

2018 Regular Session

HOUSE BILL NO. 413

BY REPRESENTATIVE IVEY

TOPS: Creates a new Taylor Opportunity Program for Students (TOPS) award, the TOPS Transfer Award, and raises grade point average and ACT score required for initial eligibility for a TOPS Opportunity Award

1 AN ACT

2 To amend and reenact R.S. 17:5002(A)(1), (D)(1)(introductory paragraph) and (2), (E), and
3 (G)(1), 5024(A) and (B), 5025(introductory paragraph), 5027(A)(1) and
4 (C)(introductory paragraph), 5029(C)(introductory paragraph), and
5 5041(introductory paragraph), (3), (4), and (5), to enact R.S. 17:5002.1, 5024.1,
6 5041(6), and 5041.1, and to repeal R.S. 17:5024(C), relative to the Taylor
7 Opportunity Program for Students; to revise certain academic criteria for initial and
8 continuing eligibility for certain program awards; to provide for the establishment
9 of a new program award and for amounts, duration, and eligibility requirements
10 relative to such award; and to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 17:5002(A)(1), (D)(1)(introductory paragraph) and (2), (E), and
13 (G)(1), 5024(A) and (B), 5025(introductory paragraph), 5027(A)(1) and (C)(introductory
14 paragraph), 5029(C)(introductory paragraph), and 5041(introductory paragraph), (3), (4),
15 and (5) are hereby amended and reenacted and R.S. 17:5002.1, 5024.1, 5041(6), and 5041.1
16 are hereby enacted to read as follows:

17 §5002. Awards and amounts

18 A.(1) A student shall be eligible for an Opportunity, Performance, Honors,
19 ~~or TOPS-Tech,~~ or TOPS Transfer Award based on his academic achievement.

20 * * *

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

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

7 (b) No student shall be eligible for tuition payment pursuant to Subparagraph
8 (D)(2)(b) of this Section for the TOPS Transfer Award for more than four semesters
9 or an equivalent number of units in an eligible institution that operates on a schedule
10 based on units other than semesters.

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

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

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

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

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

10 * * *

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

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

20 * * *

21 §5002.1. Awards and amounts; exceptions

22 A. Notwithstanding R.S. 17:5002, a student who graduated prior to the
23 2016-2017 school year, who is eligible for a TOPS-Tech Award pursuant to this
24 Chapter, and who is enrolled:

25 (1) In an eligible college or university that does not offer an academic
26 undergraduate degree at the baccalaureate level, shall be awarded by the state an
27 amount determined by the administering agency to equal the tuition charged by the
28 college or university during the 2016-2017 academic year.

1 ~~(b) For a student who graduated prior to the 2007-2008 school year, the~~
2 ~~minimum cumulative high school grade point average necessary for such student to~~
3 ~~be eligible for a Performance Award or Honors Award shall be 3.50 on a 4.00 scale.~~

4 ~~(c)(i) For a student who graduated during or after the 2007-2008 school year~~
5 ~~but prior to the 2020-2021 school year, the minimum cumulative high school grade~~
6 ~~point average necessary for such student to be eligible for an Opportunity Award~~
7 ~~shall be 2.50 on a 4.00 scale.~~

8 ~~(ii) For a student who graduated during or after the 2007-2008 school year~~
9 ~~but prior to the 2020-2021 school year, the minimum cumulative high school grade~~
10 ~~point average necessary for such student to be eligible for a Performance Award~~
11 ~~shall be 3.00 on a 4.00 scale.~~

12 ~~(iii) For a student who graduated during or after the 2007-2008 school year~~
13 ~~but prior to the 2020-2021 school year, the minimum cumulative high school grade~~
14 ~~point average necessary for such student to be eligible for an Honors Award shall be~~
15 ~~3.00 on a 4.00 scale.~~

16 ~~(3)(a)~~ The calculation of the minimum cumulative grade point average
17 specified in Paragraph (1) of this Subsection shall utilize a five-point scale for grades
18 earned in certain Advanced Placement courses, International Baccalaureate courses,
19 gifted and talented courses, honors courses, articulated courses for college credit, and
20 dual enrollment courses as approved by the Board of Regents and the State Board of
21 Elementary and Secondary Education, which may result in a student earning a
22 cumulative grade point average that exceeds 4.00. For such courses, five quality
23 points shall be assigned to a letter grade of "A", four quality points shall be assigned
24 to a letter grade of "B", three quality points shall be assigned to a letter grade of "C",
25 two quality points shall be assigned to a letter grade of "D", and zero quality points
26 shall be assigned to a letter grade of "F".

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

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

3 ~~(a)~~(1) For an Opportunity Award, a composite score on the 1990 version of
4 the ACT which is at least equal to or higher than the state's average composite score,
5 truncated to a whole number, reported for the prior year but never less than twenty
6 of at least twenty-one or an equivalent concordant value on an enhanced or revised
7 version of such test or on the SAT.

