

2018 Regular Session

HOUSE BILL NO. 399

BY REPRESENTATIVE GARY CARTER

TOPS: In the event of insufficient funding, provides for reducing or eliminating Taylor Opportunity Program for Students (TOPS) awards based on certain academic and financial criteria and eliminating payment of certain stipends to students

1 AN ACT

2 To amend and reenact R.S. 17:5065(D) and to enact R.S. 17:5065(E), relative to the Taylor
3 Opportunity Program for Students; to require certain procedures if the program is
4 funded insufficiently; to provide for reducing or eliminating awards based on certain
5 student financial and academic criteria; to provide for eliminating the payment of
6 certain stipends to student; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:5065(D) is hereby amended and reenacted and R.S. 17:5065(E)
9 is hereby enacted to read as follows:

10 §5065. Funding

11 * * *

12 ~~D.(1) In the event~~ If the legislature appropriates insufficient money to fully
13 fund all awards made to students qualifying under the provisions of this Chapter, the
14 administering agency shall:

15 (1) equitably ~~Eliminate awards for certain students or equitably~~ reduce the
16 amount of the program award for ~~each qualifying student~~ certain students by an
17 equal percentage on a pro rata basis, as provided in this Subsection, so that ~~every~~
18 ~~student receives the award for which he qualifies and~~ the total amount of all awards
19 in any award year does not exceed the funds available to the agency for this purpose,

1 either from legislative appropriation or other sources of funding. ~~Such reduction~~
2 ~~shall also apply, in like manner, to any~~ Any additional amount awarded to for which
3 a student qualifies as provided in R.S. 17:5002(C), referred to in this Subsection as
4 a "stipend", shall not be awarded to any student. The administering agency shall
5 include funds that would have been used for stipends in its determination of the
6 sufficiency of funds and in the funding of awards, all as provided in Paragraph (3)
7 of this Subsection.

8 (2) Identify each qualifying student who meets at least one of the following
9 criteria, each of whom is deemed an "identified student" for purposes of this
10 Subsection:

11 (a) His expected family contribution is no greater than twice the amount
12 necessary to be eligible for a federal Pell Grant.

13 (b) He earned a composite score on the 1990 version of the ACT of thirty or
14 higher or an equivalent concordant value on any enhanced or revised version of such
15 test or on the SAT.

16 (3) Determine whether funds are sufficient to fully fund the award, excluding
17 all stipends, of each identified student. The administering agency shall take the
18 following actions based on this determination:

19 (a) If funds are sufficient, the administering agency shall fully fund the
20 award of each identified student and subject the awards of other qualifying students
21 to the pro rata cut as provided in Paragraph (1) of this Subsection.

22 (b) If funds are not sufficient, the administering agency shall subject the
23 award of each identified student to the pro rata cut as provided in Paragraph (1) of
24 this Subsection and shall not fund the awards of other qualifying students.

25 ~~(2)~~ E. If awards are reduced or eliminated pursuant to Subsection D of this
26 Section:

27 (1) If a student's award amount is less than the tuition established for the
28 public postsecondary institution in which he is enrolled, the institution may bill the
29 student for the difference between the student's award amount and the tuition

1 established for the institution; unless the institution grants a tuition waiver to the
2 student.

3 ~~(3)~~ (2) A student whose award is reduced or eliminated pursuant to this
4 ~~Section~~ shall not be required to accept payment of his award or to enroll or maintain
5 continuous enrollment in an eligible college or university during the time period for
6 which there is a funding shortfall and may defer acceptance of his award benefits.
7 If a student opts to defer acceptance of his award payment pursuant to this
8 Paragraph, all of the following shall apply:

9 (a) The student, upon enrollment or re-enrollment in an eligible college or
10 university, shall be eligible to receive all applicable award benefits for any remaining
11 semester or semesters, or the equivalent thereof, of his unused eligibility.

12 (b) The student shall meet all academic and other eligibility requirements
13 provided by this Chapter and by rule of the administering agency, except as
14 otherwise provided in this Subsection.

15 (c) The student shall exhaust all unused award eligibility within five years
16 of the initial reduction or elimination of his award pursuant to this Section, ~~provided~~
17 ~~that if.~~ If the student requests and is granted an exception for cause to the
18 requirement to enroll or to maintain continuous enrollment in an eligible college or
19 university, the time period within which the student must exhaust his eligibility for
20 his award shall be extended by the amount of time for which he was granted an
21 exception.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 399 Original

2018 Regular Session

Gary Carter

Abstract: In the event of insufficient funding, provides for reducing or eliminating Taylor Opportunity Program for Students (TOPS) awards based on a student's academic and financial criteria and eliminates payment of Performance and Honors Award stipends to students.

Present law provides for the Taylor Opportunity Program for Students (TOPS) as a program of merit scholarships for students attending certain postsecondary education institutions who

meet certain academic and other qualifications. Provides for a baseline tuition award amount and, in addition, an annual stipend of \$400 for Performance Awards and \$800 for Honors Awards.

Present law requires the legislature annually to appropriate funds sufficient to cover the costs of TOPS awards. Requires the administering agency, if the legislature does not appropriate sufficient money to fully fund all awards, to equitably reduce the amount of awards, including Performance and Honors stipends, for each qualifying student by an equal percentage on a pro rata basis a "pro rata cut", so that every student receives the award for which he qualifies and the total amount of all awards does not exceed the funds available.

If the appropriation is not sufficient, proposed law requires identification of each student whose expected family contribution (EFC) is no greater than twice the amount necessary to qualify for a Pell Grant and each student whose ACT score is 30 or higher; such students are referred to as identified students. Proposed law provides for application of pro rata cuts to and elimination of award amounts as follows:

- (1) If funds are sufficient to fully fund awards for identified students, other students' awards are cut on a pro rata basis.
- (2) If funds are not sufficient to fully fund awards for identified students, the identified students' awards are cut on a pro rata basis and awards are eliminated for other students.

Proposed law provides that in the event of insufficient funding, Performance and Honors stipends shall not be awarded to students and that money will be used to fund other awards.

(Amends R.S. 17:5065(D); Adds R.S. 17:5065(E))