

2015 Regular Session

HOUSE BILL NO. 705

BY REPRESENTATIVE BROADWATER AND SENATOR WALSWORTH

1 AN ACT

2 To amend and reenact R.S. 17:3042.1(A)(1)(e) and to enact Chapter 50 of Title 17 of the
3 Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:5001 through 5122
4 and to repeal Chapter 20-G of Title 17 of the Louisiana Revised Statutes of 1950,
5 comprised of R.S. 17:3048.1 through 3048.7, all relative to the Taylor Opportunity
6 Program for Students (TOPS); to provide for a technical recodification of TOPS
7 provisions contained in statutory law; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Chapter 50 of Title 17 of the Louisiana Revised Statutes of 1950,
10 comprised of R.S. 17:5001 through 5122, is hereby enacted to read as follows:

11 CHAPTER 50. TAYLOR OPPORTUNITY PROGRAM FOR STUDENTS

12 PART I. GENERAL

13 SUBPART A. AWARDS

14 §5001. Taylor Opportunity Program for Students

15 As part of the Louisiana Taylor Opportunity Program for Students, the state
16 shall provide financial assistance to any eligible student who enrolls on a full-time
17 basis in an eligible college or university to pursue an academic undergraduate degree
18 or skill or occupational training as defined by the administering agency including a
19 vocational or technical education certificate or diploma program or a nonacademic
20 undergraduate degree.

21 §5002. Awards and amounts

22 A. A student shall be eligible for an Opportunity, Performance, Honors, or
23 TOPS-Tech Award based on his academic achievement.

1 B. Any student who is eligible for an Opportunity, Performance, or Honors
2 Award pursuant to this Chapter and who has enrolled:

3 (1) In any public college or university a public college or university in this
4 state, shall be awarded by the state an amount determined by the administering
5 agency to equal the tuition charged by the public college or university.

6 (2) At any regionally accredited independent college or university in the state
7 which is a member of the Louisiana Association of Independent Colleges and
8 Universities to pursue an academic undergraduate degree, shall be awarded by the
9 state an amount to be determined by the administering agency to equal the weighted
10 average of amounts paid under this Section for students attending public colleges and
11 universities that offer academic undergraduate degrees at the baccalaureate level.

12 (3) In a school that has a valid and current certificate of registration issued
13 by the Louisiana State Board of Cosmetology in accordance with law and that is
14 accredited by an accrediting organization recognized by the United States
15 Department of Education or in any proprietary school that has a valid and current
16 license issued by the Board of Regents in accordance with law and that is accredited
17 by an accrediting organization recognized by the United States Department of
18 Education, shall be awarded by the state an amount determined by the administering
19 agency to equal the weighted average of amounts paid under this Section for students
20 attending public colleges and universities who are enrolled in the permitted skill or
21 occupational training, as may be applicable.

22 (4) In an out-of-state college or university that is specifically designed to
23 accommodate deaf and hard-of-hearing students under R.S. 17:5027(C), shall be
24 awarded an amount determined by the administering agency to equal the weighted
25 average of amounts paid under this Section for students attending Louisiana public
26 colleges and universities that offer academic undergraduate degrees.

27 C.(1) A student who is eligible for the Performance Award shall receive the
28 sum of two hundred dollars per semester or four hundred dollars per academic year
29 in addition to the amount provided for in Subsection B of this Section.

1 (2) A student who is eligible for the Honors Award shall receive the sum of
2 four hundred dollars per semester or eight hundred dollars per academic year in
3 addition to the amount provided for in Subsection B of this Section.

4 D.(1) Any student who is eligible for a TOPS-Tech Award pursuant to this
5 Chapter and who is enrolled in an eligible public college or university that does not
6 offer an academic undergraduate degree at the baccalaureate level shall be awarded
7 by the state an amount determined by the administering agency to equal the tuition
8 charged by the college or university.

9 (2) Any student who is eligible for a TOPS-Tech Award pursuant to this
10 Chapter and who is enrolled in an eligible college or university other than as
11 provided for in Paragraph (1) of this Subsection shall be awarded by the state an
12 amount determined by the administering agency to equal the weighted average of
13 amounts paid to students attending an eligible public college or university that does
14 not offer an academic undergraduate degree at the baccalaureate level.

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

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

23 (3)(a) Any student receiving an Opportunity, Performance, or Honors Award
24 who successfully completes an academic undergraduate degree in less than the eight
25 semesters or its equivalent of award benefits provided by this Subsection shall be
26 eligible to continue to receive all applicable award benefits, in accordance with the
27 limitations as specified in Subparagraph (b) of this Paragraph, for any remaining
28 semester or semesters or the equivalent thereof of eligibility not used to obtain the
29 undergraduate degree if the student pursues a postgraduate academic degree at an
30 eligible institution and the student continues to meet all academic and other

1 requirements provided by this Section and by rule of the administering agency for
2 continued receipt of the award as an undergraduate except as such requirements,
3 including requirements provided by this Section for undergraduate students, may be
4 modified by the administering agency as necessary to apply such requirements to
5 postgraduate study.

6 (b) In developing rules to implement this Paragraph, the administering
7 agency shall establish reasonable time lines and deadlines for receipt of any
8 information required to implement this Paragraph both for current and subsequent
9 students receiving Opportunity, Performance, or Honors awards and for any student
10 previously receiving such an award who successfully completed an academic
11 undergraduate degree in less than eight semesters. Such rules shall also provide for
12 appropriate notice to all such students of the time lines, deadlines, and rules
13 governing implementation of this Paragraph.

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

19 F. No student shall receive a grant pursuant to this Section in an amount
20 greater than the tuition charged by the institution attended or, if the student is the
21 recipient of a Performance or an Honors Award as provided for in R.S. 17:5002(C),
22 the amount stipulated therein. The institution shall credit any amount in excess of
23 the cost of tuition to the student's account to pay room and board or other cost of
24 attendance.

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

29 (1) For any student who is participating in the tuition exemption program
30 provided by R.S. 29:36.1 and who also meets the qualifications provided in this

1 Section for receipt of an Opportunity Award or a TOPS-Tech Award, the state shall
 2 pay on behalf of such student a sum of three hundred dollars per semester or six
 3 hundred dollars per academic year to be applied toward the cost of books and other
 4 instructional materials.

5 (2) For any student who is participating in the tuition exemption program
 6 provided by R.S. 29:36.1 and who also meets the qualifications provided in this
 7 Section for receipt of a Performance Award, the state shall pay on behalf of the
 8 student a sum of three hundred dollars per semester or six hundred dollars per
 9 academic year to be applied toward the cost of books and other instructional
 10 materials plus the sum of four hundred dollars per semester or eight hundred dollars
 11 per academic year for other educational expenses as defined by the Louisiana
 12 Student Financial Assistance Commission.

13 (3) For any student who is participating in the tuition exemption program
 14 provided by R.S. 29:36.1 and who also meets the qualifications provided in this
 15 Section for receipt of an Honors Award, the state shall pay on behalf of the student
 16 a sum of three hundred dollars per semester or six hundred dollars per academic year
 17 to be applied toward the cost of books and other instructional materials plus the sum
 18 of eight hundred dollars per semester or one thousand six hundred dollars per
 19 academic year for other educational expenses as defined by the Louisiana Student
 20 Financial Assistance Commission.

21 §5003. Eligibility

22 To be eligible for an award, a student shall meet all applicable initial
 23 eligibility requirements.

24 SUBPART B. INITIAL ELIGIBILITY REQUIREMENTS

25 §5021. Louisiana high school graduation

26 A.(1) Except as otherwise provided by Subsection B of this Section, to be
 27 eligible for an award pursuant to this Chapter, a student shall be certified as provided
 28 in this Chapter to have graduated from a public high school or a nonpublic high
 29 school which has been approved by the State Board of Elementary and Secondary
 30 Education.

1 (2)(a) For a student graduating from a Louisiana nonpublic high school to
2 be eligible for an award under this Chapter, beginning with applicants who graduate
3 from a nonpublic high school during the 1999-2000 school year, the nonpublic high
4 school from which the student graduates shall be approved by the State Board of
5 Elementary and Secondary Education pursuant to R.S. 17:11 and, in addition, shall
6 meet the standards required by the board for the students in such school to be eligible
7 to receive from the state the benefit of appropriations for such items as
8 transportation, textbooks, and administrative cost reimbursement.

9 (b) Notwithstanding the requirements of Subparagraph (a) of this Paragraph,
10 those nonpublic high schools that, not later than May 15, 2000, were approved by the
11 State Board of Elementary and Secondary Education pursuant to R.S. 17:11 and
12 applied for and had their application forwarded by the state Department of Education
13 seeking the approval necessary for the students in such school to be eligible to
14 receive from the state the benefits of appropriations for such items as transportation,
15 textbooks, and administrative cost reimbursement shall have until the 2003-2004
16 school year to meet the latter requirement in order for the graduates from such high
17 school to be eligible for an award under this Chapter.

18 B. Students funded through the Louisiana minimum foundation program and
19 who are attending any high school in an adjoining state pursuant to an agreement in
20 effect as of June 4, 1994, between the parish school system and the local governing
21 authority of the school in the adjoining state shall be considered as having graduated
22 from a state-approved nonpublic high school.

23 §5022. Citizenship requirements

24 A. Except as otherwise provided by this Section, to be eligible for an award
25 pursuant to this Chapter, a student shall be a citizen of the United States.

26 B.(1) A student who is not a citizen of the United States but who is eligible
27 to apply for such citizenship shall be deemed to satisfy the citizenship requirement
28 of this Section if within sixty days after the date the student attains the age of
29 majority, the student applies to become a citizen of the United States and obtains
30 such citizenship within one year after the date of application.

1 (2) A student who graduates from high school during the 2002-2003 school
2 year or thereafter, who is not a citizen of the United States but who is a permanent
3 resident as defined by the United States Citizenship and Immigration Service, and
4 who is eligible to apply for United States citizenship shall be deemed to satisfy the
5 citizenship requirement of this Section.

6 (3) An award under this Chapter shall be reinstated for any student who was
7 determined eligible prior to the 2002-2003 school year, and such award was
8 subsequently canceled due solely to that student's failure to become a United States
9 citizen within one year after the date of the application, provided the student is a
10 permanent resident, as defined by the United States Immigration and Naturalization
11 Service, and is eligible to apply for United States citizenship or is now a United
12 States citizen.

13 C. This Section is not applicable to a student who graduated from high
14 school prior to the 1999-2000 school year.

15 §5023. Residency requirements

16 A. Except as provided by Subsection D of this Section, to be eligible for an
17 award pursuant to this Chapter, an independent student, as defined by the
18 administering agency, shall have been a resident of Louisiana during the twenty-four
19 months preceding the date of the student's graduation from high school. However,
20 an independent student who graduated from a public or approved nonpublic high
21 school in this state in the 2002-2003 school year or thereafter meets the requirements
22 of this Section if he actually resided or lived in this state for the period of his last two
23 full years of high school culminating in graduation as certified by the high school.

