

LSA-R.S. 17:3048.1

(As of February 10, 2009)

CHAPTER 20-G. TAYLOR OPPORTUNITY PROGRAM FOR STUDENTS

§3048.1. Program awards; eligibility; amounts; limitations; funding; administration

A.(1) As part of the Louisiana Taylor Opportunity Program for Students, the state shall financially assist any student who enrolls on a full-time basis in a public college or university in this state or a regionally accredited independent college or university in the state that is a member of the Louisiana Association of Independent Colleges or Universities, hereafter in this Chapter referred to collectively as "eligible colleges or universities", to pursue an academic undergraduate degree or, as provided by this Subsection, skill or occupational training as defined by the Board of Regents, including a vocational or technical education certificate or diploma program or a nonacademic undergraduate degree, and who meets the qualifications of Subparagraph (b), (c), or (d) of this Paragraph and all of the applicable following qualifications:

(a)(i) For a student graduating from high school during the 1996-1997 or the 1997-1998 school year who actually enrolled in an eligible institution and received an award letter notifying him that he was an eligible recipient of a TOPS award beginning in the fall of 1998, has actually resided in Louisiana during the twenty-four months preceding college or university enrollment.

(ii) For a student graduating from high school during the 1998-1999 school year, has actually resided in Louisiana during the twenty-four months preceding college or university enrollment.

(iii)(aa) For a student graduating from high school during the 1999-2000 school year or thereafter, is a citizen of the United States and if an independent student, as defined by the administering agency, is a resident of Louisiana or if a dependent student, as defined by the administering agency, has a parent or court-ordered custodian who is a resident of Louisiana during the twenty-four months preceding the date of the student's graduation from high school, or is eligible pursuant to the alternative means of determining residency for dependent students provided by Paragraph (C)(4) of this Section, or is the dependent child of a resident of Louisiana on active duty with the United States armed forces who is stationed outside Louisiana but who claims Louisiana as his official state of legal residence and who has filed a Louisiana state income tax return for the most recent two years, or is the dependent child of a nonresident of Louisiana on active duty with the United States armed forces who is stationed in Louisiana under permanent change of station orders and who not later than one hundred eighty days after reporting to such station changes his military personnel records to establish Louisiana as his official state of legal residence and complies with Louisiana income tax laws and regulations for the time period while stationed in Louisiana. A student who is not a citizen of the United States but who is eligible to apply for such citizenship shall be deemed to satisfy the citizenship requirement of this Subitem if within sixty days after the date the student attains the age of majority, the student applies to become a citizen of the United States and obtains such citizenship within one year after the date of application.

(bb) Notwithstanding the requirements of Subitem (aa) of this Item, any independent or dependent student who is a resident of this state and who graduates from a public or approved nonpublic high school in this state in the 2002-2003 school year or thereafter shall meet the requirements of this Item if he is a citizen of the United States and actually resides or lives in this state for the period of his last two full years of high school culminating in graduation as certified by the high school.

(cc) Notwithstanding the requirements of Subitem (aa) of this Item, any student who is the dependent child of a member of the United States Armed Forces who is not a resident of this state, is living in this state under permanent change of station orders but does not claim Louisiana as his state of legal residence, who graduates from a public or approved nonpublic high school in this state in the 2000-2001 academic school year or thereafter shall meet the requirements of this Item if he is a citizen of the United States and actually lives in this state for the period of his last two full years of high school culminating in graduation as certified by the high school.

(dd)(I) Notwithstanding the requirements of Subitem (aa) of this Item, any displaced student as defined by R.S. 17:3048.7(A)(2) who graduates from an out-of-state school during the 2006-2007 school year and is awarded a Louisiana Distance Diploma issued by the Department of Education shall meet the requirements of this Item if he is a citizen of the United States and if such student actually resided in Louisiana during his entire tenth grade year of high school and was enrolled for such time in an eligible Louisiana high school or, for dependent students, if the displaced student has a parent or court-ordered custodian who actually resided in a parish listed in R.S. 17:3048.7(A)(2)(a) for at least the twelve months prior to August 26, 2005, or in a parish listed in R.S. 17:3048.7(A)(2)(b) for at least the twelve months prior to September 20, 2005.

(II) Notwithstanding any other provision of this Section to the contrary, a displaced student who meets the residency requirement of this Subitem shall not be required to have for the respective awards a higher minimum composite score on the American College Test or on the Scholastic Aptitude Test than required for a student who graduates from an eligible Louisiana high school provided such student has, for TOPS-Tech and Opportunity awards, a cumulative high school grade point average on all courses on the high school transcript of at least 2.50 calculated on a 4.00 scale or, for Performance and Honors awards, a cumulative high school grade point average on all courses on the high school transcript of at least 3.50 calculated on a 4.00 scale.

(ee) With regard to meeting the requirements of being a citizen of the United States:

(I) For a student graduating from high school prior to the 2002-2003 school year, a student who is not a citizen of the United States but who is eligible to apply for such citizenship shall be deemed to satisfy the citizenship requirement of this Subitem if within sixty days after the date the student attains the age of majority, the student applies to become a citizen of the United States and obtains such citizenship within one year after the date of application.

(II) For a student graduating from high school during the 2002-2003 school year and thereafter, a student who is not a citizen of the United States but who is a permanent resident, as defined by the United States Immigration and Naturalization Service, and is eligible to apply for United States citizenship shall be deemed to satisfy the citizenship requirement of this Subparagraph.

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

(ff)(I) Notwithstanding the requirements of Subitem (aa) of this Item, for any dependent student graduating from an out-of-state high school during the 2006-2007 school year whose parent or court-ordered custodian was a member of the United States armed forces who, in the year 2006, moved from Louisiana under a permanent change of station orders and retired from

the armed forces, and changed his military personnel records to reflect a change of his state of legal residence from Louisiana to another state, shall meet the requirements of this Item, provided that such parent or court-ordered custodian changes his military personnel records from the other state to reestablish Louisiana as his state of legal residence no later than July 1, 2007, and has filed a Louisiana state income tax return for the two years preceding the date of the dependent's graduation from high school.

(II) Notwithstanding any other initial student eligibility requirement of this Chapter to the contrary, any dependent student who meets the requirements of this Subitem shall qualify for an award under this Chapter if the student has a composite score on the 1990 version of the American College Test which is at least two points higher than that required by this Section for a student graduating from a Louisiana public high school or nonpublic high school which has been approved by the State Board of Elementary and Secondary Education or an equivalent concordant value on an enhanced or revised version of such test or on the Scholastic Aptitude Test.

(iv) For the purposes of this Subparagraph, residency shall be demonstrated by proof of the following as required by the administering agency or by other proof required by the administering agency by rule:

(aa) If registered to vote, is registered in Louisiana.

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

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

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

(b)(i) Has been certified as provided in Subsection D of this Section to have graduated from a public high school or a nonpublic high school which has been approved by the State Board of Elementary and Secondary Education, has a minimum cumulative grade point average of 2.50 calculated on a 4.00 scale, has a composite score on the 1990 version of the American College Test which is at least equal to or higher than the state's average composite score, rounded to the nearest whole number, reported for the prior year but never less than twenty or an equivalent concordant value on an enhanced or revised version of such test or on the Scholastic Aptitude Test, and, unless granted an exception for cause by the administering agency, has enrolled 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 high school or, if the student joins the United States Armed Forces within one year after graduating from high school, has enrolled 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 that the student graduated from high school. As distinguished from all other students qualifying for this program, a student who meets the requirements of this Subparagraph shall be the recipient of an "Opportunity Award" for the purposes of this program.

(ii) Beginning with the 2002-2003 school year and thereafter, the minimum cumulative grade point average specified in Item (i) of this Subparagraph shall be calculated by using only the grades obtained by the student in completing the core curriculum requirements established by this Section.

(c)(i) Has been certified as provided in Subsection D of this Section to have graduated from a public high school or nonpublic high school which has been approved by the State Board of Elementary and Secondary Education, has enrolled, unless granted an exception for cause by

the administering agency, 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 high school or, if the student joins the United States Armed Forces within one year after graduating from high school, has enrolled 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 that the student graduated from high school, has achieved a minimum cumulative grade point average of 3.50 calculated on a 4.00 scale, and has a composite score on the 1990 version of the American College Test of twenty-three or higher or an equivalent concordant value on any enhanced or revised version of such test or on the Scholastic Aptitude Test. As distinguished from all other students qualifying for this program, a student who meets the requirements of this Subparagraph shall receive and be recognized as the recipient of a "Performance Award" for the purposes of this program.

(ii) Beginning with the 2002-2003 school year and thereafter, the minimum cumulative grade point average specified in Item (i) of this Subparagraph shall be calculated by using only the grades obtained by the student in completing the core curriculum requirements established by this Section.

