

2016 Regular Session

HOUSE BILL NO. 438

BY REPRESENTATIVE IVEY

STUDENT/LOANS-SCHOLARSHIP: Creates a new Taylor Opportunity Program for Students (TOPS) award, the TOPS-Tech Transfer Award

1 AN ACT

2 To amend and reenact R.S. 17:5002(A), (D), (E), and (G)(1), 5024(A)(1)(introductory
3 paragraph) and (a) and (B)(1)(introductory paragraph) and (a), 5025(introductory
4 paragraph), 5027(A)(1) and (C)(introductory paragraph), 5029(C)(introductory
5 paragraph), and 5041(introductory paragraph), (3), (4), and (5), to enact R.S.
6 17:5024(A)(1)(e) and (B)(1)(e), 5024.1, 5041(6), and 5041.1, and to repeal R.S.
7 17:5024(A)(2) and (3)(b), (B)(2), and (C), relative to the Taylor Opportunity
8 Program for Students; to revise certain academic criteria for initial and continuing
9 eligibility for certain program awards; to provide for the establishment of a new
10 program award and for amounts, duration, and eligibility requirements relative to
11 such award; and to provide for related matters.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. R.S. 17:5002(A), (D), (E), and (G)(1), 5024(A)(1)(introductory
14 paragraph) and (a) and (B)(1)(introductory paragraph) and (a), 5025(introductory
15 paragraph), 5027(A)(1) and (C)(introductory paragraph), 5029(C)(introductory paragraph),
16 and 5041(introductory paragraph), (3), (4), and (5) are hereby amended and reenacted and

1 R.S. 17:5024(A)(1)(e) and (B)(1)(e), 5024.1, 5041(6) and 5041.1 are hereby enacted to read
2 as follows:

3 §5002. Awards and amounts

4 A. A student shall be eligible for an Opportunity, Performance, Honors, ~~or~~
5 TOPS-Tech, or TOPS-Tech Transfer Award based on his academic achievement.

6 * * *

7 D.(1)(a) Except as otherwise provided in ~~this Subsection~~ Subparagraph (b)
8 of this Paragraph, a student who is eligible for a TOPS-Tech Award pursuant to this
9 Chapter and who is enrolled:

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

20 ~~(b)~~(ii) In an eligible college or university other than as provided for in Item
21 (i) of this Subparagraph (a) of this Paragraph in those associate's degree or other
22 shorter-term training education programs that are aligned to state workforce
23 priorities as determined by the Board of Regents and the Louisiana Workforce
24 Investment Council shall be awarded by the state an amount determined by the
25 administering agency to equal the weighted average of amounts paid to students
26 attending an eligible public college or university that does not offer an academic
27 undergraduate degree at the baccalaureate level. If the Board of Regents and the
28 Louisiana Workforce Investment Council determine that a program is no longer

1 aligned with those priorities, an otherwise eligible student who had previously
2 received an award and enrolled in that program may continue to use the award.

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

5 ~~(a)~~(i) In an eligible college or university that does not offer an academic
6 undergraduate degree at the baccalaureate level shall be awarded by the state an
7 amount determined by the administering agency to equal the tuition charged by the
8 college or university.

9 ~~(b)~~(ii) In an eligible college or university other than as provided for in Item
10 (i) of this Subparagraph (a) of this Paragraph shall be awarded by the state an amount
11 determined by the administering agency to equal the weighted average of amounts
12 paid to students attending an eligible public college or university that does not offer
13 an academic undergraduate degree at the baccalaureate level.

14 (2) A student who is eligible for a TOPS-Tech Transfer Award pursuant to
15 this Chapter and has:

16 (a) Enrolled in an eligible college or university at which an eligible student
17 may use a TOPS-Tech Award as provided in Subparagraph (1)(a) of this Subsection
18 shall be awarded by the state an amount at the TOPS-Tech Award level.

19 (b) Transferred to and enrolled in an eligible college or university at which
20 an eligible student may use an Opportunity Award as provided in Paragraphs (B)(1),
21 (2), and (4) of this Section shall be awarded by the state an amount at the
22 Opportunity Award level.

23 E.(1) No student shall be eligible for tuition payment pursuant to this Section
24 for the Opportunity Award, the Performance Award, or the Honors Award for more
25 than eight semesters or an equivalent number of units in an eligible institution which
26 operates on a schedule based on units other than semesters, ~~unless an extension is~~
27 ~~granted by the administering agency in accordance with its rules.~~

1 (2)(a) No student shall be eligible for tuition payment pursuant to this
2 Section for the TOPS-Tech Transfer Award pursuant to Subparagraph (D)(2)(a) of
3 this Section for more than two years.