24 B. Except as provided by Subsection D of this Section, to be eligible for an
25 award pursuant to this Chapter, a dependent student, as defined by the administering
26 agency, shall meet one of the following requirements:

27 (1) He has a parent or court-ordered custodian who is a resident of Louisiana
28 during the twenty-four months preceding the date of the student's graduation from
29 high school.

1 (2) He is the dependent child of a resident of Louisiana on active duty with
 2 the United States Armed Forces who is stationed outside Louisiana but who claims
 3 Louisiana as his official state of legal residence and who has filed a Louisiana state
 4 income tax return for the most recent two years.

5 (3) If he graduated from a public or approved nonpublic high school in this
 6 state in the 2002-2003 school year or thereafter, he actually resided or lived in this
 7 state for the period of his last two full years of high school culminating in graduation
 8 as certified by the high school.

9 (4) He is the dependent child of a nonresident of Louisiana on active duty
 10 with the United States Armed Forces who is stationed in Louisiana under permanent
 11 change of station orders and who not later than one hundred eighty days after
 12 reporting to such station changes his military personnel records to establish
 13 Louisiana as his official state of legal residence and complies with Louisiana income
 14 tax laws and regulations for the time period while stationed in Louisiana.

15 C. Residency shall be demonstrated by proof of the following as required by
 16 the administering agency or by other proof required by the administering agency by
 17 rule:

18 (1) If registered to vote, is registered in Louisiana.

19 (2) If licensed to drive a motor vehicle, is in possession of a Louisiana
 20 driver's license.

21 (3) If owning a motor vehicle located within Louisiana, is in possession of
 22 Louisiana registration for that vehicle.

23 (4) If earning an income, has filed a Louisiana state income tax return and
 24 has complied with state income tax laws and regulations.

25 D.(1) Any student who is the dependent child of a member of the United
 26 States Armed Forces who is not a resident of this state, is living in this state under
 27 permanent change of station orders but does not claim Louisiana as his state of legal
 28 residence, who graduates from a public or approved nonpublic high school in this
 29 state in the 2000-2001 academic school year or thereafter shall meet the
 30 requirements of this Section if he actually lives in this state for the period of his last

1 two full years of high school culminating in graduation as certified by the high
2 school.

3 (2)(a) Any displaced student as defined by R.S. 17:5101(A)(2) who
4 graduates from an out-of-state school during the 2006-2007 school year and is
5 awarded a Louisiana Distance Diploma issued by the Department of Education shall
6 meet the requirements of this Section if he actually resided in Louisiana during his
7 entire tenth grade year of high school and was enrolled for such time in an eligible
8 Louisiana high school or, for dependent students, if the displaced student has a
9 parent or court-ordered custodian who actually resided in a parish listed in R.S.
10 17:5101(A)(2)(a) for at least the twelve months prior to August 26, 2005, or in a
11 parish listed in R.S. 17:5101(A)(2)(b) for at least the twelve months prior to
12 September 20, 2005.

13 (b) A displaced student who meets the residency requirement of this
14 Paragraph shall not be required to have for the respective awards a higher minimum
15 composite score on the ACT or on the SAT than required for a student who graduates
16 from an eligible Louisiana high school provided such student has, for Opportunity
17 awards, a cumulative high school grade point average on all courses on the high
18 school transcript of at least 2.50 calculated on a 4.00 scale or, for Performance and
19 Honors awards, a cumulative high school grade point average on all courses on the
20 high school transcript of at least 3.50 calculated on a 4.00 scale.

21 (3)(a) Any dependent student graduating from an out-of-state high school
22 during the 2006-2007 school year whose parent or court-ordered custodian was a
23 member of the United States Armed Forces who, in the year 2006, moved from
24 Louisiana under a permanent change of station orders and retired from the armed
25 forces, and changed his military personnel records to reflect a change of his state of
26 legal residence from Louisiana to another state, shall meet the requirements of this
27 Section, provided that such parent or court-ordered custodian changes his military
28 personnel records from the other state to reestablish Louisiana as his state of legal
29 residence no later than July 1, 2007, and has filed a Louisiana state income tax return
30 for the two years preceding the date of the dependent's graduation from high school.

1 (b) Any dependent student who meets the requirements of this Paragraph
2 shall qualify for an award under this Chapter if the student has a composite score on
3 the 1990 version of the ACT which is at least two points higher than that required by
4 this Section for a student graduating from a Louisiana public high school or
5 nonpublic high school which has been approved by the State Board of Elementary
6 and Secondary Education or an equivalent concordant value on an enhanced or
7 revised version of such test or on the SAT.

8 §5024. Academic requirements

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

13 (a) For an Opportunity Award, a minimum cumulative grade point average
14 of 2.50.

15 (b) For a Performance Award, a minimum cumulative grade point average
16 of 3.00.

17 (c) For an Honors Award, a minimum cumulative grade point average of
18 3.00.

19 (d) For a TOPS-Tech Award, a minimum cumulative grade point average of
20 2.50.

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

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

28 (3)(a) The calculation of the minimum cumulative grade point average
29 specified in Paragraph (1) of this Subsection shall utilize a five-point scale for grades
30 earned in certain Advanced Placement courses, International Baccalaureate courses,

1 gifted and talented courses, honors courses, articulated courses for college credit, and
2 dual enrollment courses as approved by the Board of Regents and the State Board of
3 Elementary and Secondary Education, which may result in a student earning a
4 cumulative grade point average that exceeds 4.00. For such courses, five quality
5 points shall be assigned to a letter grade of "A", four quality points shall be assigned
6 to a letter grade of "B", three quality points shall be assigned to a letter grade of "C",
7 two quality points shall be assigned to a letter grade of "D", and zero quality points
8 shall be assigned to a letter grade of "F".

9 (b) The provisions of Subparagraph (a) of this Paragraph do not apply to
10 students who graduated prior to the 2017-2018 school year.

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

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

18 (b) For a Performance Award, a composite score on the 1990 version of the
19 ACT of twenty-three or higher or an equivalent concordant value on any enhanced
20 or revised version of such test or on the SAT.

21 (c) For an Honors Award, a score of twenty-seven or higher on the 1990
22 version of the ACT or an equivalent concordant value on any enhanced or revised
23 version of such test or on the SAT.

24 (d) For a TOPS-Tech Award, a composite score on the specified ACT of
25 seventeen or higher or an equivalent concordant value on any enhanced or revised
26 version of such test or on the SAT. The student may, as an alternative requirement,
27 have attained a silver level score on the assessments of the ACT WorkKeys system.

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

1 **(b) For a student who graduated prior to the 2000-2001 school year, the**
 2 **minimum ACT score for a TOPS-Tech Award is nineteen.**

3 **C. A student who graduated after the 2002-2003 school year but prior to the**
 4 **2006-2007 school year is eligible to receive a Performance Award pursuant to this**
 5 **Chapter if he meets the other requirements of this Chapter and each of the following**
 6 **conditions is met:**

7 **(1) The student has a composite score on the 1990 version of the ACT of**
 8 **twenty-four or higher or an equivalent concordant value on any enhanced or revised**
 9 **version of such test or on the SAT.**

10 **(2) The student achieved a minimum cumulative high school grade point**
 11 **average of 3.00 on a 4.00 scale when calculated in accordance with applicable rules**
 12 **adopted by the administering agency and such calculation is based on ten or more of**
 13 **the grades being grades for completion of honors curriculum courses, gifted**
 14 **curriculum courses, or advanced placement courses, or any combination of such**
 15 **courses, and the high school awards grades for such courses on a 4.0 scale or higher.**

16 **§5025. High school core curriculum requirements; Opportunity, Performance,**
 17 **Honors Awards**

18 **To be eligible for an Opportunity, Performance, or Honors Award pursuant**
 19 **to this Chapter, a student who graduates during or after the 2017-2018 school year**
 20 **shall have successfully completed a core curriculum which consists of nineteen units**
 21 **of high school course work as follows:**

22 **(1) English - Four Units**

23 **(a) English I.**

24 **(b) English II.**

25 **(c) One unit chosen from the following: English III, AP English Language**
 26 **Arts and Composition, or English III IB (Language A or Literature and**
 27 **Performance).**

28 **(d) One unit chosen from the following: English IV, AP English Literature**
 29 **and Composition, or English IV IB (Language A or Literature and Performance).**

30 **(2) Mathematics - Four Units**

1 (a) Algebra I (one unit), Geometry (one unit), and Algebra II (one unit).

2 Integrated Mathematics I, Integrated Mathematics II, and Integrated Mathematics III
3 may be substituted for the Algebra I, Geometry, and Algebra II sequence.

4 (b) One unit chosen from the following: Algebra III; Advanced Math
5 Functions and Statistics, Advanced Math-Pre-Calculus, Pre-Calculus, or Math
6 Methods I IB (Mathematical Studies SL); Calculus, AP Calculus AB, or Math
7 Methods II IB (Mathematics SL); AP Calculus BC; Probability and Statistics or AP
8 Statistics; IB Further Mathematics HL; IB Mathematics HL.

9 (3) Science - Four Units

10 (a) Biology I.

11 (b) Chemistry I.

12 (c) Two units chosen from the following: Earth Science; Environmental
13 Science; Physical Science; Agriscience I and Agriscience II (one unit combined);
14 Chemistry II, AP Chemistry, or IB Chemistry II; AP Environmental Science or IB
15 Environmental Systems; Physics I, AP Physics B, or IB Physics I; AP Physics C:
16 Electricity and Magnetism, AP Physics C: Mechanics, or IB Physics II; AP Physics
17 I and AP Physics II; Biology II, AP Biology, or IB Biology II.

18 (4) Social Studies - Four Units

19 (a) One unit chosen from the following: U.S. History, AP US History, or IB
20 US History.

21 (b) One unit chosen from the following: Civics, Government, AP US
22 Government and Politics: Comparative, AP US Government and Politics: United
23 States.

24 (c) Two units chosen from the following: Western Civilization, European
25 History, or AP European History; World Geography, AP Human Geography, or IB
26 Geography; World History, AP World History, or World History IB; History of
27 Religion; IB Economics, Economics, AP Macroeconomics, or AP Microeconomics.

28 (5) Foreign Language - two units in the same language, which may include
29 the following: AP Chinese Language and Culture, AP French Language and Culture,
30 AP German Language and Culture, AP Italian Language and Culture, AP Japanese

1 Language and Culture, AP Latin, AP Spanish Language and Culture, French IV IB,
 2 French V IB, Spanish IV IB, and Spanish V IB.

3 (6) Art - one unit chosen from the following: Performance course in Music,
 4 Dance, or Theatre; Fine Arts Survey; Art I, II, III, and IV; Talented Art I, II, III, and
 5 IV; Talented Music I, II, III, and IV; Talented Theater Arts I, II, III, and IV; Speech
 6 III and Speech IV (one unit combined); AP Art History; AP Studio Art: 2-D Design;
 7 AP Studio Art: 3-D Design; AP Studio Art: Drawing; AP Music Theory; Film Study
 8 I IB; Film Study II IB; Music I IB; Music II IB; Art Design III IB; Art Design IV IB;
 9 Theatre I IB; or Drafting.