(iii) Effective beginning with the 2003-2004 award year and thereafter, any student who meets all of the requirements of this Subparagraph and other applicable provisions of this Chapter except for having achieved the minimum high school cumulative grade point average specified in Item (i) of this Subparagraph shall be eligible for a Performance Award provided the student meets each of the following conditions:

(aa) Has a composite score on the 1990 version of the American College Test of twenty-four or higher or an equivalent concordant value on any enhanced or revised version of such test or on the Scholastic Aptitude Test.

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

(cc) Has graduated during the 2002-2003 school year or thereafter from a Louisiana public high school or from a nonpublic high school which has been approved by the State Board of Elementary and Secondary Education and which meets the requirements of Subsection T of this Section.

(dd) No student graduating from high school during the 2006-2007 school year or thereafter shall receive an initial award under the provisions of this Item. However, any student granted an award pursuant to the provisions of this Item prior to the 2006-2007 school year, including those granted an award prior to the amendment of this Item by Act 1235 of the 2003 Regular Session of the Legislature, may continue under such award as long as continuation requirements in this Section are met.

(d)(i) Has been certified as provided in Subsection D of this Section to have graduated from a public high school or nonpublic high school which has been approved by the State Board of Elementary and Secondary Education with a minimum cumulative grade point average of 3.50 on a 4.00 scale and a score of twenty-seven or higher on the 1990 version of the American College Test or an equivalent concordant value on any enhanced or revised version of such test or on the Scholastic Aptitude Test, and, unless granted an exception for cause by the

administering agency, has enrolled 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 high school or, if the student joins the United States Armed Forces within one year after graduating from high school, has enrolled 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 that the student graduated from high school. As distinguished from all other students qualifying for this program, a student who meets the requirements of this Subparagraph shall receive and be recognized as the recipient of an "Honors Award" for the purposes of this program.

(ii) Beginning with the 2002-2003 school year and thereafter, the minimum cumulative grade point average specified in Item (i) of this Subparagraph shall be calculated by using only the grades obtained by the student in completing the core curriculum requirements established by this Section.

(e) Except as otherwise provided by this Section and through the 2006-2007 school year, has successfully completed at least sixteen and one-half units of high school course work, which constitutes a core curriculum, and meets standards for admission to the desired college or university. Except as otherwise provided by this Section and beginning with the 2007-2008 school year and thereafter, meets standards for admission to the desired college or university and has successfully completed at least seventeen and one-half units of high school course work as permitted by this Subparagraph which constitutes a core curriculum. For students qualifying under Subparagraph (A)(1)(c), the core curriculum requirements of this Subparagraph shall become effective beginning with the high school graduating class of the year 1998, except that the core curriculum requirement for a Performance Award shall be waived for any student graduating during the 1997-1998 school year who is certified as having graduated within the top five percent of his graduating class at a Louisiana public high school or nonpublic high school which is approved by the State Board of Elementary and Secondary Education. Except as otherwise provided by this Section, the core curriculum shall be defined as follows:

- (i) English I, II, III, and IV (four units).
- (ii) Algebra I (one unit) or Applied Algebra 1A and 1B (two units) and Algebra II (one unit).
- (iii) Geometry, Trigonometry, Calculus, or comparable Advanced Mathematics (one unit).
- (iv) Biology (one unit).
- (v) Chemistry (one unit).
- (vi) Earth Science, Environmental Science, Physical Science, Biology II, Chemistry II, Physics, Physics II, or Physics for Technology (one unit) or Agriscience I and II (both for one unit; provided, however, that such Agriscience unit shall not be considered a science elective for the purposes of meeting the requirements of Item (xiii) of this Subparagraph).
- (vii) American History (one unit).
- (viii) World History, Western Civilization, or World Geography (one unit).
- (ix) Civics and Free Enterprise (one unit combined) or Civics (one unit, nonpublic).
- (x) Fine Arts Survey (one unit; or substitute two units of performance courses in music, dance, or theater; or substitute two units of visual art courses; or substitute two units of studio art courses; or substitute one unit as an elective from among the other subjects listed in this core curriculum).

(xi) Foreign Language (one unit for students graduating from high school during the 1996-1997 school year or the 1997-1998 school year; two units in a single language for students graduating from high school during the 1998-1999 school year and thereafter).

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

(xiii) For students who graduate during the 2007-2008 school year and thereafter, at least one unit as an elective from among the following math subjects: Geometry, Calculus, or approved advanced math substitute, or the following science subjects: Biology II, Chemistry II, Physics or Physics II.

(xiv) Trigonometry will no longer be included in the core curriculum for students graduating after the 2004-2005 school year.

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

(g) Students funded through the Louisiana minimum foundation program and who are attending any high school in an adjoining state pursuant to an agreement in effect as of June 4, 1994, between the parish school system and the local governing authority of the school in the adjoining state, shall be considered as having graduated from a state-approved nonpublic high school for the purpose of qualifying under Subparagraphs (A)(1)(b), (c), and (d).

(2) Any student who applies for an Opportunity Award in accordance with Subparagraph (A)(1)(b), who enrolled in any public college or university in the state to pursue an academic undergraduate degree or skill or occupational training, including a vocational or technical education certificate or diploma program or a nonacademic undergraduate degree, and who meets the qualifications enumerated in Subparagraphs (A)(1)(a), (e), and (f), shall be awarded by the state an amount determined by the administering agency to equal the tuition charged by the public college or university attended in the state. For any student who meets such qualifications and who has enrolled at any regionally accredited independent college or university in the state which is a member of the Louisiana Association of Independent Colleges and Universities to pursue an academic undergraduate degree or skill or occupational training, including a vocational or technical education certificate or diploma program or a nonacademic undergraduate degree, the state shall award an amount to be determined by the administering agency to equal the weighted average of amounts paid under this Section for students attending public colleges and universities that offer academic undergraduate degrees at the baccalaureate level or an amount to be determined by the administering agency to equal the weighted average of amounts paid under this Section for students attending public colleges and universities who are enrolled in the permitted skill or occupational training, as may be applicable.

(3) Any student who applies for a Performance or an Honors Award in accordance with Subparagraph (A)(1)(c) or (d) and who meets the qualifications enumerated in Subparagraphs (A)(1)(a), (e), and (f) shall have payments made on their behalf as follows:

(a) For any student who qualifies to receive an Honors Award in accordance with Subparagraph (A)(1)(d) and who has enrolled at any public college or university in the state to pursue an academic undergraduate degree or to pursue skill or occupational training, including a vocational or technical education certificate or diploma program or a nonacademic undergraduate degree, the state shall award an amount determined by the administering agency

to equal the tuition charged by the public college or university attended in the state, plus the sum of four hundred dollars per semester or eight hundred dollars per academic year.

(b) For any student who qualifies to receive an Honors Award in accordance with Subparagraph (A)(1)(d) and who has enrolled at any regionally accredited independent college or university in the state which is a member of the Louisiana Association of Independent Colleges and Universities to pursue an academic undergraduate degree or skill or occupational training, including a vocational or technical education certificate or diploma program or a nonacademic undergraduate degree, the state shall award an amount determined by the administering agency to equal the weighted average of the amounts awarded under this Section for students attending public colleges and universities that offer academic undergraduate degrees at the baccalaureate level or an amount to be determined by the administering agency to equal the weighted average of amounts paid under this Section for students attending public colleges and universities who are enrolled in the permitted skill or occupational training, as may be applicable, plus the sum of four hundred dollars per semester or eight hundred dollars per academic year.

(c) For any student who qualifies to receive a Performance Award in accordance with Subparagraph (A)(1)(c) and who has enrolled at any public college or university in the state to pursue an academic undergraduate degree or to pursue skill or occupational training, including a vocational or technical education certificate or diploma program or a nonacademic undergraduate degree, the state shall award an amount equal to the tuition charged by the public college or university attended in the state, plus the sum of two hundred dollars per semester or four hundred dollars per academic year.

(d) For any student who qualifies to receive a Performance Award in accordance with Subparagraph (A)(1)(c) and who has enrolled at any regionally accredited independent college or university in the state which is a member of the Louisiana Association of Independent Colleges and Universities to pursue an academic undergraduate degree or skill or occupational training, including a vocational or technical education certificate or diploma program or a nonacademic undergraduate degree, the state shall award an amount determined by the administering agency to equal the weighted average of the amounts awarded under this Section for students attending public colleges and universities that offer academic undergraduate degrees at the baccalaureate level or an amount to be determined by the administering agency to equal the weighted average of amounts paid under this Section for students attending public colleges and universities who are enrolled in the permitted skill or occupational training, as may be applicable, plus the sum of two hundred dollars per semester or four hundred dollars per academic year.

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

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

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

(iii) If at any time a student fails to maintain the cumulative grade point average 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 as defined by the administering agency, such student shall become ineligible for further payments. Payments limited to those provided in Paragraph (A)(2) of this Section regardless of whether the originally granted award was an Opportunity, Performance, or Honors Award may be reinstated upon attainment of the grade point average required by this Paragraph for a student to maintain continued state payments once enrolled in college and the standards for steady academic progress as defined by the administering agency, 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. If this two-year period is interrupted due to a student's active duty service in the United States Armed Forces, the two-year period shall be extended for a length of time equal to the student's active duty service, not to exceed four years.

