

NOTICE OF INTENT
Student Financial Assistance Commission
Office of Student Financial Assistance
Scholarship/Grant Programs
(LAC 28:IV.301, 507, 509, 703, 705, 803, 805, 2103, 2107)

The Louisiana Student Financial Assistance Commission (LASFAC) announces its intention to amend its Scholarship/Grant rules (LSA-R.S. 17:3021-3025, LSA-R.S. 3041.10-3041.15, LSA-R.S. 17:3042.1, LSA-R.S. 17:3048.1, LSA-R.S. 17:3048.5 and LSA-R.S. 17:3048.6).

This rulemaking amends the definition of “academic year (college)” to include summer sessions.

This rulemaking implements Acts 108 and 215 of the 2012 Regular Session of the Louisiana Legislature to extend the deadline to earn a qualifying score on the ACT or SAT under certain extenuating circumstances and to extend the deadlines for first-time, full-time enrollment and for earning the minimum cumulative grade point average after TOPS award suspension for certain students who join the United States Armed Forces.

This rulemaking makes technical corrections to make all TOPS provisions in the rules consistent with a previous change to the definition of Award Year (College) that allows use of hours earned in summer sessions and summer intersessions to meet the TOPS requirement to earn at least 24 hours each academic year.

This rulemaking extends the time to submit documentation in support of a student’s application for a TOPS Award to January 15 immediately following the final deadline for receipt of the student’s FAFSA or on-line application.

This rulemaking simplifies the requirements for certain exceptions to the TOPS continuation requirements.

The proposed rule has no known impact on family formation, stability, or autonomy, as described in LSA-R.S. 49:972. The proposed rule will have no adverse impact on small businesses as described in LSA-R.S. 49:965.2 *et seq.* The proposed rulemaking will have no impact on poverty as described in LSA-R.S. 49:973. (SG13140NI)

Title 28

EDUCATION

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

Chapter 3. Definitions

§301. Definitions

A. 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.

Qualified Summer Session—those summer sessions (includes terms and semesters conducted during the summer) for which the student’s institution certifies that:

- a. the summer session is required in the student’s degree program for graduation and the student enrolled for at least the minimum number of hours required for the degree program for the session; or
- b. the student can complete his program’s graduation requirements in the summer session; or
- c. the course(s) taken during the summer session is required for graduation in the program in which the student is enrolled and is only offered during the summer session; or
- d. the course(s) taken during the summer session is in a program for a vocational or technical

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education certificate or diploma or a non-academic undergraduate degree; or

e. for the summer of 2006 only, the student is a displaced student as identified in §2103.G.-1 of these rules, whose TOPS award was not paid for one or more semesters during the 2005-2006 academic year; ~~or~~

f. beginning with the summer of 2010, prior to the beginning of the summer session, the student:

i. has at least 60 academic college credit hours;

ii. has enrolled as a full time student for the summer session; and

iii. has signed a form provided by LOSFA:

(a). requesting payment for the summer session from the student's remaining TOPS eligibility;

(b). stating the student understands that the use of the TOPS award for the summer session reduces the student's TOPS eligibility by one semester or term; and

~~(c). stating the student understands that the hours earned cannot be used to meet the TOPS requirement to earn at least 24 hours each academic year; and~~

~~(c).~~ stating the student understands that the grades earned during the summer session will be included in the student's cumulative grade point average.

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AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3025, R.S. 17:3042.1 and R.S. 17:3048.1.

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(March 2010), LR 36:2854 (December 2010), LR 37:1561 (June 2011), LR 37:1562 (June 2011).

Chapter 5. Applications, Federal Grant Aid and ACT Test

§507. Final Deadline for Submitting Documentation of Eligibility

A. – B.1. ...

B.2. Beginning with the 2005-2006 academic year (college) through the 2010-11 academic year (college), all documentation and certifications necessary to establish student initial eligibility including, but not limited to, high school and/or college transcripts and certifications, copies of student aid reports, applicant confirmation forms, promissory notes, ACT and/or SAT scores, residency affidavits, proof of citizenship or permanent residency status and other documents that may be utilized in determining eligibility, must be received by LASFAC no later than July 1 immediately following the academic year (college) the student is first eligible for payment of a TOPS award. For example, if a student's initial FAFSA is received no later than July 1, 2007, for that student to receive an award for the 2007-2008 academic year (college), LASFAC must have in its possession all documents relevant to establishing eligibility by July 1, 2008.