10 (7) For the purposes of this Section, any core curriculum course that is taken
 11 by a student who has been identified as gifted pursuant to State Board of Elementary
 12 and Secondary Education policy and that is taken in fulfillment of the student's
 13 Individualized Education Plan shall be considered a gifted course and shall fulfill the
 14 core curriculum requirement in its given subject area.

15 §5025.1. High school core curriculum requirements; Opportunity, Performance,

16 Honors; students graduating prior to 2007-2008 school year

17 To be eligible for an Opportunity, Performance, or Honors Award pursuant
 18 to this Chapter, a student who graduated from high school prior to the 2007-2008
 19 school year shall have successfully completed a core curriculum which consists of
 20 sixteen and one-half units of high school course work as follows:

21 (1) English I, II, III, and IV (four units).

22 (2) Algebra I (one unit) or Applied Algebra 1A and 1B (two units) and
 23 Algebra II (one unit).

24 (3) Geometry, Trigonometry, Calculus, or comparable Advanced
 25 Mathematics (one unit; however, Trigonometry is not an option for meeting this
 26 requirement for students graduating after the 2004-2005 school year).

27 (4) Biology (one unit).

28 (5) Chemistry (one unit).

1 (6) Earth Science, Environmental Science, Physical Science, Biology II,
 2 Chemistry II, Physics, Physics II, Physics for Technology, or Agriscience I and II
 3 (both for one unit)(one unit).

4 (7) American History (one unit).

5 (8) World History, Western Civilization, or World Geography (one unit).

6 (9) Civics and Free Enterprise (one unit combined) or Civics (one unit,
 7 nonpublic).

8 (10) Fine Arts Survey (one unit).

9 (11) Foreign Language (two units in a single language; however, one unit for
 10 students graduating from high school during the 1996-1997 or 1997-1998 school
 11 year).

12 (12) Computer Science, Computer Literacy, or Business Computer
 13 Applications (one-half unit; or substitute at least one-half unit of an elective course
 14 related to computers that is approved by the State Board of Elementary and
 15 Secondary Education; or substitute at least one-half unit as an elective from among
 16 the other subjects listed in this core curriculum).

17 §5025.2 High school core curriculum requirements; Opportunity, Performance,
 18 Honors; students graduating 2007-2008 through 2012-2013

19 To be eligible for an Opportunity, Performance, or Honors Award pursuant
 20 to this Chapter, a student who graduated from high school during or after the 2007-
 21 2008 school year but not later than the 2012-2013 school year shall have successfully
 22 completed a core curriculum which consists of seventeen and one-half units of high
 23 school course work as follows:

24 (1) English I, II, III, and IV (four units).

25 (2) Algebra I (one unit) or Applied Algebra 1A and 1B (two units) and
 26 Algebra II (one unit).

27 (3) Geometry, Calculus, or comparable Advanced Mathematics (one unit).

28 (4) Biology (one unit).

29 (5) Chemistry (one unit).

1 (6) Earth Science, Environmental Science, Physical Science, Biology II,
 2 Chemistry II, Physics, Physics II, Physics for Technology, or Agriscience I and II
 3 (both for one unit)(one unit).

4 (7) American History (one unit).

5 (8) World History, Western Civilization, or World Geography (one unit).

6 (9) Civics and Free Enterprise (one unit combined) or Civics (one unit,
 7 nonpublic).

8 (10) Fine Arts Survey (one unit; or substitute two units of performance
 9 courses in music, dance, or theater; or substitute two units of visual art courses; or
 10 substitute two units of studio art courses; or substitute one unit as an elective from
 11 among the other subjects listed in this core curriculum).

12 (11) Foreign Language (two units in a single language; however students
 13 graduating from high school during the 1996-1997 school year or the 1997-1998
 14 school year are required to have only one unit).

15 (12) Computer Science, Computer Literacy, or Business Computer
 16 Applications (one-half unit; or substitute at least one-half unit of an elective course
 17 related to computers that is approved by the State Board of Elementary and
 18 Secondary Education; or substitute at least one-half unit as an elective from among
 19 the other subjects listed in this core curriculum).

20 (13) At least one unit as an elective from among the following math subjects:
 21 Geometry, Calculus, or approved advanced math substitute, or the following science
 22 subjects: Biology II, Chemistry II, Physics or Physics II.

23 §5025.3. High school core curriculum requirements; Opportunity, Performance,
 24 Honors; students graduating 2013-2014 through 2016-2017 school years

25 To be eligible for an Opportunity, Performance, or Honors Award, a student
 26 who graduated from high school during or after the 2013-2014 school year but not
 27 later than the 2016-2017 school year shall have successfully completed a core
 28 curriculum which consists of nineteen units of high school course work as follows:

29 (1) English I, II, III, and IV (four units).

1 (2) Algebra I (one unit) or Applied Algebra 1A and 1B (two units) and
 2 Algebra II (one unit).

3 (3) Geometry, Calculus, or comparable Advanced Mathematics (two units).

4 (4) Biology (one unit).

5 (5) Chemistry (one unit).

6 (6) Earth Science, Environmental Science, Physical Science, Biology II,
 7 Chemistry II, Physics, Physics II, Physics for Technology, or Agriscience I and II
 8 (both for one unit) (two units).

9 (7) American History (one unit).

10 (8) World History, Western Civilization, World Geography, or History of
 11 Religion (two units).

12 (9) Civics and Free Enterprise (one unit combined) or Civics (one unit,
 13 nonpublic).

14 (10) Fine Arts Survey (one unit or substitute one unit of a performance
 15 course in music, dance, or theater; or substitute one unit of a visual art course; or
 16 substitute one unit of a studio art course; or substitute one unit of drafting).

17 (11) Foreign Language (two units in a single language).

18 §5026. High school core curriculum requirements; TOPS-Tech

19 A. Except as otherwise provided by this Section, to be eligible for a TOPS-
 20 Tech Award pursuant to this Chapter, the student shall have successfully completed
 21 a core curriculum requirements of R.S. 17:5025 or 5025.3 or the core curriculum
 22 defined as follows:

23 (1) English I, II, III, and IV (four units, or substitute one unit of Business
 24 English for English IV).

25 (2) Algebra I (one unit); or both Algebra I, Part 1 and Algebra I, Part 2; or
 26 both Applied Mathematics I and Applied Mathematics II.

27 (3) Geometry, Applied Mathematics III, Algebra II, Financial Mathematics,
 28 Advanced Mathematics I, Advanced Mathematics II, Discrete Mathematics, or
 29 Probability and Statistics (two units). Integrated Mathematics I, II, and III may be

1 substituted for Algebra I, Geometry, and Algebra II, and shall be considered the
 2 equivalent of the three required math units.

3 (4) Biology (one unit).

4 (5) Earth Science, Environmental Science, Agriscience I and II (both for one
 5 unit), Physical Science, Integrated Science, Biology II, Chemistry or Applied
 6 Chemistry, Chemistry II, Physics, Physics II, or Physics for Technology (two units).

7 (6) American History (one unit).

8 (7) World History, Western Civilization, or World Geography (one unit).

9 (8) Civics and Free Enterprise (one unit combined) or Civics (one unit,
 10 nonpublic).

11 (9) Remaining core courses shall be selected from one of the following
 12 options:

13 (a) OPTION 1, consisting of four units as follows:

14 (i) Fine Arts Survey (one unit) or drafting (one unit) or substitute two units
 15 of performance courses in music, dance, or theater; or substitute two units of visual
 16 art courses; or substitute two units of studio art courses; or a course from the career
 17 and technical program of studies that is approved by the State Board of Elementary
 18 and Secondary Education; or substitute one unit as an elective from among the other
 19 subjects listed in this core curriculum.

20 (ii) Foreign Language, Technical Writing, Speech I, or Speech II (two units).

21 (iii) One unit from the secondary computer education program of studies that
 22 is approved by the State Board of Elementary and Secondary Education.

23 (b) OPTION 2, consisting of six units required as a concentration under the
 24 career options law, R.S. 17:183.1, et seq., as follows:

25 (i) At least four units in a career major comprised of a sequence of related
 26 specialty courses.

27 (ii) At least two units in related or technical fields, including credit in a basic
 28 computer course.

29 B. For a student graduating during or prior to the 2001-2002 school year, to
 30 be eligible for a TOPS-Tech Award pursuant to this Chapter, the student shall have

1 successfully completed a core curriculum requirements of Subsection A of this
2 Section or of R.S. 17:5025.3 or the core curriculum defined as follows:

3 (1) English I, II, III, and IV (four units, or substitute one unit of Business
4 English for English IV).

5 (2) Algebra I (one unit) or Applied Algebra 1A and 1B (two units) and
6 Algebra II (one unit).

7 (3) Geometry or Applied Geometry, Trigonometry, Calculus, or comparable
8 Advanced Mathematics (one unit).

9 (4) Biology (one unit).

10 (5) Chemistry or Applied Physics (one unit).

11 (6) Earth Science, Environmental Science, Agriscience I and II (both for one
12 unit), Physical Science, Biology II, Chemistry II, Physics, Physics II, or Physics for
13 Technology (one unit).

14 (7) American History (one unit).

15 (8) World History, Western Civilization, or World Geography (one unit).

16 (9) Civics and Free Enterprise (one unit combined) or Civics (one unit,
17 nonpublic).

18 (10) Fine Arts Survey or any approved vocational course in the areas of
19 Agriscience, Business Education, Family and Consumer Science, Health
20 Occupations, Marketing Education, Technology Education, or Trade and Industrial
21 Education (one unit); or substitute two units of performance courses in music, dance,
22 or theater; or substitute two units of visual art courses; or substitute two units of
23 studio art courses; or substitute one unit as an elective from among the other subjects
24 listed in this core curriculum.

25 (11) Foreign Language (one unit for students graduating from high school
26 during the 1996-1997 school year or the 1997-1998 school year; two units in a single
27 language for students graduating from high school during the 1998-1999 school year
28 and thereafter) or Technical Writing, Speech I, or Speech II (two units).

29 (12) Computer Science, Computer Literacy, or Business Computer
30 Applications (one-half unit; or substitute at least one-half unit of an elective course

1 related to computers that is approved by the State Board of Elementary and
2 Secondary Education; or substitute at least one-half unit as an elective from among
3 the other subjects listed in this core curriculum).

4 §5027. Postsecondary institution enrollment

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

10 (2) The administering agency may grant exceptions to Paragraph (1) of this
11 Subsection for cause.

12 (3) A student who joins the United States Armed Forces within one year
13 after graduating from high school meets the eligibility requirement of this Section
14 if he enrolls in an eligible college or university as a first-time freshman not later than
15 the semester, excluding summer semesters or sessions, immediately following the
16 fifth anniversary of the date that the student graduated from high school; however,
17 effective for the 1996-1997 school year and thereafter, if, on or prior to the fifth
18 anniversary of the date that the student graduated from high school, the student
19 reenlists in the United States Armed Forces and maintains continuous active duty,
20 the five-year period shall be extended to the semester immediately following the
21 one-year anniversary of the student's separation from active duty service.

22 B. "Eligible college or university" means a public college or university in
23 this state or a regionally accredited independent college or university in the state that
24 is a member of the Louisiana Association of Independent Colleges and Universities.