4 (b) No student shall be eligible for tuition payment pursuant to Subparagraph
5 (D)(2)(b) of this Section for more than four semesters or an equivalent number of
6 units in an eligible institution which operates on a schedule based on units other than
7 semesters.

8 ~~(2)(3)~~ No student shall be eligible for tuition payment pursuant to this
9 Section for the TOPS-Tech Award for more than two years ~~unless an extension is~~
10 ~~granted by the administering agency in accordance with its rules.~~

11 (4) The administering agency may grant extensions to the time limitations
12 provided by this Subsection in accordance with rules it adopts.

13 ~~(3)(a)~~ (5)(a) Any student receiving ~~an~~ a TOPS-Tech Transfer, Opportunity,
14 Performance, or Honors Award who successfully completes an academic
15 undergraduate degree in less than the eight semesters or its equivalent of award
16 benefits provided by this Subsection shall be eligible to continue to receive all
17 applicable award benefits, in accordance with the limitations as specified in
18 Subparagraph (b) of this Paragraph, for any remaining semester or semesters or the
19 equivalent thereof of eligibility not used to obtain the undergraduate degree if the
20 student pursues a postgraduate academic degree at an eligible institution and the
21 student continues to meet all academic and other requirements provided by this
22 Section and by rule of the administering agency for continued receipt of the award
23 as an undergraduate except as such requirements, including requirements provided
24 by this Section for undergraduate students, may be modified by the administering
25 agency as necessary to apply such requirements to postgraduate study.

26 (b) In developing rules to implement this Paragraph, the administering
27 agency shall establish reasonable time lines and deadlines for receipt of any
28 information required to implement this Paragraph both for current and subsequent
29 students receiving ~~Opportunity, Performance, or Honors~~ such awards and for any

1 student previously receiving such an award who successfully completed an academic
2 undergraduate degree in less than eight semesters. Such rules shall also provide for
3 appropriate notice to all such students of the time lines, deadlines, and rules
4 governing implementation of this Paragraph.

5 (c) The amount of the award benefits as provided for in Subparagraph (a) of
6 this Paragraph shall not exceed the amounts determined by the administering agency
7 to equal the tuition charged for the postgraduate study or for undergraduate full-time
8 enrollment charged by the highest cost public college university in the state,
9 whichever amount is less.

10 * * *

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

15 (1) For any student who is participating in the tuition exemption program
16 provided by R.S. 29:36.1 and who also meets the qualifications provided in this
17 Section for receipt of an Opportunity Award, ~~or a TOPS-Tech Award, or a TOPS-~~
18 Tech Transfer Award, the state shall pay on behalf of such student a sum of three
19 hundred dollars per semester or six hundred dollars per academic year to be applied
20 toward the cost of books and other instructional materials.

21 * * *

22 §5024. Academic requirements

23 A.(1) ~~Except as otherwise provided by this Subsection, students~~ Students
24 shall meet the following minimum grade point average requirements, calculated on
25 a 4.00 scale using only the grades obtained by the student in completing the core
26 curriculum requirements established by this Chapter, for the respective awards:

27 (a) For an Opportunity Award, a minimum cumulative grade point average
28 of ~~2.50~~ 3.00.

29 * * *

1 (e) For a TOPS-Tech Transfer Award, a minimum cumulative grade point
2 average of 2.50.

3 * * *

4 B.(1) ~~Except as otherwise provided by this Subsection, a~~ A student shall earn
5 the following minimum test scores for the respective awards:

6 (a) For an Opportunity Award, a composite score on the 1990 version of the
7 ACT ~~which is at least equal to or higher than the state's average composite score,~~
8 ~~rounded to the nearest whole number, reported for the prior year but never less than~~
9 ~~twenty~~ of at least twenty-one or an equivalent concordant value on an enhanced or
10 revised version of such test or on the SAT.

11 * * *

12 (e) For a TOPS-Tech Transfer Award, a composite score on the 1990 version
13 of the ACT which is at least equal to or higher than the state's average composite
14 score, rounded to the nearest whole number, reported for the prior year but never less
15 than twenty or an equivalent concordant value on an enhanced or revised version of
16 such test or on the SAT.

17 §5024.1 Academic requirements; exceptions

18 A. Notwithstanding R.S. 17:5024(A):

19 (1) For an Opportunity Award, a student graduating from high school prior
20 to the 2019-2020 school year shall have a minimum cumulative grade point average
21 of 2.50, calculated on a 4.00 scale using only the grades obtained by the student in
22 completing the core curriculum requirements established by this Chapter.