3. Beginning with the 2011-12 academic year (college), all documentation and certifications necessary to establish student initial eligibility including, but not limited to, high school and/or college transcripts and certifications, copies of student aid reports, applicant confirmation forms, promissory notes, ACT and/or SAT scores, residency affidavits, proof of citizenship or permanent residency status and other documents that may be utilized in determining eligibility, must be received by LASFAC no later than January 15 immediately following the final deadline for receipt of the student's FAFSA or on-line application. For example, if a student's graduates from high school in May 2011, the final deadline for receipt of the student's FAFSA or on-line application is July 1, 2012, and the deadline for receipt of all documents relevant to establishing eligibility is January 15, 2013.

C.1. – E. ...

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

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), repromulgated LR 24:635 (April 1998), amended LR 24:1901 (October 1998), repromulgated LR 27:1847 (November 2001), amended LR 28:447 (March 2002), LR 30:1161 (June 2004), LR 30:1471 (July 2004), LR 30:2019 (September 2004), LR 32:2238 (December 2006), LR

33:2357 (November 2007), LR 34:1389 (July 2008), LR 34:1884 (September 2008), LR 36:312 (February 2010).

§509. ACT Testing Deadline

A.1. – A.2 ...

B.1. The student may substitute an equivalent score, as determined by the comparison tables used by LASFAC, on an equivalent ~~Scholastic Aptitude Test (SAT)~~ taken on or before the official April test date in the academic year (high school) in which the student graduates. In order to substitute a SAT score, the student must direct the college board to send the score to LOSFA so that the score is electronically reported to LOSFA by the college board within 45 days of the final test date allowed by §509. SAT scores received in any other manner shall not be considered.

2. An eligible non-graduate may substitute an equivalent score, as determined by the comparison tables used by LASFAC, on an equivalent ~~Scholastic Aptitude Test (SAT)~~ taken before the first day of the semester the student first enrolls in an eligible college or university. In order to substitute an SAT score, the student must direct the college board to send the score to LOSFA so that the score is electronically reported to LOSFA by the college board within 45 days of the final test date allowed by §509. SAT scores received in any other manner shall not be considered.

C. Final ACT Testing Deadline for Reduced Awards

1. a. Beginning with awards made to applicants graduating in academic year (high school) 2000 through 2003, if an applicant does not achieve a qualifying score on the ACT or on the SAT for the TOPS Opportunity Award by the April national ACT test date in the year of the applicant's high school graduation, then the applicant's first qualifying score for any TOPS Award obtained on an authorized testing date after the April national ACT test date in the year of the applicant's high school graduation but prior to July 1 of the year of such graduation will be accepted. However, when granting an award to an applicant whose qualifying test score is obtained on an authorized testing date after the date of the applicant's high school graduation but prior to July 1 of the year of such graduation, the applicant's period of eligibility for the award shall be reduced by one semester, two quarters, or an equivalent number of units at an eligible institution which operates on a schedule based on units other than semesters or quarters. Except for an applicant who has qualified for a TOPS-Tech Award on or prior to the April national ACT test date, an applicant will not be allowed to use a test score obtained after the April national ACT test date to upgrade a TOPS Award.

b. i. Beginning with awards made to applicants graduating in academic year (high school) 2004 through 2010, if an applicant does not achieve a qualifying score on the ACT or on the SAT for the TOPS Opportunity Award by the April national ACT test date in the year of the applicant's high school graduation, then the applicant's first qualifying score for any TOPS Award obtained on an authorized testing date after the April national ACT test date in the year of the applicant's high school graduation but prior to July 1 of the year of such graduation will be accepted. However, when granting an award to an applicant whose qualifying test score is obtained on an authorized testing date after the April national ACT test date in the year of the applicant's high school graduation but prior to July 1 of the year of such graduation, the applicant's period of eligibility for the award shall be reduced by one semester, two quarters, or an equivalent number of units at an eligible institution which operates on a schedule based on units other than semesters or quarters. Except for an applicant who has qualified for a TOPS-Tech Award on or prior to the April national ACT test date, an applicant will not be allowed to use a test score obtained after the April national ACT test date to upgrade a TOPS Award.