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

1 (1) The college or university is accredited by a regional accrediting
2 organization recognized by the United States Department of Education.

3 (2) All programs and services at the college or university are specifically
4 designed to accommodate deaf and hard-of-hearing students.

5 (3) Deaf and hard-of-hearing students comprise the majority of students
6 enrolled at the college or university at the undergraduate level.

7 (4) The award recipient meets the admission requirements of the college or
8 university that are applicable to deaf and hard-of-hearing students.

9 (5) The initial program award is made to the student for the 2005-2006
10 award year or thereafter.

11 (6) The college or university provides to the administering agency such
12 information as would otherwise be required by the agency for program
13 administration purposes from an eligible Louisiana college or university if the
14 student was enrolled in such Louisiana institution.

15 D.(1) Effective for the 2009-2010 award year and thereafter, for purposes of
16 the TOPS-Tech Award as provided by this Chapter, the term "eligible colleges and
17 universities" shall include any school that has a valid and current certificate of
18 registration issued by the Louisiana State Board of Cosmetology in accordance with
19 law and that is accredited by an accrediting organization recognized by the United
20 States Department of Education and any proprietary school that has a valid and
21 current license issued by the Board of Regents in accordance with law and that is
22 accredited by an accrediting organization recognized by the United States
23 Department of Education. Such a school also shall comply with all other applicable
24 provisions of this Chapter and rules adopted by the administering agency relative to
25 a college or university being initially eligible and remaining eligible for program
26 purposes.

27 (2) Effective for the 2010-2011 award year and thereafter, a student who is
28 the recipient of an Opportunity, Performance, or Honors award and who pursues skill
29 or occupational training as defined by the administering agency, including a
30 vocational or technical education certificate or diploma program or a nonacademic

1 undergraduate degree, may use the award at any school that has a valid and current
 2 certificate of registration issued by the Louisiana State Board of Cosmetology in
 3 accordance with law and that is accredited by an accrediting organization recognized
 4 by the United States Department of Education and at any proprietary school that has
 5 a valid and current license issued by the Board of Regents in accordance with law
 6 and that is accredited by an accrediting organization recognized by the United States
 7 Department of Education. Such a school shall comply with all other applicable
 8 provisions of this Chapter and rules adopted by the administering agency relative to
 9 a college or university being initially eligible and remaining eligible for program
 10 purposes.

11 §5028. Other student eligibility requirements

12 A. To be eligible for an award pursuant to this Chapter, a student shall not
 13 have any criminal conviction, except for misdemeanor traffic violations and, if the
 14 student has been in the United States Armed Forces and has separated from such
 15 service, he shall have received an honorable discharge or general discharge under
 16 honorable conditions.

17 B. The student shall apply for a federal grant prior to receiving a grant of
 18 state funds under this Section unless the student can demonstrate that he does not
 19 qualify for federal grant aid.

20 §5029. Alternative initial eligibility requirements

21 A. A student who graduates from an out-of-state high school shall be eligible
 22 to receive an award pursuant to this Chapter if each of the following conditions is
 23 met:

24 (1) The student has been certified by the principal or headmaster to have met
 25 one of the following criteria:

26 (a) The student graduated during the 1996-1997 school year or thereafter
 27 from an out-of-state high school that has been approved by the appropriate state
 28 educational agency in the state in which the school is located.

29 (b) The student graduated from an out-of-state high school that is accredited
 30 by the Southern Association of Colleges and Schools and that meets the standards

1 adopted by the State Board of Elementary and Secondary Education for approval of
2 nonpublic schools in Louisiana.

3 (c) The student graduated during the 2002-2003 school year or thereafter
4 from an out-of-state high school that is accredited by a regional accrediting
5 organization recognized by the United States Department of Education and that
6 meets the standards adopted by the State Board of Elementary and Secondary
7 Education for approval of nonpublic schools in Louisiana.

8 (d) The student graduated from a high school that has been approved by the
9 United States Department of Defense.

10 (e) The student graduated during the 2009-2010 school year or thereafter
11 with an International Baccalaureate Diploma from an out-of-state high school
12 approved by the International Baccalaureate Organization to issue such a diploma.

13 (2) The student meets the requirements of R.S. 17:5022, 5023, 5027, and
14 5028.

15 (3) The student has a composite score on the 1990 version of the ACT which
16 is at least three points higher than that required by R.S. 17:5024(B) for the particular
17 award or an equivalent concordant value on an enhanced or revised version of such
18 test or on the SAT.

19 B. A student who completes a home study program shall be eligible to
20 receive an award pursuant to this Chapter if each of the following conditions is met:

21 (1)(a) The student has been certified by a parent or court-ordered custodian
22 to have successfully completed at the twelfth grade level a home study program
23 approved by the State Board of Elementary and Secondary Education.

24 (b)(i) Any such student who has previously attended a Louisiana public high
25 school or nonpublic high school that has been approved by the State Board of
26 Elementary and Secondary Education, must have begun his studies in the approved
27 home study program no later than the conclusion of the tenth grade year.

28 (ii) Any such student who has previously attended a Louisiana public high
29 school, a Louisiana nonpublic high school, or an out-of-state high school shall be
30 required to provide certification from the principal, headmaster, or other appropriate

1 person at the high school previously attended that the student was in good standing
2 at the time the student last attended such school.

3 (2) The student meets the requirements of R.S. 17:5022, 5023, 5027, and
4 5028.

5 (3)(a) Except as provided in Subparagraph (b) of this Paragraph, the student
6 has a composite score on the 1990 version of the ACT which is at least three points
7 higher than that required by R.S. 17:5024(B) for the particular award or an
8 equivalent concordant value on an enhanced or revised version of such test or on the
9 SAT.

10 (b)(i) For a student qualifying for an initial program award for the 2005-2006
11 through the 2007-2008 award year pursuant to this Subsection, the student shall have
12 a composite score on the 1990 version of the ACT which is at least two points higher
13 than that required by R.S. 17:5024(B) for the particular award or an equivalent
14 concordant value on an enhanced or revised version of such test or on the SAT.

15 (ii) For a student qualifying for an initial TOPS-Tech or Opportunity Award
16 for the 2008-2009 award year or thereafter pursuant to this Subsection, the student
17 shall have a composite score on the 1990 version of the ACT which is at least two
18 points higher than that required by R.S. 17:5024(B) for the particular award or an
19 equivalent concordant value on an enhanced or revised version of such test or on the
20 SAT.

21 (iii) For a student qualifying for an initial Performance or Honors Award for
22 the 2008-2009 award year or thereafter pursuant to this Subsection, the student shall
23 have a composite score on the 1990 version of the ACT which is at least one point
24 higher than that required by R.S. 17:5024(B) for the particular award or an
25 equivalent concordant value on an enhanced or revised version of such test or on the
26 SAT.

27 C. A student who graduates from an out-of-country high school shall be
28 eligible to receive an Opportunity or TOPS-Tech Award pursuant to this Chapter if
29 each of the following conditions is met:

30 (1) The student meets one of the following criteria:

1 (a) The student has been certified by the principal or headmaster to have
2 graduated during the 2000-2001 school year or thereafter from a high school located
3 outside of the United States and its territories which meets the standards adopted by
4 the State Board of Elementary and Secondary Education for approval of nonpublic
5 schools in Louisiana and which is accredited by an accrediting organization
6 recognized by the United States Department of Education.

7 (b)(i) The student has been certified by a parent or court-ordered custodian
8 to have successfully completed at the twelfth grade level a home study program
9 approved by the State Board of Elementary and Secondary Education conducted
10 outside the United States and its territories.

11 (ii) Any such student who has previously attended a Louisiana public high
12 school, a Louisiana nonpublic high school, or an out-of-state high school shall be
13 required to provide certification from the principal, headmaster, or other appropriate
14 person at the high school previously attended that the student was in good standing
15 at the time the student last attended such school.

16 (c) The student has been certified by the principal or headmaster to have
17 graduated during the 2009-2010 school year or thereafter with an International
18 Baccalaureate Diploma from a high school located outside of the United States and
19 its territories and approved by the International Baccalaureate Organization to issue
20 such a diploma.

21 (2) The student meets the requirements of R.S. 17:5022, 5023, 5027, and
22 5028.

23 (3) The student has a composite score on the 1990 version of the ACT which
24 is at least three points higher than that required by R.S. 17:5024(B) for the particular
25 award or an equivalent concordant value on an enhanced or revised version of such
26 test or on the SAT.

27 D.(1) Beginning with the 2004-2005 award year, a student who does not
28 graduate from high school or complete a home study program shall be eligible to
29 receive an Opportunity, Performance, or Honors Award pursuant to this Chapter if
30 each of the following conditions is met:

1 (a) As certified by a psychologist or psychiatrist licensed to practice in
2 Louisiana, the student has a score that is at least in the superior range on the
3 Wechsler Intelligence Scale for Children, Third Edition, or revised version of such
4 instrument or, if provided for by the administering agency by rule, has an equivalent
5 score on a comparable diagnostic instrument.

6 (b) As certified by a psychologist or psychiatrist licensed to practice in
7 Louisiana, the student has a composite score that is at least at the ninetieth percentile
8 at the twelfth grade level in the reading, mathematics, and written language portions
9 of the Wechsler Individual Achievement Test, Second Edition, or revised version of
10 such test or, if provided for by the administering agency by rule, has an equivalent
11 score on a comparable test.

12 (c) Prior to enrolling for the first time in an eligible college or university, the
13 student meets the requirements of R.S. 17:5024(B) otherwise applicable to a student
14 who graduates from an eligible Louisiana high school relative to the student having
15 at least the minimum composite score on the ACT or having an equivalent score on
16 the SAT as specified for the respective awards.

17 (d) The student enrolls in an eligible college or university and after
18 successful completion of twelve hours of credit the student is enrolled in such a
19 college or university on a full-time basis no later than his nineteenth birthday to
20 pursue an academic undergraduate degree at the baccalaureate level. A student's
21 award pursuant to the provisions of this Paragraph shall be effective upon such
22 enrollment on a full-time basis.

23 (e) The student meets the requirements of R.S. 17:5022, 5023, 5027, and
24 5028.

25 (2) State payments on behalf of a student eligible for an award pursuant to
26 this Subsection shall be in the same amounts as otherwise provided for by this
27 Chapter for such award. The awards provided by this Subsection shall be for no
28 more than eight semesters or an equivalent number of units in a college or university
29 which operates on a schedule based on units other than semesters unless an extension
30 is granted by the administering agency in accordance with its rules.

1 SUBPART C. MAINTAINING ELIGIBILITY

2 §5041. Maintaining eligibility; Honors, Performance, Opportunity

3 To maintain continued state payment of an amount equal to tuition and other
4 amounts for an Opportunity, Performance, or Honors Award pursuant to this Chapter
5 once enrolled in college a student shall meet all of the following:

6 (1)(a) If pursuing an academic undergraduate degree, make steady academic
7 progress toward a degree as defined by the administering agency, earning not less
8 than the minimum number of hours of credit required for full-time standing in each
9 academic year or the required number of hours needed to complete the undergraduate
10 degree during that semester or quarter.