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

(ii) If pursuing skill or occupational training as provided for by this Subsection, maintain continuous enrollment as a full-time student unless granted an exception for cause by the administering agency.

(c) For students qualifying for an Opportunity Award under Subparagraph (A)(1)(b), have a cumulative grade point average of the following as evaluated at the end of each academic year:

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

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

(d)(i) For students qualifying to receive a Performance or an Honors Award under Subparagraph (A)(1)(c) or (d) of this Section, have a cumulative grade point average of at least 3.00 on a 4.00 scale at the end of each academic year.

(ii) However, if at any time an otherwise eligible student receiving a Performance Award or an Honors Award in accordance with the provisions of this Chapter fails to have a cumulative grade point average of at least 3.00 on a 4.00 scale at the end of any academic year but has and continues to maintain a cumulative grade point average at least equal to that required by Subparagraph (c) of this Paragraph for continued participation by a recipient of an Opportunity Award, the student receiving a Performance Award or an Honors Award shall remain eligible for state payments but only in the amount provided for in Paragraph (A)(2) of this Section for a recipient of an Opportunity Award. The provisions of this Item shall apply to all students who receive state payments pursuant to a Performance Award or an Honors Award, including all such students from the beginning of the program.

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

(5)(a) Notwithstanding any provision of this Section to the contrary, any student who meets all applicable initial and continuing program eligibility requirements of this Section for an Opportunity, Performance, or Honors Award may use such award at an out-of-state nonpublic college or university when each of the following conditions is met:

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

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

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

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

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

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

(b)(i) For any student who is the recipient of an Opportunity Award and who is eligible to use the award at an out-of-state nonpublic college or university pursuant to the provisions of Subparagraph (a) of this Paragraph, the award amount to pursue an academic undergraduate degree shall be an amount determined by the administering agency to equal the weighted average of amounts paid under this Section for students attending Louisiana public colleges and universities that offer academic undergraduate degrees.

(ii) For any student who is the recipient of a Performance Award and who is eligible to use the award at an out-of-state nonpublic college or university pursuant to the provisions of Subparagraph (a) of this Paragraph, the award amount to pursue an academic undergraduate degree shall be an amount determined by the administering agency to equal the weighted average of amounts paid under this Section for students attending Louisiana public colleges and universities that offer academic undergraduate degrees plus the sum of two hundred dollars per semester or four hundred dollars per academic year.

(iii) For any student who is the recipient of an Honors Award and who is eligible to use the award at an out-of-state nonpublic college or university pursuant to the provisions of Subparagraph (a) of this Paragraph, the award amount to pursue an academic undergraduate degree shall be an amount determined by the administering agency to equal the weighted average of amounts paid under this Section for students attending Louisiana public colleges and universities that offer academic undergraduate degrees plus the sum of four hundred dollars per semester or eight hundred dollars per academic year.

B.(1) A student who meets the requirements of this Subsection shall be the recipient of a "TOPS-Tech Award" for the purposes of this program.

(2) As part of the Louisiana Taylor Opportunity Program for Students, for students graduating from high school through the 1999-2000 school year the state shall award an amount determined by the administering agency to equal the actual cost of tuition of any student who enrolls on a full-time basis in a Louisiana public postsecondary institution to pursue skill or occupational training, including a vocational or technical education certificate or diploma program or a nonacademic undergraduate degree, and who meets the following qualifications and all other applicable qualifications of this Chapter and for students graduating from high school during the 2000-2001 school year and thereafter the state shall award an amount determined by the administering agency in accordance with the provisions of Subparagraph (f) of this Paragraph for any student who enrolls on a full-time basis in an eligible college or university as defined in Subsection A of this Section to pursue skill or occupational training as defined by the Board of Regents, including a vocational or technical education certificate or diploma program or a nonacademic undergraduate degree, and who meets the following qualifications and all other applicable qualifications of this Chapter:

(a)(i) For any student graduating from high school through the 1999-2000 school year, complies with the provisions of Subparagraphs (A)(1)(a) and (b) of this Section, except that enrollment shall be in a Louisiana public postsecondary institution and except that the student shall have a composite score on the specified American College Test of nineteen or higher or an equivalent concordant value on any enhanced or revised version of such test or on the Scholastic Aptitude Test.

(ii) For any student graduating from high school during the 2000-2001 school year and thereafter, complies with the provisions of Subparagraphs (A)(1)(a) and (b) of this Section, except that the student shall have a composite score on the specified American College Test of seventeen or higher or an equivalent concordant value on any enhanced or revised version of such test or on the Scholastic Aptitude Test.

(b) Through the 2001-2002 school year and except as otherwise provided by this Section, has successfully completed at least sixteen and one-half units of high school course work, which constitutes a core curriculum, and meets standards for admission to the desired eligible college or university. Except as otherwise provided by this Section, a student may qualify for a TOPS-Tech Award by meeting the core curriculum requirements of Subparagraph (A)(1)(e) or (B)(2)(c) of this Section or the core curriculum defined as follows:

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

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

(iii) Geometry or Applied Geometry, Trigonometry, Calculus, or comparable Advanced Mathematics (one unit).

(iv) Biology (one unit).

(v) Chemistry or Applied Physics (one unit).

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

(vii) American History (one unit).

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

(ix) Civics and Free Enterprise (one unit combined) or Civics (one unit, nonpublic).

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

(xi) Foreign Language (one unit for students graduating from high school during the 1996-1997 school year or the 1997-1998 school year; two units in a single language for students graduating from high school during the 1998-1999 school year and thereafter) or Technical Writing, Speech 1, or Speech II (two units).

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

(c) Except as otherwise provided by this Section, has successfully completed a core curriculum, and meets standards for admission to the desired eligible college or university. The

core curriculum specified in Subparagraph (b) of this Paragraph shall be effective only for high school graduates through the 2001-2002 school year; thereafter, a student shall meet the core curriculum requirements as specified in this Subparagraph. Except as otherwise provided by this Section, a student may qualify for a TOPS-Tech Award by meeting the core curriculum requirements of Subparagraph (A)(1)(e) of this Section or the core curriculum defined as follows:

- (i) English I, II, III, and IV (four units, or substitute one unit of Business English for English IV).
- (ii) Algebra I (one unit); or both Algebra I, Part 1 and Algebra I, Part 2; or both Applied Mathematics I and Applied Mathematics II.
- (iii) Geometry, Applied Mathematics III, Algebra II, Financial Mathematics, Advanced Mathematics I, Advanced Mathematics II, Discrete Mathematics, or Probability and Statistics (two units). Integrated Mathematics I, II, and III may be substituted for Algebra I, Geometry, and Algebra II, and shall be considered the equivalent of the three required math units.
- (iv) Biology (one unit).
- (v) Chemistry or Applied Chemistry (one unit).
- (vi) Earth Science, Environmental Science, Agriscience I and II (both for one unit), Physical Science, Integrated Science, Biology II, Chemistry II, Physics, Physics II, or Physics for Technology (one unit).
- (vii) American History (one unit).
- (viii) World History, Western Civilization, or World Geography (one unit).
- (ix) Civics and Free Enterprise (one unit combined) or Civics (one unit, nonpublic).
- (x) Remaining core courses shall be selected from one of the following options:
 - (aa) OPTION 1, consisting of four units as follows:
 - (aaa) Fine Arts Survey (one unit) or substitute two units of performance courses in music, dance, or theater; or substitute two units of visual art courses; or substitute two units of studio art courses; or a course from the career and technical program of studies that is approved by the State Board of Elementary and Secondary Education; or substitute one unit as an elective from among the other subjects listed in this core curriculum.
 - (bbb) Foreign Language, Technical Writing, Speech I, or Speech II (two units).
 - (ccc) One unit from the secondary computer education program of studies that is approved by the State Board of Elementary and Secondary Education.
 - (bb) OPTION 2, consisting of six units required as a concentration under the career options law as follows:
 - (aaa) At least four units in a career major comprised of a sequence of related specialty courses.
 - (bbb) At least two units in related or technical fields, including credit in a basic computer course.
- (d) Has no criminal conviction, except for misdemeanor traffic violations and, if the student has been in the United States Armed Forces and has separated from such service, has received an honorable discharge or general discharge under honorable conditions.
- (e) Students funded through the Louisiana minimum foundation program and who are attending any high school in an adjoining state pursuant to an agreement in effect as of June 4, 1994, between the parish school system and the local governing authority of the school in the adjoining state shall be considered as having graduated from a state-approved nonpublic high school for the purpose of qualifying under this Section.

(f)(i) For any student attending an eligible public college or university that does not offer an academic undergraduate degree at the baccalaureate level or higher, the amount shall equal the actual cost of tuition.