ii. Beginning with awards made to applicants graduating in academic year (high school) 2011, if an applicant does not achieve a qualifying score on the ACT or on the SAT for the TOPS Opportunity Award by the April national ACT test date in the year of the applicant's high school graduation, then the applicant's first qualifying score for any TOPS Award obtained on an authorized testing date after the April national ACT test date in the year of the applicant's high school graduation but prior to July 1 of the year of such graduation will be accepted or, if the commission determines that the applicant was prevented from taking the test prior to July 1 of the year of graduation due to circumstances beyond the immediate control of the student and attributable to the administration of the test, the applicant's first qualifying score for any TOPS Award obtained on an authorized testing date after the April national ACT test date in the year of the applicant's high school graduation but prior to October 1 of the year of such graduation will be accepted. However, when granting an award to an applicant whose qualifying test score is obtained on an authorized testing date after the April national ACT test date in the year of the applicant's high school graduation, the applicant's period of eligibility for the award shall be reduced by one semester, two quarters, or an equivalent number of units at an eligible institution which operates on a schedule based on units other than semesters or quarters. Except for an applicant who has qualified for a TOPS-Tech Award on or prior to the April national ACT test date, an applicant will

not be allowed to use a test score obtained after the April national ACT test date to upgrade a TOPS Award.

c. For the purpose of the Subsection, the "April national ACT test date" shall be defined as the month of April.

d. Tests taken by an eligible non-graduate after the first day of the semester the student first enrolls in an eligible college or university shall not be accepted.

2. a. Beginning with applicants graduating in academic year (high school) 1997 through 2010, Students-applicants who fail to achieve an ACT or SAT qualifying score prior to July 1 of the year of high school graduation shall not be considered for an award.

b. Beginning with applicants graduating in academic year (high school) 2011, applicants shall not be considered for an award if they fail to achieve a qualifying score on the ACT or on the SAT prior to July 1 of the year of high school graduation, or prior to October 1 of the year of high school graduation, if the commission determines that the applicant was prevented from taking the test prior to July 1 of the year of graduation due to circumstances beyond the immediate control of the student and attributable to the administration of the test.

D. – E. ...

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

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Chapter 7. Taylor Opportunity Program for Students (TOPS) Opportunity, Performance, and Honors Awards

§703. Establishing Eligibility

A.1.a. – A4.a. ...

b. if the student joins the United States Armed Forces within one year after graduating from an eligible Louisiana or an eligible non-Louisiana high school or from an eligible out of country high school, enroll not later than the semester, quarter or term, excluding summer semesters or sessions immediately following the one-year anniversary of the student's separation from active duty service, including all consecutive periods of reenlistment.

Reenlistment at any time during the student's first enlistment shall be considered to be on or prior to the fifth anniversary of the date that the student graduated from high school; the 5th anniversary of the date that the student graduated from high school or not later than the semester, excluding summer semesters or sessions, immediately following the one year anniversary of the student's separation from active duty, whichever is earlier; or

c. if the student is eligible under the provisions of §703.A.5.d or e, enroll not later than the semester or term, excluding summer semesters or sessions, immediately following the first anniversary of the date the student completes the home study program, which is deemed to be May 31; or

d. if the student is eligible under the provisions of §703.A.5.d or e, and joins has joined and is on active duty with the United States Armed Forces within one year of completion of the 12th grade of an approved home study program, enroll not later than the semester, quarter or term, excluding summer semesters or sessions immediately following the one-year anniversary of the student's separation from active duty service, including all consecutive periods of reenlistment. Reenlistment at any time during the student's first enlistment shall be considered to be on or prior to the fifth anniversary of the date that the student graduated from high school; the 5th anniversary of the completion of the approved home study program or not later than the semester, excluding summer semesters or sessions, immediately following the one year anniversary of the student's separation from active duty, whichever is earlier; or

A.4.e. – J.4.b.ii. ...

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36:2269 (October 2010), LR 36:2855 (December 2010), LR 37:2987 (October 2011), LR 38:354 (February 2012).

§705. Maintaining Eligibility

A. - A.6.a.i ...

ii. beginning in the 2008-2009 and through the 2010-2011 academic year (college), in an academic undergraduate program at an eligible college or university, by the end of each academic year (college), earn a total of at least 24 college credit hours as determined by totaling the earned hours reported by the institution for each semester or ~~term~~ quarter in the academic year (college), including any hours earned during an intersession ending during the academic year or immediately following the spring term. These hours shall include remedial course work required by the institution, but shall not include hours earned during qualified summer sessions, summer sessions or intersessions that do not end during the academic year or intersessions that do not immediately follow the spring term or by advanced placement course credits. Unless granted an exception for cause by LASFAC, failure to earn the required number of hours will result in permanent cancellation of the recipient's eligibility; or

