

ACT No. 652

HOUSE BILL NO. 1075

BY REPRESENTATIVES LABRUZZO AND RICHMOND AND SENATORS ADLEY, ALARIO, AMEDEE, BROOME, CASSIDY, CHEEK, CRAVINS, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, GRAY, HEBERT, HEITMEIER, LAFLEUR, LONG, MARTINY, MCPHERSON, MICHOT, MURRAY, NEVERS, QUINN, SHAW, SHEPHERD, AND WALSWORTH

1 AN ACT

2 To amend and reenact R.S. 17:1687(E), 1855.1(B)(2), 3048.1(A)(1)(introductory
3 paragraph), (B)(2)(introductory paragraph), (C)(3), and (U), 3048.3(A) and
4 (B)(introductory paragraph), 3048.4, 3048.5(A), (C), and (F)(1), 3048.6(A)(1),
5 (B)(1)(introductory paragraph) and (2)(a), 3048.7(A)(1) and (B)(1)(introductory
6 paragraph) and (2)(a), 3351(A)(5)(d)(iii), 3351.3(B)(2) and (3)(b) and (C)(3),
7 3351.7(B)(2), 3351.8(B)(2), 3351.9(B)(2), and 3351.10(B)(2), R.S. 29:36.1(D), and
8 R.S. 47:1508(B)(17), all relative to the Louisiana Tuition Opportunity Program for
9 Students; to change the name of the Louisiana Tuition Opportunity Program for
10 Students to the Louisiana Taylor Opportunity Program for Students; to provide
11 relative to initial eligibility requirements for Taylor Opportunity Program for
12 Students awards for certain students displaced by Hurricane Katrina or Rita, or both;
13 to provide waivers and exceptions; to provide limitations; to provide an effective
14 date; and to provide for related matters.

15 Be it enacted by the Legislature of Louisiana:

16 Section 1. R.S. 17:1687(E), 1855.1(B)(2), 3048.1(A)(1)(introductory paragraph),
17 (B)(2)(introductory paragraph), (C)(3), and (U), 3048.3(A) and (B)(introductory paragraph),
18 3048.4, 3048.5(A), (C), and (F)(1), 3048.6(A)(1), (B)(1)(introductory paragraph) and (2)(a),
19 3048.7(A)(1) and (B)(1)(introductory paragraph) and (2)(a), 3351(A)(5)(d)(iii), 3351.3(B)(2)
20 and (3)(b) and (C)(3), 3351.7(B)(2), 3351.8(B)(2), 3351.9(B)(2), and 3351.10(B)(2) are
21 hereby amended and reenacted to read as follows:

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B.

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(2) As part of the Louisiana ~~Tuition~~ Taylor Opportunity Program for Students, for students graduating from high school through the 1999-2000 school year the state shall award an amount determined by the administering agency to equal the actual cost of tuition of any student who enrolls on a full-time basis in a Louisiana public postsecondary institution to pursue skill or occupational training, including a vocational or technical education certificate or diploma program or a nonacademic undergraduate degree, and who meets the following qualifications and all other applicable qualifications of this Chapter and for students graduating from high school during the 2000-2001 school year and thereafter the state shall award an amount determined by the administering agency in accordance with the provisions of Subparagraph (f) of this Paragraph for any student who enrolls on a full-time basis in an eligible college or university as defined in Subsection A of this Section to pursue skill or occupational training as defined by the Board of Regents, including a vocational or technical education certificate or diploma program or a nonacademic undergraduate degree, and who meets the following qualifications and all other applicable qualifications of this Chapter:

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C.

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(3) In addition to any other requirements of this Chapter, the administering agency shall notify all appropriate public and nonpublic school personnel, including school counselors, of any changes in law or agency rules relative to the ~~Tuition~~ Taylor Opportunity Program for Students no later than sixty days after such change.

* * *

U. Annually, the Louisiana Student Financial Assistance Commission shall, with the cooperation and assistance of the state's institutions of postsecondary education, query each first-time recipient of a ~~Tuition~~ Taylor Opportunity Program

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 for Students award to determine the extent to which receiving the award influenced
2 the decision of the student to attend a Louisiana college or university.

3 * * *

4 §3048.3. Program information reporting system; implementation; requirements;
5 applicability; participation by eligible institutions and others

6 A.(1) The Board of Regents shall formulate, develop, establish, and
7 implement a uniform ~~Tuition~~ Taylor Opportunity Program for Students information
8 reporting system for the purposes of policy analysis and program evaluation and for
9 providing accurate data and statistics to the legislature, the governor and appropriate
10 executive branch agencies, and the public relative to the program's impact on the
11 state and on students.