23 (2) For a student who graduated prior to the 2002-2003 school year, the
24 minimum cumulative grade point average shall be calculated by using the grades
25 obtained by the student in completing all classes taken.

26 (3) For a student who graduated prior to the 2007-2008 school year, the
27 minimum cumulative high school grade point average necessary for such students
28 to be eligible for an initial Performance Award or Honors Award shall be 3.50 on a
29 4.00 scale.

1 (4) The provisions of R.S. 17:5024(A)(3)(a) do not apply to students who
2 graduated prior to the 2017-2018 school year.

3 B. Notwithstanding R.S. 17:5024(B):

4 (1) For an Opportunity Award, a student graduating from high school prior
5 to the 2019-2020 school year shall earn a composite score on the 1990 version of the
6 ACT which is at least equal to or higher than the state's average composite score,
7 rounded to the nearest whole number, reported for the prior year but never less than
8 twenty or an equivalent concordant value on an enhanced or revised version of such
9 test or on the SAT.

10 (2) For a student who graduated prior to the 2010-2011 school year, the ACT
11 WorkKeys system is not an alternative assessment for establishing eligibility for a
12 TOPS-Tech Award.

13 (3) For a student who graduated prior to the 2000-2001 school year, the
14 minimum ACT score for a TOPS-Tech Award is nineteen.

15 C. Notwithstanding R.S. 17:5024(A) and (B), a student who graduated after
16 the 2002-2003 school year but prior to the 2006-2007 school year is eligible to
17 receive a Performance Award pursuant to this Chapter if he meets the other
18 requirements of this Chapter and each of the following conditions is met:

19 (1) The student achieved a minimum cumulative high school grade point
20 average of 3.00 on a 4.00 scale when calculated in accordance with applicable rules
21 adopted by the administering agency and such calculation is based on ten or more of
22 the grades being grades for completion of honors curriculum courses, gifted
23 curriculum courses, or advanced placement courses, or any combination of such
24 courses, and the high school awards grades for such courses on a 4.00 scale or
25 higher.

26 (2) The student has a composite score on the 1990 version of the ACT of
27 twenty-four or higher or an equivalent concordant value on any enhanced or revised
28 version of such test or on the SAT.

1 §5025. High school core curriculum requirements; Opportunity, Performance,
2 Honors and TOPS-Tech Transfer Awards

3 To be eligible for an Opportunity, Performance, or Honors Award pursuant
4 to this Chapter, a student who graduates during or after the 2017-2018 school year
5 shall have successfully completed a core curriculum which consists of nineteen units
6 of high school course work, and to be eligible for a TOPS-Tech Transfer Award
7 pursuant to this Chapter, a student who graduates during or after the 2019-2020
8 school year shall have successfully completed the same core curriculum, as follows:

9 * * *

10 §5027. Postsecondary institution enrollment

11 A.(1)(a) Except as otherwise provided by this Section, to be eligible for an
12 award pursuant to this Chapter, the student shall enroll in an eligible college or
13 university as a first-time freshman not later than the semester, excluding summer
14 semesters or sessions, immediately following the first anniversary of the date that the
15 student graduated from high school.

16 (b) To be eligible for a continuing TOPS-Tech Transfer Award as provided
17 in R.S. 17:5002(D)(2)(b), the student shall transfer to and enroll in an eligible college
18 or university not later than the semester, excluding summer semesters or sessions,
19 immediately following the first anniversary of the date that the student graduated
20 from his initial institution.

21 * * *

22 C. Notwithstanding any provision of Subsection B of this Section, any
23 student who meets all applicable initial and continuing program eligibility
24 requirements of this Chapter for ~~an~~ a TOPS-Tech Transfer, Opportunity,
25 Performance, or Honors Award may use such award at an out-of-state nonpublic
26 college or university when each of the following conditions is met:

27 * * *

28 §5029. Alternative initial eligibility requirements

29 * * *

1 C. A student who graduates from an out-of-country high school shall be
2 eligible to receive an Opportunity, ~~or TOPS-Tech,~~ or TOPS-Tech Transfer Award
3 pursuant to this Chapter if each of the following conditions is met:

4 * * *

5 §5041. Maintaining eligibility; Honors, Performance, Opportunity; TOPS-Transfer

6 To maintain continued state payment of an amount equal to tuition and other
7 amounts for ~~an~~ a TOPS-Transfer, Opportunity, Performance, or Honors Award
8 pursuant to this Chapter once enrolled in college a student shall meet all of the
9 following:

10 * * *

11 (3) For students qualifying for an Opportunity Award, have a cumulative
12 grade point average of the following as evaluated at the end of each academic year:

13 (a) At least ~~2.30~~ 2.50 calculated on a 4.00 scale after completion of twenty-
14 four hours of credit.

