

DECLARATION OF EMERGENCY

**Student Financial Assistance Commission
Office of Student Financial Assistance
Scholarship/Grant Programs
(LAC 28:IV:1203, 1205, 1207, 1211, 1213 and 1217)**

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, 17:3046-3046.2, R.S. 17:3048.1, R.S. 56:797.D(2)).

This rulemaking will change the methodology to determine eligibility to participate in the GO Grant Program to provide that a student is eligible for a GO Grant if he is eligible for and is receiving a federal Pell grant or a financial need grant and to provide that the Board of Regents sets the maximum award amount to students based on the appropriation by the legislature for the academic year.

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 July 14, 2010, and shall remain in effect for the maximum period allowed under the Administrative Procedure Act. (SG10122E)

**TITLE 28
EDUCATION**

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

Chapter 12. Louisiana GO Grant

~~b. For a Louisiana public college that has been granted regional Candidacy Status and is eligible to participate in the Go Grant Program, the Louisiana Basic College Costs (LBCC) minus the financial need grant amount at that institution for a full time student.~~

~~Education Cost Gap (ECG) Threshold—an amount set by the Board of Regents that is projected to provide the award to all students who are otherwise eligible and have an ECG at or greater than that amount.~~

* * *

~~Financial Need—the student’s costs of attendance minus the expected family contribution (EFC) and minus the student’s federal Pell grant, any estimated financial assistance not received under Title IV of the Higher Education Act as amended.~~

* * *

~~Louisiana Basic College Costs (LBCC)—~~

~~a. for students enrolled at eligible Louisiana public institutions, the tuition and mandatory fees that are assessed a full time student for enrollment during the academic year at that institution, not including summer semesters or sessions, as approved on a yearly basis by the Louisiana Board of Regents, plus the education allowance;~~

~~b. for students enrolled at regionally accredited independent colleges or universities in the state that are members of the Louisiana Association of~~

...

§1203. Definitions

A. The following definitions shall be applicable to the Louisiana GO Grant Program. Words and terms not otherwise defined in this Chapter shall have the meanings ascribed to such words and terms in this Section. Where the masculine is used in these rules, it includes the feminine, and vice versa; where the singular is used, it includes the plural, and vice versa.

* * *

~~Education Allowance—\$2,000 per academic year~~

~~Education Cost Gap (ECG).~~

~~a. for eligible Louisiana institutions, except a Louisiana public college that has been granted regional Candidacy Status and is eligible to participate in the Go Grant Program, the Louisiana Basic College Costs (LBCC) minus the federal Pell Grant amount for a full time student;~~

~~Independent Colleges and Universities, the average tuition and mandatory fees for full-time students at the four-year eligible Louisiana public institutions, plus the education allowance.~~

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3023 and R.S. 17:3046 *et seq.*

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 33:2614 (December 2007), amended LR 34:236 (February 2008), LR 35:647 (April 2009), LR 35:2349 (November 2009).

§1205. Application and Initial Eligibility

A.-B.2. ...

3. have financial need ~~Education Costs Gap (ECG) at least equal to or greater than the ECG threshold in effect for the academic year;~~ and

4.a.-C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3023 and R.S. 17:3046 *et seq.*

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 33:2616 (December 2007), amended LR 34:238 (February 2008), LR 35:2349 (November 2009).

§1207. Continuing Eligibility

A.-B.1. ...

2. The student must still have financial need ~~an ECG at least equal to or greater than the ECG threshold in effect for the academic year as determined using the ECG formula.~~

3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3023 and R.S. 17:3046 *et seq.*

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 33:2616 (December 2007), amended LR 34:238 (February 2008), LR 35:2349 (November 2009).

§1211. Responsibilities of Eligible Louisiana Institutions

A.-C.2. ...

3. the payment request shall include the social security number, college code, term, date, hours attempted, award amount, ~~education cost gap~~ and amount requested for each student.

C.4.-G. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3023 and R.S. 17:3046 *et seq.*

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 33:2616 (December 2007), amended LR 34:238 (February 2008), LR 35:2349 (November 2009).

§1213. Responsibilities of LOSFA

A.-B. ...

C. LOSFA shall maintain a database of all students who have received the GO Grant, included social security number, college code, term, date, hours attempted, award amount, ~~education cost gap amount,~~ annual amount received, and aggregate amount received. In the event LOSFA receives a payment request in an amount that would exceed the student's eligibility, LOSFA will pay only that amount that will not exceed the student's eligibility.

D. Adequacy of Funding

1. After the receipt of fall semester or term payment requests, but no later than October 15 of each year, LOSFA shall determine whether sufficient funds are available to pay all anticipated awards for subsequent semesters, terms and sessions of the academic year.

2. In the event projections indicate sufficient funds are not available, LOSFA shall notify the Board of Regents.

3. LOSFA will provide to the Board of Regents information that is necessary to determine appropriate funding amounts upon the request of the Board of Regents.

E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3023 and R.S. 17:3046 *et seq.*

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 33:2616 (December 2007), amended LR 34:238 (February 2008), LR 35:2349 (November 2009).

§1217. Responsibilities of the Board of Regents

A. At least on an annual basis, the Board of Regents shall review the amount appropriated for this program, and based on that figure, determine the maximum amount to be received by students attending school on a full-time, half-time, and less than half-time basis, and it shall provide notice to LOSFA of that amount, and adjust, as necessary, the ECG threshold, to provide grants to eligible students with the funds appropriated for the GO Grant Program and shall provide notice to LOSFA of any change.

B. In the event of receipt of notice of a shortfall and additional funds are not allocated for payment of all anticipated awards for subsequent semesters, terms and sessions during the academic year, the Board of Regents shall develop, approve and deliver a plan to LOSFA to address the shortfall.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3023 and R.S. 17:3046 *et seq.*

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 35:2350 (November 2009).

George Badge Eldredge
General Counsel