for further payments. Payments limited to those provided in Paragraph (A)(2) of this Section regardless of whether the originally granted award was an Opportunity, Performance, or Honors Award may be reinstated upon attainment of the grade point average required by this Paragraph for a student to maintain continued state payments once enrolled in college and the standards for steady academic progress as defined by the administering agency, provided that the student has maintained other continuation requirements and the period of ineligibility did not persist for more than two years from the date of loss of eligibility. If this two-year period is interrupted due to a student's active duty service in the United States Armed Forces, the two-year period shall be extended for a length of time equal to the student's active duty service, not to exceed four years, unless the student reenlists in the United States Armed Forces and maintains continuous active duty, in which case the period shall be extended for a length of time equal to the student's active duty service; or unless the student is granted an exception for cause by the administering agency.

* * *

B.

* * *

(3) To maintain continued state payment of an amount equal to tuition pursuant to a TOPS-Tech Award once enrolled in an institution, a student shall meet all of the following:

(a) Make steady academic progress as defined by the administering agency toward completion of the requirements of the program in which enrolled earning not less than the minimum number of hours of credit required for full-time standing or the required number of hours needed to complete the program's requirements. If at any time a student fails to maintain the cumulative grade point average required for continuation in the program or as of the end of any term during the school year fails to make steady academic progress as defined by the administering agency, the student shall become ineligible for further payments. Payments may be reinstated upon attainment of the grade point average required for continuation of the original award and the standards for steady academic progress as defined by the administering agency, provided that the student has maintained other continuation requirements and the period of ineligibility did not persist for more than one year from the date of loss of eligibility. If this one-year period is interrupted due to a student's active duty service in the United States Armed Forces, the one-year period shall be extended for a length of time equal to the student's active duty service, not to exceed four years, unless the student reenlists in the United States Armed Forces and maintains continuous active duty, in which case the period shall be extended for a length of time equal to the student's active duty service; or unless the student is granted an exception for cause by the administering agency.

* * *

P.(1) Notwithstanding any initial student eligibility requirement of this Chapter to the contrary, a student shall be eligible to receive a TOPS-Tech Award pursuant to this Section provided each of the applicable following conditions are met:

* * *

(c) Unless granted an exception for cause by the administering agency, the student has enrolled in a Louisiana public postsecondary institution as a first-time freshman not later than the semester, excluding summer semesters or sessions, immediately following the first anniversary of the date that the student graduated

1 from high school or, if the student joins the United States Armed Forces within one
2 year after graduating from high school, has enrolled in a Louisiana public
3 postsecondary institution as a first-time freshman not later than the semester,
4 excluding summer semesters or sessions, immediately following the fifth anniversary
5 of the date that the student graduated from high school. However, effective for the
6 1996-1997 school year and thereafter, if, on or prior to the fifth anniversary of the
7 date that the student graduated from high school, the student reenlists in the United
8 States Armed Forces and maintains continuous active duty, the five-year period shall
9 be extended to the semester immediately following the one year anniversary of the
10 student's separation from active duty service.

11 * * *

12 (2) Notwithstanding any initial student eligibility requirement of this Chapter
13 to the contrary, a student shall be eligible to receive an Opportunity Award pursuant
14 to this Section provided each of the following conditions are met:

15 * * *

16 (b) Unless granted an exception for cause by the administering agency, the
17 student has enrolled in an eligible college or university as a first-time freshman not
18 later than the semester, excluding summer semesters or sessions, immediately
19 following the first anniversary of the date that the student graduated from high
20 school or, if the student joins the United States Armed Forces within one year after
21 graduating from high school, has enrolled in an eligible college or university as a
22 first-time freshman not later than the semester, excluding summer semesters or
23 sessions, immediately following the fifth anniversary of the date that the student
24 graduated from high school. However, effective for the 1996-1997 school year and
25 thereafter, if, on or prior to the fifth anniversary of the date that the student graduated
26 from high school, the student reenlists in the United States Armed Forces and
27 maintains continuous active duty, the five-year period shall be extended to the
28 semester immediately following the one year anniversary of the student's separation
29 from active duty service.