(ii) For any student attending an eligible college or university other than as provided for in Item (i) of this Subparagraph, the amount shall equal the weighted average of amounts paid pursuant to Item (i) of this Subparagraph.

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

(a) Make steady academic progress as defined by the administering agency toward completion of the requirements of the program in which enrolled earning not less than the minimum number of hours of credit required for full-time standing or the required number of hours needed to complete the program's requirements. If at any time a student fails to maintain the cumulative grade point average required for continuation in the program or as of the end of any term during the school year fails to make steady academic progress as defined by the administering agency, the student shall become ineligible for further payments. Payments may be reinstated upon attainment of the grade point average required for continuation of the original award and the standards for steady academic progress as defined by the administering agency, 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. If this one-year period is interrupted due to a student's active duty service in the United States Armed Forces, the one-year period shall be extended for a length of time equal to the student's active duty service, not to exceed four years.

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

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

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

(4)(a) In addition to the provisions of the introductory paragraph of Paragraph (A)(1) of this Section and effective for the 2009-2010 award year and thereafter, for purposes of the TOPS-Tech Award as provided by this Chapter, the term "eligible colleges and universities" shall include any school that has a valid and current certificate of registration issued by the State Board of Cosmetology in accordance with law and that is accredited by an accrediting organization recognized by the United States Department of Education and any proprietary school that has a valid and current license issued by the Board of Regents in accordance with law and that is accredited by an accrediting organization recognized by the United States Department of Education. Such a school also shall comply with all other applicable provisions of this Chapter and rules adopted by the administering agency relative to a college or university being initially eligible and remaining eligible for program purposes.

(b) For a student who is the recipient of a TOPS-Tech award and who enrolls in a school that is eligible pursuant to the provisions of Subparagraph (a) of this Paragraph to pursue skill or occupational training as defined by the Board of Regents, including a vocational or technical education certificate or diploma program or a nonacademic undergraduate degree, the state shall award an amount determined by the administering agency to equal the weighted average of amounts paid under this Section for students attending public colleges and universities who are enrolled in the permitted skill or occupational training, as may be applicable.

C.(1) The provisions of this Section shall be administered by the Louisiana Student Financial Assistance Commission. The administering agency may provide by rule adopted as provided by the Administrative Procedure Act for all matters necessary to the implementation of this Section.

(2) Except as otherwise provided by this Paragraph, the administering agency by rule shall provide for:

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

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

(c)(i) A procedure for waiver through the 2002-2003 school year of the requirement that a student complete the high school curriculum specified in Subparagraphs (A)(1)(e) and (B)(2)(b) of this Section, upon proper documentation by the high school's principal or authorized designee that failure to comply with such requirement was due solely to the fact that the required course or courses were not available to the applicant at the school attended.

(ii) A procedure whereby any student graduating from high school during the 1996-1997 or the 1997-1998 school year who is required to meet the provisions of Items (A)(1)(e)(xi) or (B)(2)(b)(xi) of this Section relative to successful completion of one unit of Foreign Language shall be able to meet such requirement after graduating from high school.

(iii) A procedure for waiver of the requirement that a student complete the high school curriculum specified in this Section upon proper documentation by the high school's principal or authorized designee that the student is an exceptional child as defined by R.S. 17:1943(4), excluding gifted and talented, and that failure to comply with the specified curriculum was due solely to the student's exceptionality.

(iv) A procedure for waiver of a high school curriculum requirement specified in this Section for any student not otherwise covered by the provisions of Item (iii) of this Subparagraph but who has one or more learning, visual, hearing, or physical disabilities diagnosed by a person licensed or certified to diagnose such disability, when the diagnosis states the need for the student to be provided special accommodation by the high school relative to the curriculum requirement, the student requested and was provided such special accommodation by the high school, and failure to comply with the curriculum requirement was due solely to the student being disabled.

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

(e) Guidelines and procedures by which the administering agency may update the course name and establish course equivalencies for any course included in the definition of core curriculum provided by this Section. The guidelines and procedures shall include but not be limited to a requirement that any change in a course name and the establishment of any course equivalency be done by rule adopted by the administering agency and a requirement that prior to issuing a notice of intent to consider any such rule the administering agency shall consult with and seek the written comments and recommendations of the State Board of Elementary and

Secondary Education and the Board of Regents on making the name change or establishing the course equivalency.

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

(g)(i) Guidelines and procedures permitting the administering agency to receive and consider an application for an initial award or an application for the continuation of an award under this Chapter that is received by the agency after the final deadline established by the agency for the receipt of such application but not later than one hundred twenty days after the deadline.

(ii) When granting an award based on an application that is considered by the agency pursuant to the provisions of this Subparagraph and such application is received by the agency not later than sixty days after the final deadline, the agency shall reduce the time period of eligibility for the award as set forth in Subsection H of this Section by one semester or an equivalent number of units at an eligible institution which operates on a schedule based on units other than semesters.

(iii) When granting an award based on an application that is considered by the agency pursuant to the provisions of this Subparagraph and such application is received by the agency more than sixty days after the final deadline, the agency shall reduce the time period of eligibility for the award as set forth in Subsection H of this Section by two semesters or an equivalent number of units at an eligible institution which operates on a schedule based on units other than semesters.

(h)(i)(aa) Guidelines and procedures permitting the administering agency to receive and consider, beginning with awards made for the 2000-2001 academic year and through the 2002-2003 academic year, an applicant's qualifying score on the American College Test or on the Scholastic Aptitude Test that is obtained on an authorized testing date after the date of the applicant's high school graduation but prior to July first of the year of such graduation.

(bb) Guidelines and procedures permitting the administering agency to receive and consider, beginning with awards made for the 2003-2004 academic year and thereafter, an applicant's qualifying score on the American College Test or on the Scholastic Aptitude Test which is first obtained on an authorized testing date after the national April ACT testing date in the year of the applicant's high school graduation but prior to July first of the year of such graduation.

(ii) When granting an award to an applicant whose qualifying test score is considered by the agency pursuant to the provisions of this Subparagraph, the agency shall reduce the time period of eligibility for the award as set forth in Subsection H of this Section by one semester or an equivalent number of units at an eligible institution which operates on a schedule based on units other than semesters.

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

(4) For the purpose of determining award eligibility of a dependent student, any such student who meets all of the following guidelines shall be considered a resident:

(a) The student graduates during the 2001-2002 or 2002-2003 school year from a Louisiana public high school or from a nonpublic high school that is approved by the State Board of Elementary and Secondary Education and that meets other applicable requirements of this Section.

(b) The student has been continuously enrolled in and has attended such a school from at least the beginning of the student's junior year in high school through the completion of the student's senior year in high school as certified by the high school principal or headmaster or his designee.

(c) The student has a parent or court-ordered custodian who is a resident of a state that adjoins Louisiana and the parent or court-ordered custodian resides in a county that adjoins a parish with a population greater than forty-one thousand six hundred and less than forty-two thousand four hundred according to the latest federal decennial census.

(d) The parent or custodian has filed a Louisiana state income tax return and has complied with state income tax laws and regulations, or is assessed ad valorem taxes on property owned in Louisiana.

(5) Notwithstanding any provision of this Section to the contrary, including but not limited to Items (A)(1)(c)(i) and (d)(i) and effective with students who graduate during the 2007-2008 school year and thereafter from a Louisiana public high school or nonpublic high school which has been approved by the State Board of Elementary and Secondary Education and that meets other provisions of this Section applicable to nonpublic schools, the minimum cumulative high school grade point average necessary for such students to be eligible for an initial Performance Award or Honors Award shall be 3.00 on a 4.00 scale and such grade point average shall be calculated by using only the grades obtained by the student in completing the core curriculum requirements established by this Section.

D. Each city and parish school board for the high school under its jurisdiction or the principals of such high schools and the principal or headmaster of each nonpublic high school approved by the State Board of Elementary and Secondary Education shall:

(1) Using the criteria in Subparagraphs (A)(1)(b), (c), (d), and (e) as the minimum qualifications for selection, identify and certify to the administering agency those achieving the required academic standards to qualify for an award pursuant to this Section.

(2) Using the criteria in Subparagraphs (A)(1)(b) and (B)(2)(b) as the minimum qualifications for selection, identify and certify to the administering agency those achieving the required academic standards to qualify for a TOPS-Tech award pursuant to this Section.

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

(2) Effective beginning with the 1999-2000 academic year and thereafter, no state payments made on behalf of any student receiving an award pursuant to the provisions of this Chapter shall be used by an institution of higher education to supplant the granting of free tuition for such student pursuant to a scholarship given in accordance with the provisions of Act No. 43 of the 1884 Regular Session of the Legislature, as amended.

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

G. Implementation of the tuition payment program provided by this Section shall be subject to the appropriation of funds for this purpose.