8 ~~(b)~~(2) For a Performance Award, a composite score on the 1990 version of
9 the ACT of twenty-three or higher or an equivalent concordant value on any
10 enhanced or revised version of such test or on the SAT.

11 ~~(c)~~(3) For an Honors Award, a score of twenty-seven or higher on the 1990
12 version of the ACT or an equivalent concordant value on any enhanced or revised
13 version of such test or on the SAT.

14 ~~(d)~~(4) For a TOPS-Tech Award, a composite score on the specified ACT of
15 seventeen or higher or an equivalent concordant value on any enhanced or revised
16 version of such test or on the SAT. The student may, as an alternative requirement,
17 have attained a silver level score on the assessments of the ACT WorkKeys system.

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

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

23 §5024.1. Academic requirements; exceptions

24 A. Exceptions to R.S. 17:5024(A), academic eligibility requirements
25 pertaining to a student's grade point average, are as follows:

26 (1) For an Opportunity Award, a student who graduates from high school
27 prior to the 2021-2022 school year shall have a minimum grade point average of
28 2.50, calculated on a 4.00 scale using only the grades obtained by the student in
29 completing the core curriculum requirements established by this Chapter.

1 (2) For a Performance Award or an Honors Award, a student shall meet the
2 following minimum grade point average requirement, calculated on a 4.00 scale
3 using only the grades obtained by the student in completing the core curriculum
4 requirements established by this Chapter:

5 (a) For a student graduating during or after the 2007-2008 school year and
6 prior to the 2020-2021 school year, a minimum cumulative grade point average of
7 3.00.

8 (b) For a student graduating prior to the 2007-2008 school year, a minimum
9 cumulative grade point average of 3.50.

10 (3) The provisions of R.S. 17:5024(A)(2) do not apply to students graduating
11 prior to the 2017-2018 school year.

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

15 B. Exceptions to R.S. 17:5024(B), academic requirements pertaining to a
16 student's ACT score, are as follows:

17 (1) For an Opportunity Award, a student graduating from high school prior
18 to the 2021-2022 school year shall earn a composite score on the 1990 version of the
19 ACT which is at least equal to or higher than the state's average composite score,
20 rounded to the nearest whole number, reported for the prior year but never less than
21 twenty or an equivalent concordant value on an enhanced or revised version of such
22 test or on the SAT.

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

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

28 C. Notwithstanding R.S. 17:5024, a student who graduated after the 2002-
29 2003 school year but prior to the 2006-2007 school year is eligible to receive a

1 Performance Award pursuant to this Chapter if he meets the other requirements of
2 this Chapter and each of the following conditions is met:

3 (1) The student achieved a minimum cumulative high school grade point
4 average of 3.00 on a 4.00 scale when calculated in accordance with applicable rules
5 adopted by the administering agency and such calculation is based on ten or more of
6 the grades being grades for completion of honors curriculum courses, gifted
7 curriculum courses, or Advanced Placement courses, or any combination of such
8 courses, and the high school awards grades for such courses on a 4.00 scale or
9 higher.

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

13 §5025. High school core curriculum requirements; Opportunity, Performance,
14 Honors, and TOPS Transfer Awards

15 To be eligible for an Opportunity, Performance, or Honors Award pursuant
16 to this Chapter, a student who graduates during or after the 2017-2018 school year
17 shall have successfully completed a core curriculum which consists of nineteen units
18 of high school course work, and to be eligible for a TOPS Transfer Award pursuant
19 to this Chapter, a student who graduates during or after the 2021-2022 school year
20 shall have successfully completed the same core curriculum, as follows:

21 * * *

22 §5027. Postsecondary institution enrollment

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

28 (b) To be eligible for a continuing TOPS Transfer Award as provided in R.S.
29 17:5002(D)(2)(b), the student shall enroll in a program at an eligible college or

1 university 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 his initial institution.

4 * * *

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

10 * * *

11 §5029. Alternative initial eligibility requirements

12 * * *

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

16 * * *

17 §5041. Maintaining eligibility; Honors, Performance, Opportunity, TOPS Transfer

18 To maintain continued state payment of any amount pursuant to an
19 Opportunity, TOPS Transfer, Performance, or Honors Award once enrolled in
20 college a student shall meet all of the following:

21 * * *

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

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

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

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

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

3 (b) At least 2.75 calculated on a 4.00 scale after completion of forty-eight
4 hours of credit. This minimum grade point average requirement shall be a
5 prerequisite for continuation of a student's TOPS Transfer Award upon his
6 enrollment in a program as provided in R.S. 17:5002(D)(2)(b).