11 (b) If pursuing skill or occupational training, make steady academic progress
12 as defined by the administering agency toward completion of the requirements of the
13 program in which enrolled, earning not less than the minimum number of hours of
14 credit required for full-time standing or the required number of hours needed to
15 complete the program's requirements.

16 (c) If at any time a student fails to maintain the cumulative grade point
17 average required for continuation in the program or, as of the end of any semester or
18 term during the academic year, fails to make steady academic progress as defined by
19 the administering agency, such student shall become ineligible for further payments.

20 Payments limited to those provided in R.S. 17:5002(B), regardless of whether the
21 originally granted award was an Opportunity, Performance, or Honors Award, may
22 be reinstated upon attainment of the grade point average required by this Section for
23 a student to maintain continued state payments once enrolled in college and the
24 standards for steady academic progress as defined by the administering agency,
25 provided that the student has maintained other continuation requirements and the
26 period of ineligibility did not persist for more than two years from the date of loss
27 of eligibility. If this two-year period is interrupted due to a student's active duty
28 service in the United States Armed Forces, the two-year period shall be extended for
29 a length of time equal to the student's active duty service, not to exceed four years,
30 unless the student reenlists in the United States Armed Forces and maintains

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1 continuous active duty, in which case the period shall be extended for a length of
2 time equal to the student's active duty service; or unless the student is granted an
3 exception for cause by the administering agency.

4 (2)(a) If pursuing an academic undergraduate degree, maintain continuous
5 enrollment for not less than two semesters or three quarters in each successive
6 academic year, unless granted an exception for cause by the administering agency.

7 (b) If pursuing skill or occupational training, maintain continuous enrollment
8 as a full-time student unless granted an exception for cause by the administering
9 agency.

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

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

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

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

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

1 (5) Have no criminal conviction, except for misdemeanor traffic violations
2 and, if the student has been in the United States Armed Forces and has separated
3 from such service, has received an honorable discharge or general discharge under
4 honorable conditions.

5 §5042. Maintaining eligibility; TOPS-Tech

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

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

28 (2) Maintain continuous enrollment as a full-time student unless granted an
29 exception for cause by the administering agency.

1 (3) Have a cumulative grade point average of at least 2.5 calculated on a 4.00
2 scale.

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

7 §5043. Returning students

8 Notwithstanding any provision of this Chapter to the contrary, any otherwise
9 qualified student who meets each of the following conditions and who enrolls as a
10 first-time freshman in an out-of-state college or university, or beginning with the
11 2009-2010 academic year, first enrolls as a first-time freshman in an eligible college
12 or university in Louisiana and subsequently enrolls in an out-of-state college or
13 university, may use the program award provided for by this Section at an eligible
14 college or university in Louisiana in accordance with this Subsection and other
15 applicable provisions of this Chapter; however, the time period of award eligibility
16 set forth in R.S. 17:5002(E) shall be reduced by an equivalent number of units as
17 may be applicable for each semester or equivalent time period that the student is
18 enrolled in an out-of-state college or university:

19 (1) The student has been determined by the administering agency to meet the
20 initial eligibility requirements established by this Section for an Opportunity,
21 Performance, or Honors Award.

22 (2) The student enrolled as a first-time freshman in one of the following:

23 (a) An out-of-state college or university in accordance with the timelines
24 specified by this Section for such enrollment in an eligible college or university in
25 Louisiana and the out-of-state college or university is accredited by a regional
26 accrediting organization recognized by the United States Department of Education.

27 (b) An eligible college or university in Louisiana in accordance with the
28 timelines specified by this Section for such enrollment, who subsequently enrolled
29 in an out-of-state college or university that is accredited by a regional accrediting
30 organization recognized by the United States Department of Education, and then

1 reenrolled in an eligible college or university in Louisiana during the 2009-2010
2 academic year or thereafter.

3 (3) While enrolled in such an out-of-state college or university the student
4 met all requirements of this Section that would have been applicable to such student
5 for continuation of the initial award if the student had enrolled in an eligible college
6 or university in Louisiana.

7 (4) The student graduated from high school during the 2001-2002 school
8 year or thereafter.

9 PART II. ADMINISTRATION

10 §5061. Administering agency

11 The provisions of this Chapter shall be administered by the Louisiana Student
12 Financial Assistance Commission. The administering agency may provide by rule
13 adopted as provided by the Administrative Procedure Act for all matters necessary
14 to the implementation of this Chapter.

15 §5062. Rules, procedures, and guidelines

16 A. The administering agency shall provide by rule for the following:

17 (1) A mechanism for informing all students of the availability of the
18 assistance provided pursuant to this Chapter early enough in their schooling that a
19 salutary motivational effect is possible.

20 (2) Applications, forms, financial audit procedures, eligibility and other
21 program audit procedures, and other matters related to efficient operation, including
22 timelines and deadlines for receipt by the administering agency of any information
23 required to implement the provisions of this Chapter. The administering agency may
24 provide an alternative application for students who can demonstrate that they do not
25 qualify for federal grant aid.

26 B. The administering agency shall provide the following procedures and
27 requirements:

28 (1) A procedure for waiver through the 2002-2003 school year of the
29 requirement that a student complete the high school curriculum specified in R.S.
30 17:5025.1 and 5026(B), upon proper documentation by the high school's principal

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1 or authorized designee that failure to comply with such requirement was due solely
2 to the fact that the required course or courses were not available to the applicant at
3 the school attended.

4 (2) A procedure whereby any student graduating from high school during the
5 1996-1997 or the 1997-1998 school year who is required to meet the provisions of
6 R.S. 17:5025.1(11) or 5026(B)(11) relative to successful completion of one unit of
7 Foreign Language shall be able to meet such requirement after graduating from high
8 school.

9 (3) A procedure for waiver of the requirement that a student complete the
10 high school curriculum specified in this Chapter upon proper documentation by the
11 high school's principal or authorized designee that the student is an exceptional child
12 as defined by R.S. 17:1942, excluding gifted and talented, and that failure to comply
13 with the specified curriculum was due solely to the student's exceptionality.

14 (4) A procedure for waiver of a high school curriculum requirement
15 specified in this Chapter for any student not otherwise covered by the provisions of
16 Paragraph (3) of this Subsection but who has one or more learning, visual, hearing,
17 or physical disabilities diagnosed by a person licensed or certified to diagnose such
18 disability, when the diagnosis states the need for the student to be provided special
19 accommodation by the high school relative to the curriculum requirement, the
20 student requested and was provided such special accommodation by the high school,
21 and failure to comply with the curriculum requirement was due solely to the student
22 being disabled.

23 (5) A requirement that all reports of student performance or disability
24 submitted to the administering agency and used to determine student eligibility be
25 certified by the responsible authority.

26 C. The administering agency shall provide the following guidelines:

27 (1) Guidelines and procedures by which the administering agency, subject
28 to prior approval by the State Board of Elementary and Secondary Education, may
29 update the course name and establish course equivalencies for any course included
30 in the definition of core curriculum provided by this Chapter, including necessary

1 changes to course names and equivalencies for Advanced Placement and
2 International Baccalaureate courses as prescribed by the College Board or the
3 International Baccalaureate Foundation. The guidelines and procedures shall include
4 but not be limited to a requirement that any change in a course name and the
5 establishment of any course equivalency be done by rule adopted by the
6 administering agency and a requirement that prior to issuing a notice of intent to
7 consider any such rule the administering agency shall consult with and seek the
8 written comments and recommendations of the Board of Regents on making the
9 name change or establishing the course equivalency.

10 (2) Guidelines and procedures directing that when tuition is paid from a
11 source other than the award made pursuant to this Chapter, the award shall be
12 applied by the institution attended by the student toward payment of expenses other
13 than tuition which are described in the term "cost of attendance" as that term is
14 defined in 20 U.S.C. 1087(II), as amended, for the purpose of qualifying the student
15 or his parent or court-ordered custodian for the federal income tax credits provided
16 for under 26 U.S.C. 25A.

17 (3)(a) Guidelines and procedures permitting the administering agency to
18 receive and consider an application for an initial award, an application for the
19 continuation of an award, or an application to return from an out-of-state college or
20 university under this Chapter that is received by the agency after the final deadline
21 established by the agency for the receipt of such application but not later than one
22 hundred twenty days after the deadline.

23 (b) Guidelines and procedures permitting the administering agency, for the
24 2007-2008 academic year and thereafter, to receive and consider an application for
25 an award under this Chapter as authorized by R.S. 17:5023 that is received by the
26 agency after the final deadline established by the agency for the receipt of such
27 application, but not later than one hundred twenty days after the deadline.

28 (c)(i) When granting an award based on an application that is considered by
29 the agency pursuant to the provisions of this Paragraph and such application is
30 received by the agency not later than sixty days after the final deadline, the agency

1 shall reduce the time period of eligibility for the award as set forth in R.S. 17:5002
2 by one semester or an equivalent number of units at an eligible institution which
3 operates on a schedule based on units other than semesters.

4 (ii) When granting an award based on an application that is considered by
5 the agency pursuant to the provisions of this Paragraph and such application is
6 received by the agency more than sixty days after the final deadline, the agency shall
7 reduce the time period of eligibility for the award as set forth in R.S. 17:5002 by two
8 semesters or an equivalent number of units at an eligible institution which operates
9 on a schedule based on units other than semesters.

10 (4)(a) Guidelines and procedures permitting the administering agency to
11 receive and consider, beginning with awards made for the 2000-2001 academic year
12 and through the 2002-2003 academic year, an applicant's qualifying score on the
13 ACT or on the SAT that is obtained on an authorized testing date after the date of the
14 applicant's high school graduation but prior to July first of the year of such
15 graduation.

16 (b) Guidelines and procedures permitting the administering agency to receive
17 and consider, beginning with awards made for the 2003-2004 academic year and
18 thereafter, an applicant's qualifying score on the ACT or on the SAT which is first
19 obtained on an authorized testing date after the national April ACT testing date in the
20 year of the applicant's high school graduation but prior to July first of the year of
21 such graduation.

22 (c) Guidelines and procedures permitting the administering agency to receive
23 and consider, beginning with awards made for the 2011-2012 academic year and
24 thereafter, an applicant's qualifying score on the ACT or on the SAT which is first
25 obtained on an authorized testing date after the national April ACT testing date in the
26 year of the applicant's high school graduation but prior to July first of the year of
27 such graduation or, if the administering authority determines that the applicant was
28 prevented from taking the test prior to July first of the year of graduation due to
29 circumstances beyond the immediate control of the student and attributable to the
30 administration of the test, prior to September thirtieth of the year of such graduation.

1 (d) When granting an award to an applicant whose qualifying test score is
2 considered by the agency pursuant to the provisions of this Paragraph, the agency
3 shall reduce the time period of eligibility for the award as set forth in R.S. 17:5002
4 by one semester or an equivalent number of units at an eligible institution which
5 operates on a schedule based on units other than semesters.

