

2018 Regular Session

SENATE BILL NO. 452

BY SENATORS MORRISH, APPEL, BOUDREAUX, MIZELL AND WALSWORTH

TOPS. Changes certain TOPS initial eligibility requirements and provides relative to the sharing of certain student data. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 17:183.3(B)(2)(c), 5025(3)(c), the introductory paragraph of
3 5026(A) and (A)(3)(b), 5061, the introductory paragraph of 5062(C), (C)(1), and
4 (C)(4), R.S. 39:98.3(D), and R.S. 47:1508(B)(17), relative to the Taylor Opportunity
5 Program for Students; to provide relative to eligibility requirements; to provide
6 relative to Board of Regents' reporting requirements; to provide relative to sharing
7 of certain taxpayer data to the administering agency; to provide for technical
8 changes; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 17:183.3(B)(2)(c), 5025(3)(c), the introductory paragraph of 5026(A)
11 and (A)(3)(b), 5061, the introductory paragraph of 5062(C), (C)(1), and (C)(4) are hereby
12 amended and reenacted are hereby enacted to read as follows:

13 §183.3. Career major; description; curriculum and graduation requirements

14 * * *

15 B.(1) * * *

16 (2) The course requirements for the career major shall consist of the
17 following:

* * *

(c) At least two science credits, including one credit of Biology and one additional course from among the following: Chemistry I, Earth Science, Environmental Science, Physical Science, Agriscience I and Agriscience II (one credit combined), **Physics**, or AP or IB Science courses.

* * *

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

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

* * *

(3) Science - Four Units

* * *

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

* * *

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

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

* * *

(3) Science - Two Units

1 (a) * * *

2 (b) One unit from the following: Chemistry I, Earth Science, Environmental
3 Science, Agriscience I and Agriscience II (both for one unit), Physical Science,
4 **Physics**, or AP or IB science courses.

5 * * *

6 §5061. Administering agency

7 The provisions of this Chapter shall be administered by the Board of Regents.
8 The administering agency ~~may~~ **shall** provide by rule adopted as provided by the
9 Administrative Procedure Act for all matters necessary to the implementation of this
10 Chapter.

11 §5062. Rules, procedures, and guidelines

12 * * *

13 C. The administering agency shall provide the following ~~guidelines~~:

14 (1) Guidelines and procedures by which the administering agency, ~~subject to~~
15 ~~prior approval by~~ **in consultation with** the State Board of Elementary and Secondary
16 Education, may update the course name and establish course equivalencies for any
17 course included in the definition of core curriculum provided by this Chapter,
18 including necessary changes to course names and equivalencies for Advanced
19 Placement and International Baccalaureate courses as prescribed by the College
20 Board or the International Baccalaureate Foundation. The guidelines and procedures
21 shall include but not be limited to a requirement that any change in a course name
22 and the establishment of any course equivalency be done by rule adopted by the
23 administering agency ~~and a requirement that prior to issuing a notice of intent to~~
24 ~~consider any such rule the administering agency shall consult with and seek the~~
25 ~~written comments and recommendations of the Board of Regents on making the~~
26 ~~name change or establishing the course equivalency.~~

27 * * *

28 **(5)(a) Notwithstanding any other provision of law, guidelines and**
29 **procedures, the administering agency may receive and consider an applicant's**

1 qualifying score on the ACT or SAT which is first obtained on an authorized
 2 testing date after the national April testing date in the year of the applicant's
 3 high school graduation provided that:

4 (i) The administering agency determines that the applicant was
 5 prevented from taking the test on or prior to the national April testing date of
 6 the year of the applicant's graduation due to circumstances beyond the
 7 immediate control of the student which were attributable to the administration
 8 of the test.

9 (ii) The applicant's qualifying score is obtained on an authorized testing
 10 date prior to August first of the year of the applicant's graduation.

11 (b) When granting an award to an applicant whose qualifying test score
 12 is considered by the agency pursuant to the provisions of this Paragraph, the
 13 agency shall not reduce the time period of eligibility for the award as set forth
 14 in R.S. 17:5002.

15 Section 2. R.S. 39:98.3(D) is hereby amended and reenacted to read as follows:

16 §98.3. Appropriations from the Health Excellence Fund, the Education Excellence
 17 Fund, and the TOPS Fund

18 * * *

19 D. Appropriations from the TOPS Fund shall be restricted to support of the
 20 state's program for financial assistance for students attending Louisiana institutions
 21 of postsecondary education as established in Chapter ~~20-G~~50 of Title 17 of the
 22 Louisiana Revised Statutes of 1950.