12 (2) In formulating and developing the information reporting system, the
13 Board of Regents shall consult with and seek written recommendations from the
14 Louisiana Student Financial Assistance Commission, each college or university
15 eligible for participation in the ~~Tuition~~ Taylor Opportunity Program for Students,
16 each of the public postsecondary education management boards, the Louisiana
17 Association of Independent Colleges and Universities, legislators, and
18 knowledgeable others as determined appropriate by the Board of Regents.

19 (3) It is the intention of the legislature that the reporting system provided by
20 this Section and the requirements thereof shall be applicable to all ~~Tuition~~ Taylor
21 Opportunity Program for Students applicants, all award recipients regardless of
22 eligible college or university attended, and all such eligible colleges and universities.
23 Effective for the 2002-2003 award year and thereafter, compliance with the
24 requirements of the ~~Tuition~~ Taylor Opportunity Program for Students information
25 reporting system shall be a condition for an eligible college or university to remain
26 eligible to receive payments from the state on behalf of an award recipient.
27 Compliance determinations shall be made annually by the Board of Regents.

28 B. The ~~Tuition~~ Taylor Opportunity Program for Students information
29 reporting system shall include but not be limited to the following:

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1 §3048.4. Notice to students and parents

2 The State Board of Elementary and Secondary Education shall require that
3 the governing authority of every public secondary school include as a component of
4 a student's Five Year Educational Plan as required by R.S. 17:183.2 comprehensive
5 information relative to the ~~Tuition~~ Taylor Opportunity Program for Students and
6 program eligibility requirements for each of the awards. Additionally, the parent or
7 other person responsible for the student's school attendance at the ninth grade level
8 shall be required to return to the school at the start of the student's ninth grade year
9 a signed notice that the program information and eligibility requirements have been
10 reviewed by the parent or other responsible person and by the student and that, for
11 informational and data collection purposes only, expresses the intent of the parent
12 or other responsible person as to whether or not the student will be pursuing the
13 necessary program of studies to be eligible for a ~~Tuition~~ Taylor Opportunity Program
14 for Students award.

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16 §3048.5. TOPS-Tech Early Start Award; purpose; eligibility; award amounts
17 limitations; administration; implementation; reports

18 A. The TOPS-Tech Early Start Award is hereby established as part of the
19 Louisiana ~~Tuition~~ Taylor Opportunity Program for Students for eligible eleventh and
20 twelfth grade students attending Louisiana public high schools.

21 * * *

22 C. An application for a TOPS-Tech Early Start Award shall be required at
23 a time and in a manner and form established by the administering agency. At a
24 minimum, information necessary to fully inform Louisiana public high school
25 students and their parents on the requirements of and procedures for applying for the
26 award shall be made available by the administering agency in the same manner as
27 required by law for other awards provided by the ~~Tuition~~ Taylor Opportunity
28 Program for Students.

29 * * *

1 F.(1) The provisions of this Section shall be administered by the Louisiana
 2 Student Financial Assistance Commission, herein referred to as the "administering
 3 agency". Except as otherwise provided by this Section, the authority granted to and
 4 limitations placed on the administering agency by R.S. 17:3048.1 relative to
 5 administering other awards pursuant to the ~~Tuition~~ Taylor Opportunity Program for
 6 Students shall be deemed to apply also to the administration of the TOPS-Tech Early
 7 Start Award.

* * *

9 §3048.6. Initial eligibility for program awards; students displaced by certain natural
 10 disasters; waivers and exceptions; limitations

11 A.(1)(a) The legislature finds that due to the effects of natural disasters
 12 declared by the governor on August 26, 2005, relative to Hurricane Katrina, and on
 13 September 20, 2005, relative to Hurricane Rita, it is in the best interest for the
 14 education of the people of the state that initial eligibility requirements established in
 15 R.S. 17:3048.1 for awards pursuant to the ~~Tuition~~ Taylor Opportunity Program for
 16 Students be modified as provided by this Section for the 2005-2006, 2006-2007,
 17 2007-2008, and 2008-2009 school ~~year~~ years for students displaced as a result of the
 18 disasters.

19 (b) Notwithstanding any provision of this Section to the contrary, all
 20 modifications of initial eligibility requirements established in R.S. 17:3048.1 for
 21 awards pursuant to the Taylor Opportunity Program for Students provided by this
 22 Section for the 2005-2006 school year for a displaced student and for a dependent
 23 student pursuant to the provisions of Subitems (B)(1)(c)(ii)(aa) and (bb) of this
 24 Section shall be applicable to a displaced student and a dependent student, as
 25 applicable, for the 2006-2007, 2007-2008, and 2008-2009 school years.