6 §5063. Notice of Program Changes

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

11 §5064. School boards

12 Each city and parish school board for the high school under its jurisdiction
13 or the principals of such high schools and the principal or headmaster of each
14 nonpublic high school approved by the State Board of Elementary and Secondary
15 Education shall, using the criteria in Subpart B of Part I of this Chapter as the
16 minimum qualifications for selection, identify and certify to the administering
17 agency those achieving the required academic standards to qualify for an award
18 pursuant to this Chapter.

19 §5065. Funding

20 A.(1) The legislature annually shall appropriate to the administering agency
21 funds which, together with any other funds available, are sufficient to cover the costs
22 required to be paid, both initial and continuing, for the coming academic year. All
23 such payments shall be made by the administering agency directly to the institution
24 to which such payment is due after notice to the institution that the state shall pay,
25 on behalf of the qualifying student, the applicable amount stipulated in this Chapter
26 and after notice from the institution that the student has actually enrolled.

27 (2) Effective beginning with the 1999-2000 academic year and thereafter, no
28 state payments made on behalf of any student receiving an award pursuant to the
29 provisions of this Chapter shall be used by an institution of higher education to
30 supplant the granting of free tuition for such student pursuant to a scholarship given

1 in accordance with the provisions of Act No. 43 of the 1884 Regular Session of the
2 Legislature, as amended.

3 B. The administering agency may seek, accept, and expend funds from any
4 source, including private business, industry, foundations, and other groups as well
5 as any federal or other governmental funding available for this purpose.

6 C. Implementation of the tuition payment program provided by this Chapter
7 shall be subject to the appropriation of funds for this purpose.

8 D.(1) In the event the legislature appropriates insufficient money to fund all
9 awards made to students qualifying under the provisions of this Chapter, the number
10 of students to whom awards shall be made shall be reduced as necessary pursuant to
11 a procedure set out by rule adopted by the administering agency. The procedure
12 shall provide for such reduction to be based on the scores on the ACT and then on
13 the ability of each student's family to pay the student's tuition as evidenced by the
14 expected family contribution determined by using the standardized federal
15 methodology for establishing student financial need. The procedure shall provide
16 that reductions of awards made necessary by insufficient appropriations shall first
17 eliminate the cohort of students who score lowest on the ACT. The procedures shall
18 provide that within that cohort of students, those whose families are most able to pay
19 the student's tuition shall be eliminated first. After insufficient appropriations
20 require the elimination of all students in such cohort, the procedures shall require
21 repeating the process with those students in the next highest score cohort.

22 (2) Among students denied their awards as provided in this Subsection, those
23 students whose families have the least capacity to pay shall be the first to receive
24 their awards if monies become available. Any student for whom the expected family
25 contribution cannot be determined as provided for in Paragraph (1) of this Subsection
26 shall be denied his award until the legislature appropriates sufficient monies to fund
27 all awards made to students qualifying under the provisions of this Chapter.

28 §5066. With other financial assistance

29 A. A grant awarded pursuant to this Chapter may be combined with a
30 disbursement from the Louisiana Student Tuition Assistance and Revenue Trust

1 Program, as provided in R.S. 17:3091 through 3099.2, to pay the student's tuition,
2 and any portion of the grant which is offset by such a disbursement shall then be
3 expended in payment of current year educational expenses as defined by the
4 administering agency and billed to the student by the institution. Any remaining
5 balance of the grant award may then be expended by the student in payment of room
6 and board.

7 B.(1)(a) Notwithstanding any provision of this Chapter to the contrary, any
8 student who qualifies for an award as provided in this Chapter and who also qualifies
9 for any other financial assistance offered by the state public college or university
10 which the student attends shall be allowed to combine such award and financial
11 assistance in any manner to cover any "cost of attendance" as determined for that
12 student in accordance with regulations governing the award of federal student aid
13 under Title IV of the Higher Education Act of 1965 as amended, including room and
14 board, books, and other instructional materials.

15 (b) Additionally, notwithstanding any provision of this Chapter to the
16 contrary and effective for the 2004-2005 award year and thereafter, any student who
17 qualifies for an award as provided in this Chapter shall be allowed to use such award
18 in any manner to cover any "cost of attendance" at an eligible public college or
19 university as determined for that student in accordance with regulations governing
20 the award of federal student aid under Title IV of the Higher Education Act of 1965
21 as amended.

22 (2) If a student is receiving other financial assistance that, when combined
23 with a tuition payment under this Chapter, exceeds the "cost of attendance" as
24 determined for that student in accordance with regulations governing the award of
25 federal student aid under Title IV of the Higher Education Act of 1965, as amended,
26 the amount of the tuition payment shall be reduced by the amount of such excess.

27 (3)(a)(i) Any student who receives a financial assistance award pursuant to
28 this Chapter may elect to accept the award on the basis provided in this Paragraph.
29 The student may elect to delay the acceptance of his financial assistance award until
30 after the student, if he is not claimed as a dependent of a parent or court-ordered

1 custodian on a federal income tax return, or his parent or court-ordered custodian,
2 if he is claimed as a dependent on a federal income tax return, files his federal
3 income tax return.

4 (ii) If the student delays the acceptance of his award and the student, parent,
5 or court-ordered custodian claims a federal income tax credit for money expended
6 on educational tuition for the postsecondary education of the student, the
7 administering agency shall pay directly to the student an amount equal to the amount
8 of the award that would have been paid to the eligible institution on behalf of the
9 student less the amount of the tax credit claimed plus as an incentive for claiming the
10 credit and thus reducing the cost to the state of this program, an amount equal to
11 twenty-five percent of the amount of the credit claimed.

12 (iii) If the student delays the acceptance of his award and the student, parent,
13 or court-ordered custodian does not claim such a credit, then the amount of the award
14 that would have been paid to the eligible institution on behalf of the student shall be
15 paid directly to the student.

16 (b) In order to receive the additional incentive payment provided for in Item
17 (a)(ii) of this Paragraph, the student, parent, or court-ordered custodian filing the
18 return shall provide such proof to the administering agency of the amount of federal
19 income tax credit for money expended on educational tuition claimed as required by
20 the agency, including access to their federal income tax records or other appropriate
21 records.

22 (c) In any case in which the award amount is paid directly to the student as
23 a result of an election under this Paragraph, the amount of the award may be
24 expended on any item considered as part of the "cost of attendance" as determined
25 for that student in accordance with regulations governing the award for federal
26 student aid under Title IV of the Higher Education Act of 1965, as amended.

27 (d) The administering agency shall establish by rule the procedure and time
28 schedules necessary for a student to make the election provided for in this Paragraph,
29 for receipt of notice of such an election by the agency, and for delayed payment of
30 the award and any applicable incentive.

1 (e) In any case in which a federal income tax credit claim for tuition is
2 disallowed, no additional payment shall be made by the agency as a result.

3 (f) The election provided for in this Paragraph may be made in any year for
4 which the student is eligible for an award under this Paragraph.

5 §5067. Program information reporting system; implementation; requirements;
6 applicability; participation by eligible institutions and others

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

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

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

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

1 (1) A report prepared as of the end of the fall semester and again as of the
2 end of the spring semester or equivalent periods of time during each academic year
3 relative to the rate of retention of program awards by students as they progress from
4 semester to semester or other equivalent periods of time as may be applicable once
5 enrolled at an eligible college or university. The data shall be reported by institution
6 attended, by the two-digit classification of instructional program, and by program
7 award category and shall include the percent of students losing program eligibility
8 due to not earning the minimum number of credit hours, the percent of students
9 losing program eligibility due to not having the required cumulative grade point
10 average, and the percent of students losing program eligibility for failing to make
11 steady academic progress.

12 (2) The persistence rates at colleges and universities of freshman,
13 sophomore, junior, and senior students receiving a program award reported by award
14 category and by award year.

15 (3) The graduation rates or rates of completion of the chosen postsecondary
16 education program if otherwise applicable for students receiving a program award,
17 reported by award category and award year, including for those graduating with an
18 academic degree at the baccalaureate level, the rate for persons graduating within
19 four years, within five years, and within six years, respectively.

20 (4) The mean length of time required for a student receiving a program
21 award to graduate with an academic degree at the baccalaureate level or to complete
22 the chosen postsecondary education program if otherwise applicable with such
23 information being reported by award category and by award year.

24 (5) An annual report on the number of applicants as well as the percent of
25 high school graduates by high school and by parish who apply for a program award,
26 by award category, and the percent of those students who subsequently enroll in a
27 college or university.

28 (6) Statistical studies on the relationship between the courses taken and
29 grades earned by a high school student and the student's score on the ACT or the
30 SAT. Relative to public high schools, such statistical studies shall use student course

1 and grade data that is otherwise available from the schools and such studies shall be
2 conducted at no additional cost to the governing authority of any public high school.

3 (7) Demographic information of program award recipients, including but not
4 limited to race, gender, and parents' household income.

5 (8) High school grade point average and ACT or concordant SAT scores of
6 program award recipients grouped by mean, median, and mode.

7 (9) High school grade point average and ACT or concordant SAT score
8 cross-referenced with those students who lost the award and those who were placed
9 on probationary status and the reasons therefor.

10 C. When necessary due to limitations in existing secondary data sources and
11 systems, the Board of Regents, consistent with the general provisions of this Section,
12 may modify any specific requirement of this Section. However, prior to making any
13 such modifications the board shall report in writing to the House Committee on
14 Education and the Senate Committee on Education on the proposed action and the
15 board shall have received approval from each committee relative to the proposed
16 action.

17 D. The Board of Regents shall submit a written report including all of the
18 information required by this Section for the preceding academic year to the Senate
19 Committee on Education and the House Committee on Education, not later than
20 December first of each year.

21 E. All information reported pursuant to this Section shall be reported in the
22 aggregate only and shall contain no personally identifiable information for any
23 recipient of a program award.

24 §5068. Miscellaneous

25 A. Each student who initially qualifies for more than one award under the
26 provisions of this Chapter shall receive the award requiring the most rigorous
27 eligibility criteria.

28 B. Notwithstanding any other provision of this Chapter to the contrary, any
29 public or private entity, including any nonprofit organization, may make a directed

1 donation to any eligible postsecondary institution for a student who is a recipient of
2 a Louisiana Taylor Opportunity Program for Students eligibility.

3 C. Annually, the Louisiana Student Financial Assistance Commission shall,
4 with the cooperation and assistance of the state's institutions of postsecondary
5 education, query each first-time recipient of a Taylor Opportunity Program for
6 Students award to determine the extent to which receiving the award influenced the
7 decision of the student to attend a Louisiana college or university.

8 D.(1) Recognizing the success and growth of the Taylor Opportunity
9 Program for Students and in order to maintain the long-term financial stability of
10 such program, private businesses, industry, foundations, charities, and other
11 individuals or groups may, notwithstanding any provision of law to the contrary, ask
12 the division of administration for authority to create scholarship programs to make
13 payments to eligible colleges and universities on behalf of individual students. If the
14 division of administration authorizes a private scholarship program, scholarship
15 funds received by an eligible college or university from such private scholarship
16 program on behalf of a student shall cause a reduction in the dollar amount of any
17 award pursuant to this Chapter associated with that student to an amount that is equal
18 to the dollar amount that the award would have been if no such private scholarship
19 funds had been received less the amount of private scholarship funds received by the
20 eligible college or university.

