

Regular Session, 2012

SENATE BILL NO. 579

BY SENATORS ADLEY, APPEL, GUILLORY, PERRY, WALSWORTH AND WHITE

TOPS. Extends TOPS eligibility for certain students who reenlist in the United States Armed Forces and maintain continuous active duty. (gov sig)

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

10 Be it enacted by the Legislature of Louisiana:

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

14 §3048.1. Program awards; eligibility; amounts; limitations; funding; administration
15 A.(1) As part of the Louisiana Taylor Opportunity Program for Students, the
16 state shall financially assist any student who enrolls on a full-time basis in a public
17 college or university in this state or a regionally accredited independent college or

1 university in the state that is a member of the Louisiana Association of Independent
2 Colleges or Universities, hereafter in this Chapter referred to collectively as "eligible
3 colleges or universities", to pursue an academic undergraduate degree or, as provided
4 by this Subsection, skill or occupational training as defined by the Board of Regents,
5 including a vocational or technical education certificate or diploma program or a
6 nonacademic undergraduate degree, and who meets the qualifications of
7 Subparagraph (b), (c), or (d) of this Paragraph and all of the applicable following
8 qualifications:

9 * * *

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

1 extended to the semester immediately following the one-year anniversary of the
2 student's separation from active duty service. As distinguished from all other
3 students qualifying for this program, a student who meets the requirements of this
4 Subparagraph shall be the recipient of an "Opportunity Award" for the purposes of
5 this program.

6 * * *

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

26 (bb) If the student joins the United States Armed Forces within one year
27 after graduating from high school, has enrolled in an eligible college or
28 university as a first-time freshman not later than the semester, excluding
29 summer semesters or sessions, immediately following the fifth anniversary of

1 **the date that the student graduated from high school. However, effective for the**
 2 **1996-1997 school year and thereafter, if, on or prior to the fifth anniversary of**
 3 **the date that the student graduates from high school, the student reenlists in the**
 4 **United States Armed Forces and maintains continuous active duty, the five-year**
 5 **period shall be extended to the semester immediately following the one-year**
 6 **anniversary of the student's separation from active duty service.**

7 * * *

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

1 recipient of an "Honors Award" for the purposes of this program.

2 * * *

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

6 (a)

7 * * *

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

26 * * *

27 B.

28 * * *

29 (3) To maintain continued state payment of an amount equal to tuition

1 pursuant to a TOPS-Tech Award once enrolled in an institution, a student shall meet
2 all of the following:

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

22 * * *

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

27 * * *

28 (c) Unless granted an exception for cause by the administering agency, the
29 student has enrolled in a Louisiana public postsecondary institution as a first-time

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

13 * * *

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

17 * * *

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

1 extended to the semester immediately following the one year anniversary of the
2 student's separation from active duty service.

3 * * *

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

7 * * *

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

22 * * *

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

26 * * *

27 (b) Unless granted an exception for cause by the administering agency, the
28 student has enrolled in an eligible college or university as a first-time freshman not
29 later than the semester, excluding summer semesters or sessions, immediately

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

12 * * *

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

16 * * *

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

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

3 * * *

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

7 * * *

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

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

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

13 * * *

14 Section 2. This Act shall become effective upon signature by the governor or, if not
15 signed by the governor, upon expiration of the time for bills to become law without signature
16 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
17 vetoed by the governor and subsequently approved by the legislature, this Act shall become
18 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Sherri H. Breaux.

DIGEST

Adley (SB 579)

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

INITIAL ELIGIBILITY

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

Proposed law retains present law requirements.

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

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

MAINTAIN CONTINUING ELIGIBILITY

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

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

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

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

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