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

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

(3)(a) Any student receiving an Opportunity, Performance, or Honors award who successfully completes an academic undergraduate degree in less than the eight semesters or its equivalent of award benefits provided by this Subsection shall be eligible to continue to receive all applicable award benefits, in accordance with the limitations as specified in Subparagraph (c) of this Paragraph, for any remaining semester or semesters or the equivalent thereof of eligibility not used to obtain the undergraduate degree provided such student pursues a postgraduate academic degree at an eligible institution and the student continues to meet all academic and other requirements provided by this Section and by rule of the administering agency for continued receipt of the award as an undergraduate except as such requirements, including requirements provided by this Section for undergraduate students, may be modified by the administering agency as necessary to apply such requirements to postgraduate study.

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

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

I. A grant awarded pursuant to this Section may be combined with a disbursement from the Louisiana Student Tuition Assistance and Revenue Trust Program, as provided in R.S. 17:3091 through 3099.2, to pay the student's tuition, and any portion of the grant which is offset by such a disbursement shall then be expended in payment of current year educational expenses as defined by the administering agency and billed to the student by the institution. Any remaining balance of the grant award may then be expended by the student in payment of room and board.

J. No student shall receive a grant pursuant to this Section in an amount greater than the tuition charged by the institution attended or, if the student is the recipient of a Performance or an Honors Award as defined by Subparagraphs (A)(1)(c) and (d) of this Section, the amount stipulated in this Section for such awards. The institution shall credit any amount in excess of the cost of tuition to the student's account to pay room and board or other "cost of attendance".

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

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

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

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

(3)(a)(i) Any student who receives a financial assistance award pursuant to this Section may elect to accept the award on the basis provided in this Paragraph. The student may elect to delay the acceptance of his financial assistance award until after the student, if he is not claimed as a dependent of a parent or court-ordered custodian on a federal income tax return, or his parent or court-ordered custodian, if he is claimed as a dependent on a federal income tax return, files his federal income tax return.

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

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

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

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

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

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

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

L. Each student who initially qualifies for more than one award under the provisions of this Section shall receive the award requiring the most rigorous eligibility criteria.

M. Repealed by Acts 2003, No. 1237, §2, eff. July 7, 2003.

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

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

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

(1) For any student who is participating in the tuition exemption program provided by R.S. 29:36.1 and who also meets the qualifications provided in this Section for receipt of an Opportunity Award, the state shall pay on behalf of such student a sum of not more than one hundred fifty dollars per semester or three hundred dollars per academic year for the actual cost of books and other instructional materials.

(2) For any student who is participating in the tuition exemption program provided by R.S. 29:36.1 and who also meets the qualifications provided in this Section for receipt of a Performance Award, the state shall pay on behalf of the student a sum of not more than one hundred fifty dollars per semester or three hundred dollars per academic year for the actual cost of books and other instructional materials plus the sum of two hundred dollars per semester or four hundred dollars per academic year for other educational expenses as defined by the Louisiana Student Financial Assistance Commission.

(3) For any student who is participating in the tuition exemption program provided by R.S. 29:36.1 and who also meets the qualifications provided in this Section for receipt of an Honors Award, the state shall pay on behalf of the student a sum of not more than one hundred fifty dollars per semester or three hundred dollars per academic year for the actual cost of books and other instructional materials plus the sum of four hundred dollars per semester or eight hundred dollars per academic year for other educational expenses as defined by the Louisiana Student Financial Assistance Commission.

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

(a) The student has been certified by the principal or headmaster to have graduated during the 1996-1997 or the 1997-1998 school year or thereafter from an out-of-state high school which has been approved by the appropriate state educational agency in the state in which the school is located; from an out-of-state high school which is accredited by the Southern Association of Colleges and Schools' Commission on Secondary and Middle Schools and meets the standards adopted by the State Board of Elementary and Secondary Education for approval of nonpublic schools in Louisiana; or, for students certified to have graduated during the 2002-2003 school year or thereafter, from an out-of-state high school that is accredited by a regional accrediting organization recognized by the United States Department of Education and meets the standards adopted by the State Board of Elementary and Secondary Education for approval of nonpublic schools in Louisiana; or from a high school which has been approved by the United States Department of Defense.

(b) The student has a composite score on the 1990 version of the American College Test which is at least three points higher than that required by this Section for a student graduating from a Louisiana public high school or nonpublic high school which has been approved by the State Board of Elementary and Secondary Education or an equivalent concordant value on an enhanced or revised version of such test or on the Scholastic Aptitude Test.

(c) Unless granted an exception for cause by the administering agency, the student has enrolled in a Louisiana public postsecondary institution 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 high school or, if the student joins the United States Armed Forces within one year after graduating from high school, has enrolled in a Louisiana public postsecondary institution as a first-time freshman not later than the semester, excluding summer semesters or sessions, immediately following the fifth anniversary of the date that the student graduated from high school.

(d) The student meets the eligibility requirements provided in Subparagraphs (A)(1)(a) and (f) of this Section.

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

(a) The student meets the eligibility requirements provided in Subparagraph (1)(a) of this Subsection.

(b) Unless granted an exception for cause by the administering agency, the student has enrolled 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 high school or, if the student joins the United States Armed Forces within one year after graduating from high school, has enrolled 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 that the student graduated from high school.

(c) The student has a composite score on the 1990 version of the American College Test which is at least three points higher than that required by this Section for a student graduating from a Louisiana public high school or nonpublic high school which has been approved by the State Board of Elementary and Secondary Education or an equivalent concordant value on an enhanced or revised version of such test or on the Scholastic Aptitude Test.

(d) The student meets the eligibility requirements provided in Subparagraphs (A)(1)(a) and (f) of this Section.

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

(a) The student meets the eligibility requirements provided in Subparagraph (1)(a) of this Subsection.

(b) Unless granted an exception for cause by the administering agency, the student has enrolled 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 high school or, if the student joins the United States Armed Forces within one year after graduating from high school, has enrolled 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 that the student graduated from high school.

(c) The student has a composite score on the 1990 version of the American College Test which is at least three points higher than that required by this Section for a student graduating from a Louisiana public high school or nonpublic high school which has been approved by the State Board of Elementary and Secondary Education or an equivalent concordant value on an enhanced or revised version of such test or on the Scholastic Aptitude Test.

(d) The student meets the eligibility requirements provided in Subparagraphs (A)(1)(a) and (f) of this Section.

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

(a) The student meets the eligibility requirements provided in Subparagraph (1)(a) of this Subsection.

(b) Unless granted an exception for cause by the administering agency, the student has enrolled 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 high school or, if the student joins the United States Armed Forces within one year after graduating from high school, has enrolled 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 that the student graduated from high school.

(c) The student has a composite score on the 1990 version of the American College Test which is at least three points higher than that required by this Section for a student graduating from a Louisiana public high school or nonpublic high school which has been approved by the

State Board of Elementary and Secondary Education or an equivalent concordant value on an enhanced or revised version of such test or on the Scholastic Aptitude Test.

(d) The student meets the eligibility requirements provided in Subparagraphs (A)(1)(a) and (f) of this Section.

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

(a) The student has been certified by a parent or court-ordered custodian to have successfully completed at the twelfth grade level a home study program approved by the State Board of Elementary and Secondary Education. Additionally, the student, if ever enrolled in a Louisiana public high school or nonpublic high school which has been approved by the State Board of Elementary and Secondary Education, must have begun his studies in the approved home study program no later than the conclusion of the tenth grade year.

(b) The student meets the citizenship and residency requirements provided in Subparagraph (A)(1)(a) of this Section.

(c) The student has a composite score on the 1990 version of the American College Test which is at least three points higher than that required by this Section for a student graduating from a Louisiana public high school or nonpublic high school which has been approved by the State Board of Elementary and Secondary Education or an equivalent concordant value on an enhanced or revised version of such test or on the Scholastic Aptitude Test.

(d) Unless granted an exception for cause by the administering agency, the student has enrolled in a Louisiana public postsecondary institution 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's initial application is received by the administering agency or, if the student joins the United States Armed Forces within one year after completing the home study program, has enrolled in a Louisiana public postsecondary institution as a first-time freshman not later than the semester, excluding summer semesters or sessions, immediately following the fifth anniversary of the date that the student's initial application is received by the administering agency.

(e) The student meets the eligibility requirements provided in Subparagraph (A)(1)(f) of this Section.

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

(a) The student meets the eligibility requirements provided in Subparagraphs (1)(a), (b), and (d) of this Subsection.

(b) The student has a composite score on the 1990 version of the American College Test which is at least three points higher than that required by this Section for a student graduating from a Louisiana public high school or nonpublic high school which has been approved by the State Board of Elementary and Secondary Education or an equivalent concordant value on an enhanced or revised version of such test or on the Scholastic Aptitude Test.

(c) The student meets the eligibility requirements provided in Subparagraph (A)(1)(f) of this Section.

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

(a) The student meets the eligibility requirements provided in Subparagraphs (1)(a), (b), and (d) of this Subsection.