21 (2) This Subsection shall in no way be interpreted in such a manner that a
22 student could receive less benefits from a combination of the award pursuant to this
23 Chapter and the private scholarship funded on his behalf than he would have
24 received solely from the award pursuant to this Chapter if there had been no private
25 scholarship funded on his behalf. Therefore, to the extent that any privately funded
26 scholarship funds provided for in this Subsection made to an eligible college or
27 university on behalf of a qualified student are for an amount less than the amount a
28 given student would have otherwise received if no such private scholarship funds had
29 been paid as an award pursuant to this Chapter, then the eligible college or university

1 shall receive that difference on behalf of the student as the student's award from the
 2 Taylor Opportunity Program for Students.

3 (3) As provided in this Subsection, if an eligible college or university
 4 receives privately funded scholarship funds on behalf of a student, the state funds for
 5 the Taylor Opportunity Program for Students shall be reduced by the amount of the
 6 private scholarship program funds so received. A reduction shall not affect the
 7 estimated nature of the Taylor Opportunity Program for Students appropriation as
 8 provided in the Act or Acts that contain such appropriations. The commissioner of
 9 administration shall determine and specify the amount of the reduction from the
 10 source of the funds to provide the maximum benefit to the state from the privately
 11 funded scholarship program. The state treasurer shall deposit the amount of such
 12 reduction as specified by the commissioner of administration into the
 13 Overcollections Fund created in R.S. 39:100.21 and credit the deposit to an account
 14 within the fund hereby established and created to be known as the "Program
 15 Participation Savings Account".

16 E. Notwithstanding any rule by the administering agency to the contrary, no
 17 student who graduates from high school in less than four years and who receives an
 18 award under this Chapter shall be restricted or otherwise delayed as to the date the
 19 award may be first used at an eligible institution due to the student having graduated
 20 from high school in less than four years.

21 PART III. TOPS-TECH EARLY START AWARD

22 §5081. TOPS-Tech Early Start Award; purpose; eligibility; limitations;
 23 administration; implementation; reports

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

27 B.(1) A TOPS-Tech Early Start Award may be used to fund any technical
 28 or applied course leading to an Industry-Based Certification, a Certificate of Applied
 29 Science, and a Certificate of Technical Sciences offered at a Louisiana public or
 30 nonpublic postsecondary education institution or by any Louisiana training provider

1 recognized by the Louisiana Workforce Commission and approved by the State
2 Board of Elementary and Secondary Education as provided in Paragraph (4) of this
3 Subsection when such certification or certificate is approved by the Workforce
4 Investment Council as meeting the following requirements:

5 (a) Is identified by the Occupation Forecasting Conference as a credential
6 for an occupation in top demand in Louisiana.

7 (b) Is recognized by the State Industry-Based Certification Leadership
8 Council.

9 (2) An eligible recipient may receive a TOPS-Tech Early Start Award for
10 two semesters during the eleventh grade and two semesters during the twelfth grade,
11 excluding summer sessions.

12 (3) The administering agency, on behalf of a TOPS-Tech Early Start Award
13 recipient, shall pay to the Louisiana postsecondary education institution in which the
14 student is enrolled in an eligible program of studies or a training program provider
15 an amount of one hundred fifty dollars for each three credit-hour or equivalent time
16 course taken by the student, not to exceed two such courses per high school semester
17 for an eleventh-grade student and two such courses per high school semester for a
18 twelfth-grade student.

19 (4)(a) By January thirty-first annually, the State Board of Elementary and
20 Secondary Education shall determine which training program providers it approves
21 for the academic year that begins in the fall of that year.

22 (b) For the 2014-2015 academic year, the number of training program
23 providers at which a TOPS-Tech Early Start Award may be used shall be limited to
24 five providers as selected by the State Board of Elementary and Secondary
25 Education.

26 (c) The State Board of Elementary and Secondary Education shall
27 promulgate rules and regulations in accordance with the Administrative Procedure
28 Act to implement the provisions of this Paragraph.

1 (5) Implementation of the provisions of this Section shall be subject to the
2 appropriation of funds for this purpose.

3 C. An application for a TOPS-Tech Early Start Award shall be required at
4 a time and in a manner and form established by the administering agency. At a
5 minimum, information necessary to fully inform Louisiana public high school
6 students and their parents on the requirements of and procedures for applying for the
7 award shall be made available by the administering agency in the same manner as
8 required by law for other awards provided by the Taylor Opportunity Program for
9 Students.

10 D. To be eligible for an initial TOPS-Tech Early Start Award, a student shall
11 meet each of the following conditions and comply with other applicable provisions
12 of this Section and administering agency rules:

13 (1) Be in the eleventh or twelfth grade in a Louisiana public school.

14 (2) Have prepared a five-year education and career plan, including a
15 sequence of related courses with a career focus as provided by Subpart A-1 of Part
16 III of Chapter 1 of this Title.

17 (3) Have a cumulative high school grade point average on all courses
18 attempted of not less than 2.0 when calculated on a 4.0 scale.

19 (4) Score at least fifteen on the English subsection and fifteen on the
20 mathematics subsection of the ACT PLAN assessment administered as part of
21 Louisiana's Educational Planning and Assessment System.

22 E. To maintain continuing eligibility for a TOPS-Tech Early Start Award,
23 a student must meet each of the following conditions and comply with other
24 applicable provisions of this Section and administering agency rules:

25 (1) Be a student in good standing in a Louisiana public high school.

26 (2) Maintain a cumulative high school grade point average on all courses
27 attempted of not less than 2.0 when calculated on a 4.0 scale.

28 (3) Be a student in good standing while enrolled in a Louisiana public or
29 nonpublic postsecondary education institution or training program and continue to
30 pursue one or more courses leading to an industry-based credential.

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 Parts I and II of this Chapter
5 relative to administering other awards pursuant to the Taylor Opportunity Program
6 for Students shall be deemed to apply also to the administration of the TOPS-Tech
7 Early Start Award.

8 (2) The agency shall adopt, in accordance with the Administrative Procedure
9 Act, rules to implement and administer the provisions of this Section. Such rules
10 shall include but not be limited to necessary guidelines, policies, procedures, forms,
11 and time lines.

12 G. Prior to the convening of each regular legislative session, the Louisiana
13 Student Financial Assistance Commission shall provide to the governor, the House
14 Committee on Education, and the Senate Committee on Education a written review
15 and analysis of TOPS-Tech Early Start awards relative to award use by students and
16 the benefits therefrom as well as the impact on subsequent use by students of TOPS-
17 Tech awards.

18 PART IV. STUDENTS DISPLACED BY CERTAIN NATURAL DISASTERS

19 §5101. Initial eligibility for program awards; students displaced by certain natural
20 disasters; waivers and exceptions; limitations

21 A.(1)(a) The legislature finds that due to the effects of natural disasters
22 declared by the governor on August 26, 2005, relative to Hurricane Katrina, and on
23 September 20, 2005, relative to Hurricane Rita, it is in the best interest for the
24 education of the people of the state that initial eligibility requirements established in
25 Part I of this Chapter for awards pursuant to the Taylor Opportunity Program for
26 Students be modified as provided by this Section for the 2005-2006, 2006-2007,
27 2007-2008, and 2008-2009 school years for students displaced as a result of the
28 disasters.

29 (b) Notwithstanding any provision of this Section to the contrary, all
30 modifications of initial eligibility requirements established in Part I of this Chapter

1 for awards pursuant to the Taylor Opportunity Program for Students provided by this
2 Section for the 2005-2006 school year for a displaced student and for a dependent
3 student pursuant to the provisions of Subitems (B)(1)(c)(ii)(aa) and (bb) of this
4 Section shall be applicable to a displaced student and a dependent student, as
5 applicable, for the 2006-2007, 2007-2008, and 2008-2009 school years.

6 (2) For the purposes of this Section, the phrase "a student displaced as a
7 result of the disasters", hereinafter referred to in this Section as a "displaced student",
8 shall mean a student who meets either or both of the following conditions:

9 (a) The student, on August 26, 2005, was enrolled in a public high school or
10 a nonpublic high school having the approvals by the State Board of Elementary and
11 Secondary Education required by Part I of this Chapter for program eligibility
12 purposes and such school was located in Jefferson, Lafourche, Orleans, Plaquemines,
13 St. Bernard, St. Tammany, Tangipahoa, or Washington Parish or the student resided
14 in such a parish and was enrolled in a home study program approved by the State
15 Board of Elementary and Secondary Education.

16 (b) The student, on September 20, 2005, was enrolled in a public high school
17 or a nonpublic high school having the approvals by the State Board of Elementary
18 and Secondary Education required by Part I of this Chapter for program eligibility
19 purposes and such school was located in Acadia, Allen, Beauregard, Calcasieu,
20 Cameron, Iberia, Jefferson Davis, St. Mary, Terrebonne, or Vermilion Parish or the
21 student resided in such a parish and was enrolled in a home study program approved
22 by the State Board of Elementary and Secondary Education.

23 B.(1) Relative to initial eligibility requirements for a Taylor Opportunity
24 Program for Students award applicable to a student displaced during the 2005-2006
25 school year, the Louisiana Student Financial Assistance Commission, in accordance
26 with the Administrative Procedure Act, shall provide by rule as follows:

27 (a) A displaced student who has been certified by the principal or headmaster
28 to have graduated during the 2005-2006 school year from an out-of-state high school
29 that meets the criteria to be an eligible out-of-state high school as provided in R.S.
30 17:5029 shall not be required to have for the respective awards a higher minimum

1 composite score on the ACT or on the SAT than required for a student who graduates
2 from an eligible Louisiana high school provided such student has, for a TOPS-Tech
3 Award or Opportunity Award, a cumulative high school grade point average on all
4 courses on the high school transcript of at least 2.50 calculated on a 4.00 scale or, for
5 a Performance or Honors award, a cumulative high school grade point average on all
6 courses on the high school transcript of at least 3.50 calculated on a 4.00 scale.

7 (b) The program requirement that a student who graduates from an eligible
8 Louisiana high school during the 2005-2006 school year must have successfully
9 completed the applicable core curriculum shall be waived for a displaced student
10 upon proper documentation by the student's high school principal or headmaster or
11 authorized designee that failure to comply with such requirement is due solely to the
12 fact that the required course or courses were not available to the student at the school
13 attended.

14 (c)(i) A dependent or independent displaced student shall be deemed to meet
15 the residency requirements for a program award if such student actually resided in
16 Louisiana during his entire eleventh grade year of high school and was enrolled for
17 such time in an eligible Louisiana high school or, for dependent students, if the
18 displaced student has a parent or court-ordered custodian who actually resided in a
19 parish listed in Subparagraph (A)(2)(a) of this Section for at least the twelve months
20 prior to August 26, 2005, or in a parish listed in Subparagraph (A)(2)(b) of this
21 Section for at least the twelve months prior to September 20, 2005.