15 (b) At least ~~2.50~~ 2.75 calculated on a 4.00 scale after completion of forty-
16 eight hours of credit.

17 (4) For students qualifying for a TOPS-Tech Transfer Award, have a
18 cumulative grade point average of the following as evaluated at the end of each
19 academic year:

20 (a) At least 2.50 calculated on a 4.00 scale after completion of twenty-four
21 hours of credit.

22 (b) At least 2.75 calculated on a 4.00 scale after completion of forty-eight
23 hours of credit. This minimum grade point average requirement shall be a
24 prerequisite for continuation of a student's TOPS-Tech Transfer Award upon his
25 transfer from his initial institution to his subsequent institution as provided in R.S.
26 17:5002(D)(2)(b).

27 ~~(4)(a)~~(5)(a) For students qualifying to receive a Performance or an Honors
28 Award, have a cumulative grade point average of at least 3.00 on a 4.00 scale at the
29 end of each academic year.

1 (b) However, if at any time an otherwise eligible student receiving a
2 Performance Award or an Honors Award in accordance with the provisions of this
3 Chapter fails to have a cumulative grade point average of at least 3.00 on a 4.00 scale
4 at the end of any academic year but has and continues to maintain a cumulative grade
5 point average at least equal to that required by Paragraph (3) of this Subsection for
6 continued participation by a recipient of an Opportunity Award, the student receiving
7 a Performance Award or an Honors Award shall remain eligible for state payments
8 but only in the amount provided for in R.S. 17:5002(B) for a recipient of an
9 Opportunity Award. The provisions of this Subparagraph shall apply to all students
10 who receive state payments pursuant to a Performance Award or an Honors Award,
11 including all such students from the beginning of the program.

12 ~~(5)~~(6) Have no criminal conviction, except for misdemeanor traffic
13 violations and, if the student has been in the United States Armed Forces and has
14 separated from such service, has received an honorable discharge or general
15 discharge under honorable conditions.

16 §5041.1. Maintaining eligibility; Honors, Performance, Opportunity; exceptions

17 Notwithstanding R.S. 17:5041(3), to maintain continued state payment of an
18 amount equal to tuition for an Opportunity Award pursuant to this Chapter once
19 enrolled in college, a student who graduated from high school prior to the 2019-2020
20 school year shall have a cumulative grade point average of the following as
21 evaluated at the end of each academic year:

22 (1) At least 2.30 calculated on a 4.00 scale after completion of twenty-four
23 hours of credit.

24 (2) At least 2.50 calculated on a 4.00 scale after completion of forty-eight
25 hours of credit.

26 Section 2. R.S. 17:5024(A)(2) and (3)(b), (B)(2), and (C) are hereby repealed in their
27 entirety.

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 438 Original

2016 Regular Session

Ivey

Abstract: Creates a new Taylor Opportunity Program for Students (TOPS) award, the TOPS-Tech Transfer Award, available for two years in pursuit of skill or occupational training and for two years in pursuit of a baccalaureate degree.

Taylor Opportunity Program for Students (TOPS), generally

Present law provides for the Taylor Opportunity Program for Students (TOPS) as a program of merit scholarships for students attending certain postsecondary education institutions who meet specific grade point average, ACT score, and core curriculum requirements and certain other qualifications. Provides for Opportunity, Performance and Honors Awards (eight semesters) and TOPS-Tech Awards (two years).

Establishment of a new TOPS Award

Proposed law creates a new TOPS award, the TOPS-Tech Transfer Award. Provides that a student who receives this award shall receive the equivalent of a TOPS-Tech Award for his first two years of postsecondary education and, if he meets certain criteria, the equivalent of an Opportunity Award for his remaining four semesters. Provides that the first cohort of students eligible for such an award shall be those graduating from high school in the 2019-20 school year (in other words, students entering high school in the fall of 2016).

Baseline award amounts and maximum award duration

Present law provides relative to the amount awarded for recipients of a TOPS-Tech Award, which is only awarded if a student is enrolled in programs aligned to state workforce priorities as determined by the Bd. of Regents and La. Workforce Investment Council:

TOPS-Tech Award	
Institution Type	Award Amount
Public college or university that does not offer an academic undergraduate degree at the baccalaureate level	Tuition charged by the institution
Other eligible college or university	Equal to the weighted average of amounts paid to students attending an eligible public college or university that does not offer an academic undergraduate degree at the baccalaureate level

Proposed law retains present law and provides that a student qualifying for a TOPS-Tech Transfer Award who enrolls at an institution at which a student may use a TOPS-Tech award shall receive an award amount at the TOPS-Tech Award level.