(b) The student has a composite score on the 1990 version of the American College Test which is at least three points higher than that required by this Section for a student graduating from a Louisiana public high school or nonpublic high school which has been approved by the State Board of Elementary and Secondary Education or an equivalent concordant value on an enhanced or revised version of such test or on the Scholastic Aptitude Test.

(c) The student meets the eligibility requirements provided in Subparagraph (A)(1)(f) of this Section.

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

(a) The student meets the eligibility requirements provided in Subparagraphs (1)(a), (b), and (d) of this Subsection.

(b) The student has a composite score on the 1990 version of the American College Test which is at least three points higher than that required by this Section for a student graduating from a Louisiana public high school or nonpublic high school which has been approved by the State Board of Elementary and Secondary Education or an equivalent concordant value on an enhanced or revised version of such test or on the Scholastic Aptitude Test.

(c) The student meets the eligibility requirements provided in Subparagraph (A)(1)(f) of this Section.

(5)(a) Notwithstanding any provision of Subparagraph (1)(c), (2)(b), (3)(b), or (4)(b) of this Subsection to the contrary and effective for a student qualifying for an initial program award for the 2005-2006 through the 2007-2008 award year pursuant to this Subsection, the student shall have a composite score on the 1990 version of the American College Test which is at least two points higher than that otherwise required by this Section for a student graduating from a Louisiana public high school or nonpublic high school which has been approved by the State Board of Elementary and Secondary Education or an equivalent concordant value on an enhanced or revised version of such test or on the Scholastic Aptitude Test.

(b)(i) Notwithstanding any provision of Subparagraph (1)(c), (2)(b), (3)(b), or (4)(b) of this Subsection to the contrary and effective for a student qualifying for an initial TOPS-Tech Award or Opportunity Award for the 2008-2009 award year or thereafter pursuant to this Subsection, the student shall have a minimum composite score on the 1990 version of the American College Test which is at least two points higher than that otherwise required by this Section for a student graduating from a Louisiana public high school or nonpublic high school which has been approved by the State Board of Elementary and Secondary Education or an equivalent concordant value on an enhanced or revised version of such test or on the Scholastic Aptitude Test.

(ii) Notwithstanding any provision of Subparagraph (1)(c), (2)(b), (3)(b), or (4)(b) of this Subsection to the contrary and effective for a student qualifying for an initial Performance Award or Honors Award for the 2008-2009 award year or thereafter pursuant to this Subsection, the student shall have a minimum composite score on the 1990 version of the American College Test which is at least one point higher than that otherwise required by this Section for a student graduating from a Louisiana public high school or nonpublic high school which has been approved by the State Board of Elementary and Secondary Education or an equivalent concordant value on an enhanced or revised version of such test or on the Scholastic Aptitude Test.

R. To qualify for an award pursuant to the provisions of this Chapter, any student who has successfully completed a home study program approved by the State Board of Elementary and Secondary Education and who has previously attended a Louisiana public high school, a Louisiana nonpublic high school, or an out-of-state high school shall be required to provide certification from the principal, headmaster, or other appropriate person at the high school previously attended that the student was in good standing at the time the student last attended such school.

S.(1) Notwithstanding any rule by the administering agency to the contrary, no student who is otherwise qualified for an award under this Chapter and who graduated during the 1997-1998 school year from a Louisiana public high school or nonpublic high school that is approved by the State Board of Elementary and Secondary Education and who submitted a qualifying score on the American College Test and who obtained such qualifying score on an authorized testing date after the date of the student's high school graduation but prior to July 1, 1998, shall be determined by the administering agency to be ineligible for an award due solely to the fact that the student took the test after graduating from high school.

(2) Notwithstanding any rule by the administering agency to the contrary, no dependent student who is otherwise qualified for an award under this Chapter and who graduated during the 1997-1998 school year from a Louisiana public high school or nonpublic high school that is approved by the State Board of Elementary and Secondary Education shall be determined by the administering agency to be ineligible for an award due solely to the fact that the student's parents became nonresidents during the student's senior year in high school provided that the parents were residents of Louisiana as provided for by this Section during the twenty-four months preceding the date they became nonresidents.

(3) Notwithstanding any rule by the administering agency to the contrary, no student who is otherwise qualified for an award under this Chapter and who graduated during the 1998-1999 school year from a Louisiana public high school or nonpublic high school that is approved by the State Board of Elementary and Secondary Education and who submitted a qualifying score on the American College Test and who obtained such qualifying score on an authorized testing date after the date of the student's high school graduation but prior to July 1, 1999, shall be determined by the administering agency to be ineligible for an award due solely to the fact that the student took the test after graduating from high school.

(4)(a) Notwithstanding any provision of this Chapter or administering agency rule to the contrary, for any student who meets each of the following conditions the state shall award, beginning with the 2000-2001 academic year and continuing for the remainder of the student's program eligibility, the sum of two hundred dollars per semester or four hundred dollars per academic year which shall be in addition to the amount determined to equal the tuition charged by the public college or university attended or, if applicable, the amount provided by this Section for attendance at an eligible nonpublic college or university:

(i) Prior to June 18, 1999, the student was determined by the administering agency to be eligible for a Performance Award pursuant to the provisions of this Chapter but chose to receive and was awarded an Opportunity Award.

(ii) The student, once enrolled at an eligible institution, met and continues to meet all requirements of this Chapter to maintain continued state payment for a Performance Award.

(b) Notwithstanding any provision of this Chapter or administering agency rule to the contrary, for any student who meets each of the following conditions the state shall award, beginning with the 2000-2001 academic year and continuing for the remainder of the student's program eligibility, the sum of four hundred dollars per semester or eight hundred dollars per

academic year which shall be in addition to the amount determined to equal the tuition charged by the public college or university attended or, if applicable, the amount provided by this Section for attendance at an eligible nonpublic college or university:

(i) Prior to June 18, 1999, the student was determined by the administering agency to be eligible for an Honors Award pursuant to the provisions of this Chapter but chose to receive and was awarded an Opportunity Award.

(ii) The student, once enrolled at an eligible institution, met and continues to meet all requirements of this Chapter to maintain continued state payment for an Honors Award.

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

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

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

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

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

(a) The student has been certified by the principal or headmaster to have graduated during the 2000-2001 school year or thereafter from a high school located outside of the United States and its territories which meets the standards adopted by the State Board of Elementary and Secondary Education for approval of nonpublic schools in Louisiana and which is accredited by an accrediting organization recognized by the United States Department of Education or, in the alternative, has been certified by a parent or court-ordered custodian to have successfully completed at the twelfth grade level a home study program approved by the State Board of Elementary and Secondary Education conducted outside the United States and its territories.

(b) The student has a composite score on the 1990 version of the American College Test which is at least three points higher than that otherwise required by this Section for a TOPS-Tech

Award for a student graduating from a Louisiana public high school or an equivalent concordant value on an enhanced or revised version of such test or on the Scholastic Aptitude Test.

(c)(i) If graduating from a high school and unless granted an exception for cause by the administering agency, the student has enrolled 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 high school or, if the student joins the United States armed forces within one year after the date that the student graduated from high school, has enrolled 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 that the student graduated from high school.

(ii) If a completer of a home study program approved by the State Board of Elementary and Secondary Education and unless granted an exception for cause by the administering agency, the student has enrolled 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 completed a home study program approved by the State Board of Elementary and Secondary Education or, if the student joins the United States armed forces within one year after the date that the student completed a home study program approved by the State Board of Elementary and Secondary Education, has enrolled 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 that the student completed a home study program approved by the State Board of Elementary and Secondary Education.

(d) The student meets the eligibility requirements provided in Items (A)(1)(a)(iii) and (iv) and Subparagraph (A)(1)(f) of this Section, provided however that a parent or court-ordered custodian who is living outside the United States and its territories, is actively engaged in work or another activity on behalf of a Louisiana employer or sponsor, and is not on active duty with the United States armed forces, may meet the residency requirement specified in Subsection A of this Section for dependent students by providing evidence satisfactory to the administering agency that the parent or court-ordered custodian complies with all of the following:

(i) Was a resident of Louisiana who actually lived in Louisiana for at least the twenty-four months preceding the date he started the work or activity outside the United States and its territories.

(ii) Has remained a resident of Louisiana through the date of the student's graduation from high school or completion of a home study program approved by the State Board of Elementary and Secondary Education.

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

(a) The student meets the eligibility requirements provided in Subparagraphs (1)(a), (c), and (d) of this Subsection.

(b) The student has a composite score on the 1990 version of the American College Test which is at least three points higher than that otherwise required by this Section for an Opportunity Award for a student graduating from a Louisiana public high school or an equivalent concordant value on an enhanced or revised version of such test or on the Scholastic Aptitude Test.