22 (ii)(aa) A parent or court-ordered custodian of a dependent student who is
23 eligible for a program award pursuant to the provisions of R.S. 17:5029, relative to
24 students who graduate from certain out-of-state high schools, and who was displaced
25 as a resident from a parish listed in Subparagraph (A)(2)(a) of this Section due to
26 Hurricane Katrina shall be deemed to meet program residency requirements if such
27 parent or court-ordered custodian actually resided in Louisiana for at least the twelve
28 months prior to August 26, 2005.

29 (bb) A parent or court-ordered custodian of a dependent student who is
30 eligible for a program award pursuant to the provisions of R.S. 17:5029, relative to

1 students who graduate from certain out-of-state high schools, and who was displaced
2 as a resident from a parish listed in Subparagraph (A)(2)(b) of this Section due to
3 Hurricane Rita shall be deemed to meet program residency requirements if such
4 parent or court-ordered custodian actually resided in Louisiana for at least the twelve
5 months prior to September 20, 2005.

6 (d) A displaced student who during the 2005-2006 school year successfully
7 completes at the twelfth grade level a home study program approved by the State
8 Board of Elementary and Secondary Education shall be eligible for program awards
9 by complying with the provisions of R.S. 17:5029, relative to certain students who
10 have successfully completed home study programs approved by the state board. In
11 such case, the statutory requirement that a student, if ever enrolled in an eligible
12 Louisiana high school, must have begun his approved home study program no later
13 than the conclusion of the tenth grade year shall not apply to the displaced student.

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

24 (ii) Relative to initial eligibility requirements for a Taylor Opportunity
25 Program for Students award applicable for the 2005-2006 school year to any student
26 displaced during the 2005-2006 school year as a consequence of a disaster or
27 emergency other than Hurricane Katrina or Rita and for which the governor declares
28 a state of emergency to exist, the Louisiana Student Financial Assistance
29 Commission, in consultation with the commissioner of higher education and in
30 accordance with the Administrative Procedure Act, shall by rule waive any provision

1 of Part I of this Chapter that imposes on such student a program requirement or
 2 condition that the student cannot comply with or meet when it is determined by the
 3 commission that a failure to comply with the requirement or meet the condition,
 4 more likely than not, is due solely to a consequence of the declared disaster or
 5 emergency.

6 (b) In addition to provisions of the Administrative Procedure Act relative to
 7 oversight by the legislature of the adoption of commission rules, the Joint Legislative
 8 Committee on the Budget, in accordance with procedures and threshold amounts
 9 established by the committee, shall have oversight and approval authority over any
 10 rule proposed for adoption pursuant to the provisions of this Paragraph that has a
 11 significant program or other cost, or both, to the state.

12 C. The Louisiana Student Financial Assistance Commission shall take all
 13 administrative action necessary to expedite full implementation of the provisions of
 14 this Section. The commission also shall disseminate information to displaced
 15 students and others regarding program changes pursuant to the provisions of this
 16 Section in the most timely manner possible.

17 §5102. Continuing eligibility for program awards; students displaced by certain
 18 natural disasters; waivers and exceptions; limitations

19 A.(1) The legislature finds that due to the effects of natural disasters declared
 20 by the governor on August 26, 2005, relative to Hurricane Katrina, and on September
 21 20, 2005, relative to Hurricane Rita, it is in the best interest for the education of the
 22 people of the state that continuing eligibility requirements established in Part I of this
 23 Chapter for awards pursuant to the Taylor Opportunity Program for Students be
 24 modified as provided by this Section for the 2005-2006 academic year for students
 25 displaced as a result of either, or both, of the disasters.

26 (2) For the purposes of this Section, the phrase "a student displaced as a
 27 result of either, or both, of the disasters", hereinafter referred to in this Section as a
 28 "displaced student", shall mean a person who meets any of the following conditions:

1 (a) The person, on August 26, 2005, was eligible for or had a program award
 2 and had a home of record in Jefferson, Lafourche, Orleans, Plaquemines, St.
 3 Bernard, St. Tammany, Tangipahoa, or Washington Parish.

4 (b) The person, on September 20, 2005, was eligible for or had a program
 5 award and had a home of record in Acadia, Allen, Beauregard, Calcasieu, Cameron,
 6 Iberia, Jefferson Davis, St. Mary, Terrebonne, or Vermilion Parish.

7 (c) The person, on August 26, 2005, was eligible for or had a program award
 8 and was enrolled in an eligible Louisiana institution listed below:

- 9 (i) Delgado Community College
- 10 (ii) Dillard University
- 11 (iii) Louisiana State University Health Sciences Center at New Orleans
- 12 (iv) Louisiana Technical College: Jefferson, Sidney N. Collier, Slidell,
 13 Sullivan, and West Jefferson campuses
- 14 (v) Loyola University
- 15 (vi) New Orleans Baptist Theological Seminary
- 16 (vii) Nunez Community College
- 17 (viii) Our Lady of Holy Cross College
- 18 (ix) St. Joseph Seminary College
- 19 (x) Southern University at New Orleans
- 20 (xi) Tulane University
- 21 (xii) University of New Orleans
- 22 (xiii) Xavier University

23 (d) The person, on September 20, 2005, was eligible for or had a program
 24 award and was enrolled in McNeese State University or Sowela Technical
 25 Community College.

26 (3) For the purposes of Subparagraphs (2)(a) and (b) of this Subsection,
 27 "home of record" for a dependent student shall mean the domiciliary address of the
 28 student's parent or court-ordered custodian and for an independent student shall mean
 29 the domiciliary address of such student.

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

6 (a)(i) The provisions of R.S. 17:5043 permitting a student qualified for a
7 program award who enrolls as a first-time freshman in an eligible out-of-state
8 college or university to subsequently use the award at an eligible Louisiana college
9 or university shall apply to a displaced student except that the time period of award
10 eligibility shall not be reduced due to the student's attendance at an eligible out-of-
11 state institution during the 2005-2006 academic year.

12 (ii) Relative to a displaced student having a suspended program award due
13 to the student not meeting a requirement relative to having a specified grade point
14 average or making steady academic progress, the respective time periods provided
15 in Part I of this Chapter for the student to meet such requirement or lose program
16 eligibility shall be extended on a one-for-one basis for each semester or other term
17 in which the student does not enroll on a full-time basis in an eligible college or
18 university during the 2005-2006 academic year.

19 (iii) The program award for a displaced student shall not be canceled if the
20 student enrolls during the 2005-2006 academic year in an eligible out-of-state
21 institution subsequent to use of a program award at an eligible Louisiana college or
22 university. Additionally, the periods of time provided in Part I of this Chapter for
23 use by eligible recipients of program awards shall not be reduced for those semesters
24 or terms such displaced student was enrolled in an eligible out-of-state institution
25 during the 2005-2006 academic year and the unused period of time shall remain
26 available to the displaced student for use at an eligible Louisiana college or
27 university.

28 (iv) In addition to the provisions of Part I of this Chapter permitting a
29 recipient to use a TOPS-Tech Award at an eligible Louisiana college or university
30 to pursue skill or occupational training, as defined by the administering agency,

1 including a vocational or technical education certificate or diploma program or a
2 nonacademic degree, a TOPS-Tech Award also may be used during the 2005-2006
3 academic year by a displaced student to enroll on a full-time basis at an eligible
4 Louisiana college or university granting academic undergraduate degrees to take
5 courses that contribute to the pursuit of a skill or occupation. In such case, the award
6 amount paid by the state on behalf of the student shall be at the Opportunity Award
7 level.

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

18 (ii) Relative to continuing eligibility requirements for a Taylor Opportunity
19 Program for Students award applicable for the 2005-2006 academic year to any
20 student displaced during the 2005-2006 academic year as a consequence of a disaster
21 or emergency other than Hurricane Katrina or Rita and for which the governor
22 declares a state of emergency to exist, the Louisiana Student Financial Assistance
23 Commission, in consultation with the commissioner of higher education and in
24 accordance with the Administrative Procedure Act, shall by rule waive any provision
25 of Part I of this Chapter that imposes on such student a program requirement or
26 condition that the student cannot comply with or meet when it is determined by the
27 commission that a failure to comply with the requirement or meet the condition,
28 more likely than not, is due solely to a consequence of the declared disaster or
29 emergency.

1 (b) In addition to provisions of the Administrative Procedure Act relative to
2 oversight by the legislature of the adoption of commission rules, the Joint Legislative
3 Committee on the Budget, in accordance with procedures and threshold amounts
4 established by the committee, shall have oversight and approval authority over any
5 rule proposed for adoption pursuant to the provisions of this Paragraph that has a
6 significant program or other cost, or both, to the state.

7 C. The Louisiana Student Financial Assistance Commission shall take all
8 administrative action necessary to expedite full implementation of the provisions of
9 this Section. The commission also shall disseminate information to displaced
10 students and others regarding program changes pursuant to the provisions of this
11 Section in the most timely manner possible.

12 PART V. ANCILLARY AND CONTINUATION PROVISIONS

13 §5121. Effectiveness of Chapter; continuance of certain tuition payments

14 A. Awards pursuant to this Chapter may be made for the first time such that
15 payments would be made beginning with the 1998-1999 school year.

16 B. Students graduating from high school or who have successfully completed
17 at the twelfth grade level a home study program approved by the State Board of
18 Elementary and Secondary Education during a 1996-1997 school year and thereafter
19 may apply for and if otherwise qualified be eligible to receive an Opportunity
20 Award, Performance Award, or Honors Award as provided by this Chapter.

21 C. Students graduating from high school or who have successfully completed
22 at the twelfth grade level a home study program approved by the State Board of
23 Elementary and Secondary Education during the 1997-1998 school year and
24 thereafter may apply for and if otherwise qualified be eligible to receive the TOPS-
25 Tech Award as provided by this Chapter.

26 §5122. Notice to students and parents

27 The State Board of Elementary and Secondary Education shall require that
28 the governing authority of every public secondary school include as a component of

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

12 Section 2. R.S. 17:3042.1(A)(1)(e) is hereby amended and reenacted to read as
 13 follows:

14 §3042.1. Loans for students enrolled in colleges or universities to prepare to
 15 teach

16 A.(1) In addition to all other powers and duties of the Louisiana Student
 17 Financial Assistance Commission, the commission may make loans to a student who
 18 meets all of the following requirements:

19 * * *

20 (e) Has successfully completed high school course work which constitutes
 21 a core curriculum and meets standards for admission to the eligible college or
 22 university. The core curriculum and the eligible college or university shall be as
 23 provided in ~~R.S. 17:3048.1(A)(1)~~ Subpart B of Part I of Chapter 50 of this Title.

24 * * *

25 Section 3. Chapter 20-G of Title 17 of the Louisiana Revised Statutes of 1950,
 26 comprised of R.S. 17:3048.1 through 3048.7, is hereby repealed in its entirety.

27 Section 4. The provisions of R.S. 17:3048.1(A)(1)(a)(i), (ii), and (iii)(ee)(III) and
 28 (S)(1) through (3) and 3048.2(D) through (G) as repealed by this Act remain in effect for
 29 students to whom they are applicable under the terms specified therein. The administering
 30 agency shall continue to grant awards to students who are not otherwise qualified but who

1 qualify under those provisions and shall otherwise give full force and effect to those
2 provisions.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____