Present law provides as follows relative to the amount awarded to recipients of Opportunity, Performance, or Honors awards:

Opportunity, Performance, or Honors Award	
Institution Type	Award Amount
La. public college or university	Tuition charged by the institution
La. nonpublic college or university	Weighted average of amounts paid for students attending La. public colleges and universities that offer academic undergraduate degrees at the baccalaureate level

Proposed law retains present law and adds that upon transferring to an institution at which a student may use an Opportunity Award, the recipient of a TOPS-Tech Transfer Award shall receive an award amount at the Opportunity Award level.

Present law allows a student receiving an Opportunity, Performance, or Honors Award who graduates in less than eight semesters to continue to receive award benefits to pursue a postgraduate academic degree, subject to certain limitations and requirements. Proposed law grants this same opportunity to recipients of a TOPS-Tech Transfer Award.

Present law provides for a tuition exemption for persons serving in the La. National Guard and provides that in lieu of payment of tuition through a TOPS Award, they shall receive this tuition exemption; also grants them a stipend based on whether they qualify for an Opportunity or TOPS-Tech Award (\$300 per semester/\$600 per academic year) or a Performance or Honors Award (\$700 per semester/\$1400 per academic year).

Proposed law grants such persons who qualify for the TOPS-Tech Transfer Award the same stipend granted to those who qualify for an Opportunity or TOPS-Tech Award.

Initial eligibility requirements

All proposed law revisions to initial eligibility requirements are applicable to students graduating from high school during or after the 2019-2020 school year.

ACT:

Present law requires that for an Opportunity Award, a student must attain an ACT score that is at least equal to the state's average score but never less than 20. Proposed law instead applies this ACT score requirement to the TOPS-Tech Transfer Award; provides that the minimum score for an Opportunity Award is 21.

Present law requires at least a 23 for the Performance Award, at least a 27 for the Honors Award, and at least a 17 for the TOPS-Tech Award. Proposed law retains present law.

Grade point average (GPA):

Present law requires a minimum cumulative GPA of 2.50 for a TOPS-Tech or Opportunity Award and a 3.00 for a Performance or Honors Award. Proposed law raises the minimum GPA for the Opportunity Award from 2.50 to 3.00 and otherwise retains present law.

Core curriculum:

Present law provides one set of core curriculum requirements for Opportunity, Performance, and Honors Awards and another for the TOPS-Tech Award. Proposed law requires TOPS-Tech Transfer Award recipients to meet the core curriculum requirements applicable to Opportunity, Performance, and Honors Award recipients.

Postsecondary education institution enrollment

Present law provides that to be eligible for any TOPS Award, a student shall 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 his high school graduation.

Proposed law applies this deadline to those qualifying for a TOPS-Tech Transfer Award and further provides that in order for such award to continue upon his completion of skill or occupational training, he shall transfer to and enroll in an eligible college or university not later than the semester, excluding summer semesters or sessions, immediately following the first anniversary of the date that he graduated from his initial institution.

Maintaining eligibility

Present law provides general requirements for maintaining eligibility for all TOPS Awards. Requires maintaining a minimum GPA. For students qualifying for an Opportunity Award, present law requires a minimum cumulative GPA of 2.30 after 24 credit hours and 2.50 after 48 credit hours. Proposed law, applicable to students graduating from high school during or after the 2019-2020 school year, increases these minimum GPA requirements from 2.30 to 2.50 and from 2.50 to 2.75, respectively; also applies them to continuing eligibility for a TOPS-Tech Transfer Award, specifying that a student must have at least a 2.75 upon graduation from his initial institution in order for his award to continue upon transfer to his subsequent institution.

(Amends R.S. 17:5002(A), (D), (E), and (G)(1), 5024(A)(1)(intro. para.) and(a) and (B)(1)(intro para.) and (a), 5025(intro. para.), 5027(A)(1) and (C)(intro. para.), 5029(C)(intro. para.), and 5041(intro. para.), (3), (4), and (5); Adds R.S. 17:5024(A)(1)(e) and (B)(1)(e), 5024.1, 5041(6) and 5041.1; Repeals R.S. 17:5024(A)(2) and (3)(b), (B)(2), and (C))