(3)(a) Notwithstanding any provision of Subparagraph (1)(b) or (2)(b) of this Subsection to the contrary and effective for a student qualifying for an initial program award for the 2005-2006 through the 2007-2008 award year pursuant to this Subsection, the student who is a

completer of a home study program approved by the State Board of Elementary and Secondary Education shall have a composite score on the 1990 version of the American College Test which is at least two points higher than that required by this Section for a student graduating from a Louisiana public high school or nonpublic high school which has been approved by the State Board of Elementary and Secondary Education or an equivalent concordant value on an enhanced or revised version of such test or on the Scholastic Aptitude Test.

(b) Notwithstanding any provision of Subparagraph (1)(b) or (2)(b) of this Subsection to the contrary and effective for a student qualifying for an initial TOPS-Tech or Opportunity award for the 2007-2008 award year or thereafter pursuant to this Subsection, the student, if a completer of a home study program approved by the State Board of Elementary and Secondary Education, shall have a minimum composite score on the 1990 version of the American College Test which is at least two points higher than that otherwise required by this Section for a student graduating from a Louisiana public high school or nonpublic high school which has been approved by the State Board of Elementary and Secondary Education or an equivalent concordant value on an enhanced or revised version of such test or on the Scholastic Aptitude Test.

W. Notwithstanding any provision of this Chapter to the contrary, any otherwise qualified student who meets each of the following conditions and who enrolls as a first-time freshman in an out-of-state college or university may use the program award provided for by this Section at an eligible college or university in Louisiana in accordance with this Subsection and other applicable provisions of this Chapter; however, the time period of award eligibility set forth in Subsection H of this Section shall be reduced by an equivalent number of units as may be applicable for each semester or equivalent time period that the student is enrolled in an out-of-state college or university:

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

(2) The student enrolled as a first-time freshman in an out-of-state college or university in accordance with the timelines specified by this Section for such enrollment in an eligible college or university in Louisiana and the out-of-state college or university is accredited by a regional accrediting organization recognized by the United States Department of Education.

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

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

X.(1) In addition to other provisions of this Section relative to student eligibility for Opportunity, Performance, and Honors awards and beginning with the 2004-2005 award year and thereafter, a student who meets each of the following conditions shall be eligible for such an award as provided by this Subsection:

(a) The student meets the citizenship requirements established by this Section for program awards and actually resides in this state for at least two years prior to the student's first enrollment in an eligible college.

(b) The student does not meet the initial eligibility requirements for an Opportunity, Performance, or Honors award pursuant to any other provision of this Section.

(c) As certified by a psychologist or psychiatrist licensed to practice in Louisiana, the student has a score that is at least in the superior range on the Wechsler Intelligence Scale for

Children (Third Edition) or revised version of such instrument or, if provided for by the administering agency by rule, has an equivalent score on a comparable diagnostic instrument.

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

(e) Prior to enrolling for the first time in an eligible college or university, the student meets the requirements of this Section otherwise applicable to a student who graduates from an eligible Louisiana high school relative to the student having at least the minimum composite score on the American College Test or having an equivalent score on the Scholastic Aptitude Test as specified for the respective awards.

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

(g) The student makes steady academic progress as defined by the administering agency toward the baccalaureate degree, earns not less than the minimum number of hours of credit required for full-time standing or the required number of hours needed to complete the degree program requirements, and while pursuing such baccalaureate degree maintains a cumulative grade point average as otherwise required by this Section for the particular award made to the student.

(h) Except as otherwise provided by this Subsection, the student meets and continues to meet all requirements of this Section relative to a student remaining eligible for the particular program award made to the student once a student is enrolled in an eligible college or university.

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

LSA-R.S. 17:3048.2

§3048.2. Effectiveness of Chapter; continuance of certain tuition payments

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

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

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

D. Any requirements of this Chapter that an award recipient must have enrolled in an eligible institution as a first-time freshman shall be waived for students who graduated from high school or successfully completed at the twelfth grade level a home study program approved by the State Board of Elementary and Secondary Education during the 1996-1997 school year.

E.(1) Notwithstanding the provisions of R.S. 17:3048.1(N), any student made eligible for an award under this Chapter pursuant to an Act of the 1998 First Extraordinary Session of the Legislature who would not have been eligible under this Chapter prior to such enactment shall receive an award only after all awards to all students who are eligible pursuant to the requirements of this Chapter as they existed prior to any Act of the 1998 First Extraordinary Session of the Legislature are fully funded.

(2) Should there be insufficient appropriations to fund an award for all students who were made eligible for an award under this Chapter by an Act of the 1998 First Extraordinary Session of the Legislature, then a reduction shall be made in the awards for such students by application of the procedures provided in R.S. 17:3048.1(N).

(3) The provisions of this Subsection shall apply only for the 1998-1999 school year.

F. All students for whom tuition payments were awarded prior to the 1998-1999 school year and pursuant to the provisions of R.S. 17:3026 as it existed prior to the effective date of this Subsection shall receive their award as an Opportunity Award pursuant to R.S.

17:3048.1(A)(1)(c) without the application to the student of any eligibility requirements of that program which exceed the requirements of R.S. 17:3026 as it existed prior to the effective date of this Subsection and without the application of any limitations of that program which would detrimentally affect the student.

G. All students for whom tuition payments were awarded prior to the 1998-1999 school year and pursuant to the provisions of R.S. 17:3042.31 through 3042.36 as such provisions existed prior to the effective date of this Subsection shall receive their award as a Performance Award pursuant to R.S. 17:3048.1(A)(1)(d) without the application to the student of any eligibility requirements of that program which exceed the requirements of R.S. 17:3042.31 through 3042.36 as such provisions existed prior to the effective date of this Subsection and without the application of any limitations of that program which would detrimentally affect the student.

LSA-R.S. 17:3048.3

§3048.3. Program information reporting system; implementation; requirements; applicability; participation by eligible institutions and others

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

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

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

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

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

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

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

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

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

(6) Statistical studies on the relationship between the courses taken and grades earned by a high school student and the student's score on the American College Test or the Scholastic Aptitude Test. Relative to public high schools, such statistical studies shall use student course and grade data that is otherwise available from the schools and such studies shall be conducted at no additional cost to the governing authority of any public high school.

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

LSA-R.S. 17:3048.4

§3048.4. Notice to students and parents

The State Board of Elementary and Secondary Education shall require that the governing authority of every public secondary school include as a component of a student's Five Year Educational Plan as required by R.S. 17:183.2 comprehensive information relative to the Taylor Opportunity Program for Students and program eligibility requirements for each of the awards.

Additionally, the parent or other person responsible for the student's school attendance at the ninth grade level shall be required to return to the school at the start of the student's ninth grade year a signed notice that the program information and eligibility requirements have been reviewed by the parent or other responsible person and by the student and that, for informational and data collection purposes only, expresses the intent of the parent or other responsible person as to whether or not the student will be pursuing the necessary program of studies to be eligible for a Taylor Opportunity Program for Students award.

LSA-R.S. 17:3048.5

§3048.5. TOPS-Tech Early Start Award; purpose; eligibility; award amounts limitations; administration; implementation; reports

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

B.(1) A TOPS-Tech Early Start Award may be used at a Louisiana public postsecondary education institution for the purpose of pursuing an industry-based occupational or vocational education credential as defined by the Board of Regents when such credential also meets all of the following conditions:

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

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

(c) Is approved by the State Board of Elementary and Secondary Education and by the Board of Supervisors of Community and Technical Colleges.

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

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

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

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

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

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

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

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

(4) Have at least the minimum scores required to pass the mathematics and English portions of the graduation exit exam established by the State Board of Elementary and Secondary Education.

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

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

- (1) Be a student in good standing in a Louisiana public high school.
- (2) Maintain a cumulative high school grade point average on all courses attempted of not less than 2.0 when calculated on a 4.0 scale.
- (3) Be a student in good standing while enrolled in a Louisiana public postsecondary education institution and continue to pursue one or more courses leading to an industry-based credential.

F.(1) The provisions of this Section shall be administered by the Louisiana Student Financial Assistance Commission, herein referred to as the "administering agency". Except as otherwise provided by this Section, the authority granted to and limitations placed on the administering agency by R.S. 17:3048.1 relative to administering other awards pursuant to the Taylor Opportunity Program for Students shall be deemed to apply also to the administration of the TOPS-Tech Early Start Award.

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

(3) The administering agency, in accordance with a plan approved by the Board of Regents, may implement the provisions of this Section initially on a pilot basis. However, if implemented on a pilot basis, it is the intention of the legislature that full implementation be achieved at the earliest time possible.

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

LSA-R.S. 17:3048.6

§3048.6. Initial eligibility for program awards; students displaced by certain natural disasters; waivers and exceptions; limitations

A.(1)(a) The legislature finds that due to the effects of natural disasters declared by the governor on August 26, 2005, relative to Hurricane Katrina, and on September 20, 2005, relative to Hurricane Rita, it is in the best interest for the education of the people of the state that initial eligibility requirements established in R.S. 17:3048.1 for awards pursuant to the Taylor Opportunity Program for Students be modified as provided by this Section for the 2005-2006, 2006-2007, 2007-2008, and 2008-2009 school years for students displaced as a result of the disasters.

