

# DECLARATION OF EMERGENCY

## Student Financial Assistance Commission Office of Student Financial Assistance

Scholarship/Grant Programs  
(LAC 28:IV.1009, 1011, 1013, 1015 and 1017)

The Louisiana Student Financial Assistance Commission (LASFAC) is exercising the emergency provisions of the Administrative Procedure Act [R.S. 49:953(B)] to amend and re-promulgate the rules of the Scholarship/Grant programs (R.S. 17:3021-3025, R.S. 3041.10-3041.15, and R.S. 17:3042.1.1-3042.8, R.S. 17:3048.1, R.S. 56:797.D(2)).

This rulemaking aligns the certification requirements of the TOPS Tech Early Start Award with those for the Early Start Award such that high schools are responsible for certifying that students are eligible for the program and that participating colleges and universities are responsible for ensuring that students enroll in eligible courses.

The emergency rules are necessary to implement changes to the Scholarship/Grant programs to allow the Louisiana Office of Student Financial Assistance and state educational institutions to effectively administer these programs. A delay in promulgating rules would have an adverse impact on the financial welfare of the eligible students and the financial condition of their families. LASFAC has determined that these emergency rules are necessary in order to prevent imminent financial peril to the welfare of the affected students.

This declaration of emergency is effective April 6, 2010, and shall remain in effect for the maximum period allowed under the Administrative Procedure Act. (SG10114E)

### Title 28

#### Education Scholarship and Grant Programs Part IV. Student Financial Assistance- Higher Education

#### Chapter 10. TOPS-Tech Early Start Award

##### §1009. ~~Eligibility~~ ~~Determination~~Responsibilities of LOSFA

~~A. LOSFA shall determine the initial eligibility of students for the TOPS Tech Early Start Award and provide a list of eligible students to public postsecondary institutions.~~

~~B. A.~~ Upon receipt of bills from institutions submitted in accordance with §1903.B, LOSFA will reimburse the institution for each eligible student in accordance with §1903.

~~C. LOSFA shall determine the continuing eligibility of students for the TOPS Tech Early Start Award and provide a list of eligible students to public postsecondary institutions.~~

~~D.~~ LOSFA shall conduct audits of the participating Louisiana public postsecondary

institutions to ensure compliance with program requirements.

E. LOSFA shall provide the information necessary to fully inform Louisiana public high school students and their parents on the requirements of and procedures for applying for and maintaining the award.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3036, R.S. 17:3042.1, R.S. 17:3048.1 and R.S. 17:3048.5.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 31:3110 (December 2005).

##### §1011. ~~Responsibilities of High Schools and~~ School Boards

A. The high school ~~and school board~~ shall comply with the reporting requirements of §1703 for all students enrolled in high school.

B. The high school shall determine whether the student is eligible to participate in the TOPS-Tech Early Start program and -in good standing in that high school. approve or disapprove the student's participation in the TOPS Tech Early Start program.

~~C. If the high school approves the high school's approval of the student's participation in the program by signing the student's application, it must certify certifies that the student meets the eligibility criteria provided in §1005.A.1-5, and, if applicable, §1007.A.2 and 3 by signing the student's application.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3036, R.S. 17:3042.1, R.S. 17:3048.1 and R.S. 17:3048.5.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 31:3110 (December 2005).

### **§1013. Responsibilities of Louisiana Public Postsecondary Institutions**

A. Each Louisiana public postsecondary institution that offers an industry based occupational or vocational education credential in a top demand occupation shall:

1. determine whether an eligible student has applied for enrolled enrollment in a course at that institution to pursue an industry based occupational or vocational education credential in a top demand occupation in accordance with §1903.D;

2. determine whether the student ~~is in good standing at that institution has met the requirements to maintain an award as required by §1007.A.4-6 and may continue to enroll in courses at that institution to pursue an industry based occupational or vocational education credential in a top demand occupation in accordance with §1903.D;~~

3. submit bills to LOSFA in accordance with §1903.B for each eligible student so enrolled;

4. comply with the reporting and records retention requirements of §1903.A and F.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3036, R.S. 17:3042.1, R.S. 17:3048.1 and R.S. 17:3048.5.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 31:3110 (December 2005).

### **§1015. Responsibilities of the Board of Regents**

~~A. The Board of Regents shall provide data in its possession to LOSFA as needed to determine initial eligibility for the TOPS Tech Early Start Award.~~

~~BA.~~ The Board of Regents shall define, and maintain, and make available to LOSFA and public postsecondary institutions a list of industry based occupational or vocational education credentials.

~~CB.~~ In the event that the funds appropriated for the TOPS-Tech Early Start Award are insufficient to pay all awards for all eligible students, the Board of Regents shall develop, approve and deliver a plan to LOSFA to limit the awards to the amount appropriated.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3036, R.S. 17:3042.1, R.S. 17:3048.1 and R.S. 17:3048.5.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 31:3110 (December 2005).

### **§1017. Repealed Responsibilities of the Board of Elementary and Secondary Education (BESE) and the Louisiana Department of Education (LDE),**

~~A. BESE shall provide data in its possession to LOSFA as needed to determine initial eligibility for the TOPS Tech Early Start Award.~~

~~B. LDE shall provide data in its possession to LOSFA as needed to determine initial eligibility for the TOPS Tech Early Start Award.~~

~~AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3036, R.S. 17:3042.1, R.S. 17:3048.1 and R.S. 17:3048.5.~~

~~HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 31:3110 (December 2005).~~

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