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

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

21 ~~(5)~~(6) Have no criminal conviction, except for misdemeanor traffic
22 violations and, if the student has been in the United States Armed Forces and has
23 separated from such service, has received an honorable discharge or general
24 discharge under honorable conditions.

25 §5041.1. Maintaining eligibility; exceptions
26 Notwithstanding R.S. 17:5041(3), to maintain continued state payment of an

1 amount equal to tuition for an Opportunity Award pursuant to this Chapter once
2 enrolled in college, a student who graduated from high school prior to the 2021-2022
3 school year shall have a cumulative grade point average of the following as evaluated
4 at the end of each academic year:

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

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

9 Section 2. R.S. 17:5024(C) is hereby repealed in its entirety.

DIGEST

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

HB 413 Original

2018 Regular Session

Ivey

Abstract: Creates a new Taylor Opportunity Program for Students (TOPS) award, the TOPS Transfer Award, available for two years in pursuit of skill or occupational training and two years in pursuit of a baccalaureate degree, and raises grade point average and ACT score required for initial eligibility for a TOPS Opportunity Award.

Taylor Opportunity Program for Students (TOPS), Generally

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

Establishment of a New TOPS Award

Proposed law creates a new TOPS award, the TOPS Transfer Award. Provides that a student who receives this award shall receive the equivalent of a TOPS-Tech Award for his first two years of postsecondary education and, if he meets certain criteria, the equivalent of an Opportunity Award for his remaining four semesters. Provides that the first cohort of students eligible for such an award shall be those graduating from high school in the 2021-22 school year (in other words, students entering high school in the fall of 2018).

Baseline Award Amounts and Maximum Award Duration

Present law provides relative to the amount awarded for recipients of a TOPS-Tech Award:

| TOPS-Tech Award | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Institution Type | Award Amount |
| Eligible public college or university that does not offer an academic undergraduate degree at the baccalaureate level in associate's degree or other shorter-term training and education programs aligned to state workforce priorities as determined by the Bd. of Regents and the La. Workforce Investment Council | Tuition charged by the institution during the 2016-17 academic year |
| Other eligible college or university | Weighted average of tuition amounts charged to students attending an eligible public college or university that does not offer an academic undergraduate degree at the baccalaureate level during the 2016-17 academic year |

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

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

| Opportunity, Performance, or Honors Award | |
|--------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Institution Type | Award Amount |
| La. public college or university | Tuition charged by the institution during the 2016-17 academic year |
| La. nonpublic college or university | Weighted average of tuition amounts charged to students attending La. public colleges and universities that offer academic undergraduate degrees at the baccalaureate level during the 2016-17 academic year |

Proposed law retains present law and adds that upon enrolling in a program for which a student may use an Opportunity Award, the recipient of a TOPS Transfer Award shall receive an award amount at the Opportunity Award level.

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

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

Initial Eligibility Requirements

All proposed law revisions to initial eligibility requirements are applicable to students graduating from high school during or after the 2021-22 school year (those entering high school in the fall of 2018).

ACT:

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

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

Grade point average (GPA):

Present law requires a minimum cumulative GPA of 2.50 for a TOPS-Tech or Opportunity Award and a 3.00 for a Performance or Honors Award. Increases, effective with students graduating from high school in the 2020-21 school year, the minimum GPA for initial eligibility for a Performance Award from 3.00 to 3.25 and for an Honors Award from 3.00 to 3.50. Proposed law raises the minimum GPA for the Opportunity Award from 2.50 to 2.75 and otherwise retains present law.

Core curriculum:

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

Postsecondary Education Institution Enrollment

Present law provides that to be eligible for any TOPS Award, a student shall enroll in an eligible college or university as a first-time freshman not later than the semester, excluding summer semesters or sessions, immediately following the first anniversary of his high school graduation.

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

Maintaining Eligibility

Present law provides general requirements for maintaining eligibility for all TOPS Awards. Requires maintaining a minimum GPA. For students qualifying for an Opportunity Award, present law requires a minimum cumulative GPA of 2.30 after 24 credit hours and 2.50 after 48 credit hours. Proposed law, applicable to students graduating from high school during or after the 2021-22 school year, increases these minimum GPA requirements from 2.30 to 2.50 and from 2.50 to 2.75, respectively; also specifies that for a TOPS Transfer Award, a student must have at least a 2.75 after two years in order for his award to continue upon subsequent enrollment.

(Amends R.S. 17:5002(A)(1), (D)(1)(intro. para.) and (2), (E), and (G)(1), 5024(A) and (B), 5025(intro. para.), 5027(A)(1) and (C)(intro. para.), 5029(C)(intro. para.), and 5041(intro. para.), (3), (4), and (5); Adds R.S. 17:5002.1, 5024.1, 5041(6) and 5041.1; Repeals R.S. 17:5024(C))