* * *

27 B.(1) Relative to initial eligibility requirements for a ~~Tuition~~ Taylor
 28 Opportunity Program for Students award applicable to a student displaced during the

1 2005-2006 school year, the Louisiana Student Financial Assistance Commission, in
2 accordance with the Administrative Procedure Act, shall provide by rule as follows:

3 * * *

4 (2)(a)(i) Relative to initial eligibility requirements for a ~~Tuition~~ Taylor
5 Opportunity Program for Students award applicable for the 2005-2006 school year
6 to a displaced student, the Louisiana Student Financial Assistance Commission, in
7 consultation with the commissioner of higher education and in accordance with the
8 Administrative Procedure Act, shall by rule waive any provision of R.S. 17:3048.1
9 that imposes on such displaced student a program requirement or condition that such
10 student cannot comply with or meet when it is determined by the commission that
11 a failure to comply with the requirement or meet the condition, more likely than not,
12 is due solely to a consequence of Hurricane Katrina or Rita, or both.

13 (ii) Relative to initial eligibility requirements for a ~~Tuition~~ Taylor
14 Opportunity Program for Students award applicable for the 2005-2006 school year
15 to any student displaced during the 2005-2006 school year as a consequence of a
16 disaster or emergency other than Hurricane Katrina or Rita and for which the
17 governor declares a state of emergency to exist, the Louisiana Student Financial
18 Assistance Commission, in consultation with the commissioner of higher education
19 and in accordance with the Administrative Procedure Act, shall by rule waive any
20 provision of R.S. 17:3048.1 that imposes on such student a program requirement or
21 condition that the student cannot comply with or meet when it is determined by the
22 commission that a failure to comply with the requirement or meet the condition,
23 more likely than not, is due solely to a consequence of the declared disaster or
24 emergency.

25 * * *

26 §3048.7. Continuing eligibility for program awards; students displaced by certain
27 natural disasters; waivers and exceptions; limitations

28 A.(1) The legislature finds that due to the effects of natural disasters declared
29 by the governor on August 26, 2005, relative to Hurricane Katrina, and on September
30 20, 2005, relative to Hurricane Rita, it is in the best interest for the education of the

1 people of the state that continuing eligibility requirements established in R.S.
 2 17:3048.1 for awards pursuant to the ~~Tuition~~ Taylor Opportunity Program for
 3 Students be modified as provided by this Section for the 2005-2006 academic year
 4 for students displaced as a result of either, or both, of the disasters.

5 * * *

6 B.(1) Relative to continuing eligibility requirements for a ~~Tuition~~ Taylor
 7 Opportunity Program for Students award applicable for the 2005-2006 academic year
 8 to a student displaced during the 2005-2006 academic year, the Louisiana Student
 9 Financial Assistance Commission, in accordance with the Administrative Procedure
 10 Act, shall provide by rule as follows:

11 * * *

12 (2)(a)(i) Relative to continuing eligibility requirements for a ~~Tuition~~ Taylor
 13 Opportunity Program for Students award applicable for the 2005-2006 academic year
 14 to a student displaced during the 2005-2006 academic year, the Louisiana Student
 15 Financial Assistance Commission, in consultation with the commissioner of higher
 16 education and in accordance with the Administrative Procedure Act, shall by rule
 17 waive any provision of R.S. 17:3048.1 that imposes on a displaced student a program
 18 requirement or condition that such student cannot comply with or meet when it is
 19 determined by the commission that a failure to comply with the requirement or meet
 20 the condition, more likely than not, is due solely to a consequence of Hurricane
 21 Katrina or Rita, or both.

22 (ii) Relative to continuing eligibility requirements for a ~~Tuition~~ Taylor
 23 Opportunity Program for Students award applicable for the 2005-2006 academic year
 24 to any student displaced during the 2005-2006 academic year as a consequence of
 25 a disaster or emergency other than Hurricane Katrina or Rita and for which the
 26 governor declares a state of emergency to exist, the Louisiana Student Financial
 27 Assistance Commission, in consultation with the commissioner of higher education
 28 and in accordance with the Administrative Procedure Act, shall by rule waive any
 29 provision of R.S. 17:3048.1 that imposes on such student a program requirement or
 30 condition that the student cannot comply with or meet when it is determined by the

1 commission that a failure to comply with the requirement or meet the condition,
2 more likely than not, is due solely to a consequence of the declared disaster or
3 emergency.

4 §3351. General powers, duties, and functions of college and university boards

5 A.

6 * * *

7 (5)

8 * * *

9 (d)

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11 (iii) The fee shall not be a cost that is payable by the state on behalf of any
12 student who is a recipient of an award under the ~~Tuition~~ Taylor Opportunity Program
13 for Students.

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15 §3351.3. Academic excellence fee; Louisiana State University and Agricultural and
16 Mechanical College

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18 B.

19 * * *

20 (2) The fee shall not be a cost that is payable by the state on behalf of any
21 student who is a recipient of an award under the ~~Tuition~~ Taylor Opportunity Program
22 for Students.

23 (3) The fee shall be paid by all students except:

24 * * *

25 (b) Students who initially enrolled at the institution prior to the 2000-2001
26 academic year and who are continuing recipients of an award under the ~~Tuition~~
27 Taylor Opportunity Program for Students.

28 C.

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