* * *

(3) Notwithstanding any initial student eligibility requirement of this Chapter to the contrary, a student shall be eligible to receive a Performance Award pursuant to this Section provided each of the following conditions are met:

* * *

(b) Unless granted an exception for cause by the administering agency, the student has enrolled in an eligible college or university as a first-time freshman not later than the semester, excluding summer semesters or sessions, immediately following the first anniversary of the date that the student graduated from high school or, if the student joins the United States Armed Forces within one year after graduating from high school, has enrolled in an eligible college or university as a first-time freshman not later than the semester, excluding summer semesters or sessions, immediately following the fifth anniversary of the date that the student graduated from high school. However, effective for the 1996-1997 school year and thereafter, if, on or prior to the fifth anniversary of the date that the student graduated from high school, the student reenlists in the United States Armed Forces and maintains continuous active duty, the five-year period shall be extended to the semester immediately following the one year anniversary of the student's separation from active duty service.

* * *

(4) Notwithstanding any initial student eligibility requirement of this Chapter to the contrary, a student shall be eligible to receive an Honors Award pursuant to this Section provided each of the following conditions are met:

* * *

(b) Unless granted an exception for cause by the administering agency, the student has enrolled in an eligible college or university as a first-time freshman not later than the semester, excluding summer semesters or sessions, immediately following the first anniversary of the date that the student graduated from high school or, if the student joins the United States Armed Forces within one year after

1 graduating from high school, has enrolled in an eligible college or university as a
2 first-time freshman not later than the semester, excluding summer semesters or
3 sessions, immediately following the fifth anniversary of the date that the student
4 graduated from high school. However, effective for the 1996-1997 school year and
5 thereafter, if, on or prior to the fifth anniversary of the date that the student graduated
6 from high school, the student reenlists in the United States Armed Forces and
7 maintains continuous active duty, the five-year period shall be extended to the
8 semester immediately following the one year anniversary of the student's separation
9 from active duty service.

10 * * *

11 Q.(1) Notwithstanding any initial student eligibility requirement of this
12 Chapter to the contrary, a student shall be eligible to receive a TOPS-Tech Award
13 pursuant to this Section provided each of the following conditions are met:

14 * * *

15 (d) Unless granted an exception for cause by the administering agency, the
16 student has enrolled in a Louisiana public postsecondary institution as a first-time
17 freshman not later than the semester, excluding summer semesters or sessions,
18 immediately following the first anniversary of the date that the student's initial
19 application is received by the administering agency or, if the student joins the United
20 States Armed Forces within one year after completing the home study program, has
21 enrolled in a Louisiana public postsecondary institution as a first-time freshman not
22 later than the semester, excluding summer semesters or sessions, immediately
23 following the fifth anniversary of the date that the student's initial application is
24 received by the administering agency. However, effective for the 1996-1997 school
25 year and thereafter, if, on or prior to the fifth anniversary of the date that the student
26 completed the home study program, the student reenlists in the United States Armed
27 Forces and maintains continuous active duty, the five-year period shall be extended
28 to the semester immediately following the one year anniversary of the student's
29 separation from active duty service.

* * *

V.(1) Notwithstanding any initial student eligibility requirement of this Chapter to the contrary, a student shall be eligible to receive a TOPS-Tech Award pursuant to this Section provided each of the following conditions are met:

* * *

(c)(i) If graduating from a high school and unless granted an exception for cause by the administering agency, the student has enrolled in an eligible college or university as a first-time freshman not later than the semester, excluding summer semesters or sessions, immediately following the first anniversary of the date that the student graduated from high school or, if the student joins the United States ~~armed~~ forces Armed Forces within one year after the date that the student graduated from high school, has enrolled in an eligible college or university as a first-time freshman not later than the semester, excluding summer semesters or sessions, immediately following the fifth anniversary of the date that the student graduated from high school. However, effective for the 1996-1997 school year and thereafter, if, on or prior to the fifth anniversary of the date that the student graduated from high school, the student reenlists in the United States Armed Forces and maintains continuous active duty, the five-year period shall be extended to the semester immediately following the one year anniversary of the student's separation from active duty service.