iii. beginning in the 2011-2012 academic year (college), in an academic undergraduate program at an eligible college or university, by the end of each academic year (college), earn a total of at least 24 college credit hours as determined by totaling the earned hours reported by the institution for each semester or quarter, intersession and summer session in the academic year (college) (includes any hours earned during any intersession and/or summer session ending before the following fall semester or quarter). These hours shall include remedial course work required by the institution and hours for repeated courses, but shall not include hours by advanced placement course credits, by credit by exam, or through the College-Level Examination Program. Unless granted an exception for cause by the Commission, failure to earn the required number of hours will result in permanent cancellation of the recipient's eligibility; or

b. in a program for a vocational or technical education certificate or diploma or a non-academic undergraduate degree at an eligible college or university, earn a total of at least 24 college credit hours as determined by totaling the earned hours reported by the institution for each semester or term in the program year (non-academic program). Unless granted an exception for cause by LASFAC, failure to earn the required number of hours will result in permanent cancellation of the recipient's eligibility; or

c. in an academic graduate or professional program at an eligible college or university, by the

end of each academic year (college), earn at least the total college credit hours required by the college or university for full time enrollment for each semester or quarter as determined by totaling the earned hours reported by the institution for each semester or quarter, intersession and summer session in the academic year (college) (includes any hours earned during any intersession and/or summer session ending before the following fall semester or quarter). These hours shall not include hours ~~earned during qualified summer sessions, summer sessions nor intersessions nor~~ by advanced placement course credits, by credit by exam, or through the College-Level Examination Program. Unless granted an exception for cause by LASFAC, failure to earn the required number of hours will result in permanent cancellation of the recipient's eligibility; or

A.6.d. – A.9. ...

B. Students failing to meet the requirements listed in §705.A.7 or §705.A.8.a, b, or c may have their tuition awards reinstated upon regaining *steady academic progress* (see §301) and/or attainment of the required GPA, if the period of ineligibility did not persist for more than two years from the date of loss of eligibility. Students who fail to meet the continuation requirements of 705.A.8.c, but who meet the continuation requirements of §705.A.8.a or b., shall no longer be eligible for the stipend authorized for the Performance and Honors Awards, but shall continue to receive the award amount for the Opportunity Award. If the two-year period is interrupted due to a student's active duty in the United States Armed Forces, the two-year period will be extended for a length of time equal to the student's active duty service, ~~not to exceed four years~~.

C. – E.3. ...

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

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Chapter 8. TOPS-Tech Award

§803. Establishing Eligibility

A. – A.4.a. ...

b. i. if the student joins the United States Armed Forces within one year after graduating from an eligible Louisiana or an eligible non-Louisiana high school or from an eligible out of country high school, enroll not later than the semester, quarter or term excluding summer semesters or sessions, immediately following the one-year anniversary of the student's separation from active duty service, including all consecutive periods of reenlistment. Reenlistment at any time during the student's first enlistment shall be considered to be on or prior to the fifth anniversary of the date that the student graduated from high school; the 5th anniversary of the date that the student graduated from high school or not later than the semester, excluding summer semesters or sessions, immediately following the one year anniversary of the student's separation from active duty, whichever is earlier; or

c. if the student is eligible under the provisions of §803.A.5.d, enroll not later than the semester or term, excluding summer semesters or sessions, immediately following the first anniversary of the date the student completed the home study program, which is deemed to be May 31; or

d. i. if the student is eligible under the provisions of §803.A.5.d and has joined and is on active duty with the United States Armed Forces within one year of the date the student completed the home study program, which is deemed to be May 31, enroll not later than the semester, quarter or term, excluding summer semesters or sessions, immediately following the one-year anniversary of the student's separation from active duty service, including all consecutive periods of reenlistment. Reenlistment at any time during the student's first enlistment shall be considered to be on or prior to the fifth anniversary of the date that the student graduated from high school; the 5th anniversary of the date the student completed the home study program, or not later than the semester, excluding summer semesters or sessions, immediately following the one year anniversary of the student's separation from active duty, whichever is earlier; and

A.5. – B.4.b.ii. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3025, R.S. 17:3042.1 and R.S. 17:3048.1.

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(January 2005), LR 31:3114 (December 2005), LR 33:437 (March 2007), LR 33:2614 (December 2007), LR 35:230 (February 2009), LR 36:491 (March 2010), LR 36:2270 (October 2010), LR 36:2856 (December 2010).