23 * * *

24 Section 3. R.S. 47:1508(B)(17) is hereby amended and reenacted to read as follows:

25 §1508. Confidentiality of tax records

26 * * *

27 B. Nothing herein contained shall be construed to prevent:

28 * * *

29 (17) The furnishing of a taxpayer's reported federal adjusted gross income as

1 requested by the office of student financial assistance when based on certification by
 2 the office that the confidentiality of such information will be respected and that it
 3 holds an agreement signed by the taxpayer authorizing the release of this information
 4 for the purpose of considering the eligibility of the taxpayer's beneficiary for a tuition
 5 assistance grant under the Louisiana Student Tuition Assistance and Revenue Trust
 6 Program as provided for by Chapter 22-A of Title 17 of the Louisiana Revised
 7 Statutes of 1950 ~~or~~, for the purpose of considering the eligibility of the taxpayer's
 8 dependent child for an award under the Louisiana Taylor Opportunity Program for
 9 Students as provided for by Chapter ~~20-G~~ **50** of Title 17 of the Louisiana Revised
 10 Statutes of 1950, **or for the purpose of determining employment and residency**
 11 **status of past recipients of the Louisiana Taylor Opportunity Program for**
 12 **Students awards.**

13 * * *

14 Section 4. 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 was prepared by Cheryl M. Serrett. The following digest, which does not constitute a part of the legislative instrument, was prepared by Martha Hess.

DIGEST

SB 452 Reengrossed 2018 Regular Session Morrish

Present law provides for high school career major curriculum and graduation requirements.

Proposed law retains present law. Additionally provides that Physics may be counted for credit as a science course to satisfy the high school career major graduation requirements.

Present law provides for the Taylor Opportunity Program for Students (TOPS), including providing for award amounts, initial eligibility requirements, and continuation requirements. Present law provides for the administration of TOPS.

Present law provides two separate core curriculum requirements, based on the type of award the student is seeking. Proposed law retains present law but allows AP Physics I and AP Physics II to count as individual classes in the TOPS Opportunity, Performance, and Honors students core curriculum. Additionally provides Physics may count in the TOPS-Tech core curriculum.

Proposed law clarifies that the administering agency shall adopt rules as provided by the Administrative Procedure Act.

Present law provides that course equivalences shall be set by the administering agency upon prior approval by the State Board of Elementary and Secondary Education.

Proposed law amends present law to provide that BESE is consulted with on the changes but is not required to approve the changes.

Present law provides that ACT and SAT tests taken after July first of the student's high school graduation year may not be considered when determining eligibility. Proposed law allows tests taken after the national April testing date in the year of the applicant's high school graduation provided that:

- (1) The administering agency determines that the applicant was prevented from taking the test on or prior to the April testing date of the year of the applicant's graduation due to circumstances beyond the immediate control of the student which were attributable to the administration of the test.
- (2) The applicant's qualifying score is obtained on an authorized testing date prior to August first of the year of the applicant's graduation.

Present law provides that when granting an award to an applicant whose qualifying test score is considered by the agency pursuant to present law, the agency shall reduce the time period of eligibility for the award by one semester or an equivalent number of units at an eligible institution which operates on a schedule based on units other than semesters. Proposed law provides that when granting an award to an applicant pursuant to proposed law, the agency shall not reduce the time period of eligibility.

Present law provides that tax records are confidential. Present law additionally provides that certain taxpayers' information may be shared with the office of student financial assistance to help determine the students' eligibility for TOPS.

Proposed law retains present law. Further provides the tax information may also be used by the office to determine past TOPS recipient employment and residency status in Louisiana.

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

(Amends R.S. 17:183.3(B)(2)(c), 5025(3)(c), 5026(A)(intro para) and (A)(3)(b), 5061, 5062(C)(intro para), and (C)(1), R.S. 39:98.3(D), and R.S. 47:1508(B)(17) and 5062(C)(5))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Finance to the engrossed bill

1. Authorizes that ACT and SAT tests taken after the national April testing date may be considered when determining eligibility provided that the applicant was prevented from taking the test on or prior to April due to circumstances beyond the immediate control of the student and that the applicant's qualifying score is obtained prior to August first.
2. Provides that when granting an award to an applicant pursuant to proposed law the agency shall not reduce the time period of eligibility.