(b) Notwithstanding any provision of this Section to the contrary, all modifications of initial eligibility requirements established in R.S. 17:3048.1 for awards pursuant to the Taylor Opportunity Program for Students provided by this Section for the 2005-2006 school year for a displaced student and for a dependent student pursuant to the provisions of Subitems

(B)(1)(c)(ii)(aa) and (bb) of this Section shall be applicable to a displaced student and a dependent student, as applicable, for the 2006-2007, 2007-2008, and 2008-2009 school years.

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

(a) The student, on August 26, 2005, was enrolled in a public high school or a nonpublic high school having the approvals by the State Board of Elementary and Secondary Education required by R.S. 17:3048.1 for program eligibility purposes and such school was located in Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Tammany, Tangipahoa, or Washington Parish or the student resided in such a parish and was enrolled in a home study program approved by the State Board of Elementary and Secondary Education.

(b) The student, on September 20, 2005, was enrolled in a public high school or a nonpublic high school having the approvals by the State Board of Elementary and Secondary Education required by R.S. 17:3048.1 for program eligibility purposes and such school was located in Acadia, Allen, Beauregard, Calcasieu, Cameron, Iberia, Jefferson Davis, St. Mary, Terrebonne, or Vermilion Parish or the student resided in such a parish and was enrolled in a home study program approved by the State Board of Elementary and Secondary Education.

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

(a) A displaced student who has been certified by the principal or headmaster to have graduated during the 2005-2006 school year from an out-of-state high school that meets the criteria to be an eligible out-of-state high school as provided in R.S. 17:3048.1(P)(1)(a) shall not be required to have for the respective awards a higher minimum composite score on the American College Test or on the Scholastic Aptitude Test than required for a student who graduates from an eligible Louisiana high school provided such student has, for a TOPS-Tech Award or Opportunity Award, a cumulative high school grade point average on all courses on the high school transcript of at least 2.50 calculated on a 4.00 scale or, for a Performance or Honors award, a cumulative high school grade point average on all courses on the high school transcript of at least 3.50 calculated on a 4.00 scale.

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

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

(ii)(aa) A parent or court-ordered custodian of a dependent student who is eligible for a program award pursuant to the provisions of R.S. 17:3048.1(P), relative to students who graduate from certain out-of-state high schools, and who was displaced as a resident from a parish listed in Subparagraph (A)(2)(a) of this Section due to Hurricane Katrina shall be deemed to meet program residency requirements if such parent or court-ordered custodian actually resided in Louisiana for at least the twelve months prior to August 26, 2005.

(bb) A parent or court-ordered custodian of a dependent student who is eligible for a program award pursuant to the provisions of R.S. 17:3048.1(P), relative to students who graduate from certain out-of-state high schools, and who was displaced as a resident from a parish listed in Subparagraph (A)(2)(b) of this Section due to Hurricane Rita shall be deemed to meet program residency requirements if such parent or court-ordered custodian actually resided in Louisiana for at least the twelve months prior to September 20, 2005.

(d) A displaced student who during the 2005-2006 school year successfully completes at the twelfth grade level a home study program approved by the State Board of Elementary and Secondary Education shall be eligible for program awards by complying with the provisions of R.S. 17:3048.1(Q), relative to certain students who have successfully completed home study programs approved by the state board. In such case, the statutory requirement that a student, if ever enrolled in a eligible Louisiana high school, must have begun his approved home study program no later than the conclusion of the tenth grade year shall not apply to the displaced student.

(2)(a)(i) Relative to initial eligibility requirements for a Taylor Opportunity Program for Students award applicable for the 2005-2006 school year to a displaced student, the Louisiana Student Financial Assistance Commission, in consultation with the commissioner of higher education and in accordance with the Administrative Procedure Act, shall by rule waive any provision of R.S. 17:3048.1 that imposes on such displaced student a program requirement or condition that such student cannot comply with or meet when it is determined by the commission that a failure to comply with the requirement or meet the condition, more likely than not, is due solely to a consequence of Hurricane Katrina or Rita, or both.

(ii) Relative to initial eligibility requirements for a Taylor Opportunity Program for Students award applicable for the 2005-2006 school year to any student displaced during the 2005-2006 school year as a consequence of a disaster or emergency other than Hurricane Katrina or Rita and for which the governor declares a state of emergency to exist, the Louisiana Student Financial Assistance Commission, in consultation with the commissioner of higher education

and in accordance with the Administrative Procedure Act, shall by rule waive any provision of R.S. 17:3048.1 that imposes on such student a program requirement or condition that the student cannot comply with or meet when it is determined by the commission that a failure to comply with the requirement or meet the condition, more likely than not, is due solely to a consequence of the declared disaster or emergency.

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

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

LSA-R.S. 17:3048.7

§3048.7. Continuing eligibility for program awards; students displaced by certain natural disasters; waivers and exceptions; limitations

A.(1) The legislature finds that due to the effects of natural disasters declared by the governor on August 26, 2005, relative to Hurricane Katrina, and on September 20, 2005, relative to Hurricane Rita, it is in the best interest for the education of the people of the state that continuing eligibility requirements established in R.S. 17:3048.1 for awards pursuant to the Taylor Opportunity Program for Students be modified as provided by this Section for the 2005-2006 academic year for students displaced as a result of either, or both, of the disasters.

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

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

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

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

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

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

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

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

(a)(i) The provisions of R.S. 17:3048.1(W) permitting a student qualified for a program award who enrolls as a first-time freshman in an eligible out-of-state college or university to

subsequently use the award at an eligible Louisiana college or university shall apply to a displaced student except that the time period of award eligibility shall not be reduced due to the student's attendance at an eligible out-of-state institution during the 2005-2006 academic year.

(ii) Relative to a displaced student having a suspended program award due to the student not meeting a requirement relative to having a specified grade point average or making steady academic progress, the respective time periods provided in R.S. 17:3048.1 for the student to meet such requirement or lose program eligibility shall be extended on a one-for-one basis for each semester or other term in which the student does not enroll on a full-time basis in an eligible college or university during the 2005-2006 academic year.

(iii) The program award for a displaced student shall not be canceled if the student enrolls during the 2005-2006 academic year in an eligible out-of-state institution subsequent to use of a program award at an eligible Louisiana college or university. Additionally, the periods of time provided in R.S. 17:3048.1 for use by eligible recipients of program awards shall not be reduced for those semesters or terms such displaced student was enrolled in an eligible out-of-state institution during the 2005-2006 academic year and the unused period of time shall remain available to the displaced student for use at an eligible Louisiana college or university.

(iv) In addition to the provisions of R.S. 17:3048.1(B)(2) permitting a recipient to use a TOPS-Tech Award at an eligible Louisiana college or university to pursue skill or occupational training, as defined by the Board of Regents, including a vocational or technical education certificate or diploma program or a nonacademic degree, a TOPS-Tech Award also may be used during the 2005-2006 academic year by a displaced student to enroll on a full-time basis at an eligible Louisiana college or university granting academic undergraduate degrees to take courses that contribute to the pursuit of a skill or occupation. In such case, the award amount paid by the state on behalf of the student shall be at the Opportunity Award level.

(2)(a)(i) Relative to continuing eligibility requirements for a Taylor Opportunity Program for Students award applicable for the 2005-2006 academic year to a student displaced during the 2005-2006 academic year, the Louisiana Student Financial Assistance Commission, in consultation with the commissioner of higher education and in accordance with the Administrative Procedure Act, shall by rule waive any provision of R.S. 17:3048.1 that imposes on a displaced student a program requirement or condition that such student cannot comply with or meet when it is determined by the commission that a failure to comply with the requirement or meet the condition, more likely than not, is due solely to a consequence of Hurricane Katrina or Rita, or both.

(ii) Relative to continuing eligibility requirements for a Taylor Opportunity Program for Students award applicable for the 2005-2006 academic year to any student displaced during the 2005-2006 academic year as a consequence of a disaster or emergency other than Hurricane Katrina or Rita and for which the governor declares a state of emergency to exist, the Louisiana Student Financial Assistance Commission, in consultation with the commissioner of higher education and in accordance with the Administrative Procedure Act, shall by rule waive any provision of R.S. 17:3048.1 that imposes on such student a program requirement or condition that the student cannot comply with or meet when it is determined by the commission that a failure to comply with the requirement or meet the condition, more likely than not, is due solely to a consequence of the declared disaster or emergency.

(b) In addition to provisions of the Administrative Procedure Act relative to oversight by the legislature of the adoption of commission rules, the Joint Legislative Committee on the Budget, in accordance with procedures and threshold amounts established by the committee,

shall have oversight and approval authority over any rule proposed for adoption pursuant to the provisions of this Paragraph that has a significant program or other cost, or both, to the state.

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