(ii) If a completer of a home study program approved by the State Board of Elementary and Secondary Education and unless granted an exception for cause by the administering agency, the student has enrolled in an eligible college or university as a first-time freshman not later than the semester, excluding summer semesters or sessions, immediately following the first anniversary of the date that the student completed a home study program approved by the State Board of Elementary and Secondary Education or, if the student joins the United States ~~armed forces~~ Armed Forces within one year after the date that the student completed a home study program approved by the State Board of Elementary and Secondary Education, has

enrolled in an eligible college or university as a first-time freshman not later than the semester, excluding summer semesters or sessions, immediately following the fifth anniversary of the date that the student completed a home study program approved by the State Board of Elementary and Secondary Education. However, effective for the 1996-1997 school year and thereafter, if, on or prior to the fifth anniversary of the date that the student completed the home study program, the student reenlists in the United States Armed Forces and maintains continuous active duty, the five-year period shall be extended to the semester immediately following the one year anniversary of the student's separation from active duty service.

* * *

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

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)]

Henry Burns

HB No. 945

Abstract: Extends eligibility for TOPS awards for certain students who reenlist in the U. S. Armed Forces and maintain continuous active duty.

Present law provides for the Taylor Opportunity Program for Students (TOPS) as a program of merit scholarships (TOPS-Tech, Opportunity, Performance, and Honors awards) for first time freshman attending La. public postsecondary institutions, regionally accredited independent colleges and universities in La., or certain out-of-state nonpublic postsecondary institutions who meet a specified GPA, ACT/SAT score, and core curriculum requirements, and certain other qualifications.

INITIAL ELIGIBILITY

Present law requires that a student enroll in an eligible college or university as a first-time freshman not later than the semester, excluding summer semesters or sessions, immediately following the first anniversary of the date that the student graduated from an eligible high school or completed the 12th grade level of a BESE-approved home study program.

Proposed law retains present law.

Present law further provides that if the student joins the U. S. Armed Forces within one year after graduating from high school, the student must enroll in an eligible college or university as a first-time freshman not later than the semester, excluding summer semesters or sessions, immediately following the fifth anniversary of the date of high school graduation or completion of the home study program.

Proposed law retains present law. However, effective from the 1996-1997 school year and thereafter, proposed law additionally provides that if, on or prior to the fifth anniversary of high school graduation or completion of the home study program, the student reenlists in the U. S. Armed Forces and maintains continuous active duty, the five-year period shall be extended to the semester immediately following the one year anniversary of the student's separation from active duty service.

MAINTAIN CONTINUING ELIGIBILITY

Present law provides that, once enrolled in college, if at any time a student fails to maintain the cumulative GPA required for continuation in the program or as of the end of any semester or term during the academic year fails to make steady academic progress, such student becomes ineligible for further TOPS payments. Further provides that certain payments may be reinstated upon attainment of the required GPA, provided that the student has maintained other continuation requirements and the period of ineligibility did not persist for more than two years from the date of loss of eligibility for an Opportunity, Performance or Honors award. For a TOPS-Tech Award, provides that payments may be reinstated upon attainment of the required GPA, provided that the student has maintained other continuation requirements and the period of ineligibility did not persist for more than one year from the date of loss of eligibility. Proposed law retains present law.

Present law provides that if such period of ineligibility is interrupted due to a student's active duty service in the U. S. Armed Forces, the period will be extended for a length of time equal to the student's active duty service, not to exceed four years.

Proposed law generally retains present law, but extends the four year length of time for a student who is on active duty, if the student reenlists in the U. S. Armed Forces and maintains continuous active duty, in which case the period will be extended for a length of time equal to the student's active duty service; or unless the student is granted an exception for cause by the administering agency.

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

(Amends R.S. 17:3048.1(A)(1)(b)(i), (c)(i), (d)(i) and (4)(a)(iii), (B)(3)(a), (P)(1)(c), (2)(b), (3)(b) and (4)(b), (Q)(1)(d), and (V)(1)(c))