§805. Maintaining Eligibility

A. – A.8. ...

B. Students failing to meet the requirements listed in §805.A.7 and 8 may have their tuition awards reinstated upon achieving steady academic progress, as defined in §301, and the attainment of the required grade point average, if the period of ineligibility did not persist for more than one year from the date of loss of eligibility. If the one-year period is interrupted due to a student's active duty in the United States Armed Forces, the one-year period will be extended for a length of time equal to the student's active duty service, ~~not to exceed four years.~~

C. – D.3. ...

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

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Chapter 21. Miscellaneous Provisions and Exceptions

§2103. Circumstances Warranting Exception to the Initial and Continuous Enrollment Requirements

A. - E.1.c. ...

2. Physical Rehabilitation Program

a. Definition. The student/recipient is receiving rehabilitation in a program prescribed by a qualified medical professional and administered by a qualified medical professional.

b. Certification Requirements. The student/recipient must submit:

i. a completed exception request form including the reason for the rehabilitation, dates of absence from class, the necessity of withdrawing, dropping hours, etc., the semester(s) or number of days involved, and any other information or documents; and

ii. a written statement from a qualified medical professional confirming the student/recipient's describing the rehabilitation,

~~including the diagnosis, and the beginning and ending dates of the rehabilitation, the required treatment, and the length of the recovery period.~~

c. Maximum Length of Exception. Up to four consecutive semesters (six consecutive quarters) per occurrence.

3. Substance Abuse Rehabilitation Program

a. Definition. The student/recipient is receiving rehabilitation in a substance abuse program ~~prescribed by a qualified professional and administered by a qualified professional.~~

b. Certification Requirements. The student/recipient must submit:

i. a completed exception request form including official college transcripts, the reason for the rehabilitation, dates of absence from class, the necessity of withdrawing, dropping hours, etc., the semester(s) or number of days involved, and any other information or documents; and

ii. a written statement from a qualified professional ~~confirming the student's describing the rehabilitation and, including the diagnosis, the beginning and ending dates of the rehabilitation, the required treatment, and the length of the recovery period.~~

c. Maximum Length of Exception. Up to two consecutive semesters (three consecutive quarters). This exception shall be available to a student only one time.

4. a. Temporary Disability - Student

ia. Definition. The student/recipient is recovering from an accident, injury, illness or required surgery, ~~or the student/recipient is providing continuous care to his/her spouse, dependent, parent, stepparent, or custodian due to an accident, illness, injury or required surgery.~~

ii. Certification Requirements. The student/recipient must submit:

(a).i. a completed exception request form including official college transcripts, the reason for the disability, dates of absence from class, the necessity of withdrawing, dropping hours, etc., the semester(s) or number of days involved, and any other information or documents; and

(b).ii. a written statement from a qualified professional of the existence of a temporary disability, ~~and a description of the injury, illness, or required surgery, including the dates of treatment, the treatment required, the prognosis, the length of the recovery period, the beginning and ending dates of the doctor's care,~~ and opinions as to the impact of the disability on the student's ability to attend school; ~~and~~

~~iii. if a temporary disability of another, a statement from the family member or a qualified professional confirming the care given by the student.~~

iii.e. Maximum Length of Exception -

~~i. Up to four consecutive semesters (six consecutive quarters) for recipient;~~

~~ii. up to a maximum of two consecutive semesters (three consecutive quarters) for care of a disabled dependent, spouse, parent, or custodian.~~

b. Temporary Disability - Student/Recipient's Care of Immediate Family Member

i. (a) Definition. -The student/recipient is providing continuous care to his/her immediate family member due to an accident, illness, injury or required surgery.

(b). An immediate family member is his/her spouse, dependent, parent, stepparent, custodian, or grandparent.

ii. Certification Requirements. The student/recipient must submit:

(a). a completed exception request form including official college transcripts, the reason for the disability, dates of absence from class, the necessity of withdrawing, dropping hours, etc., the semester(s) or number of days involved, and any other information or documents; and

(b). a written statement from a qualified professional of the existence of a temporary disability of the immediate family member, and the beginning and ending dates of the doctor's care; and

(c). a statement from a family member or a qualified professional confirming the care given by the student.

iii. Maximum Length of Exception - up to a maximum of two consecutive semesters (three consecutive quarters).

E.5. - E.5.c. ...

6. Exceptional Educational Opportunity

a. Definition. The student/recipient is enrolled in an internship, residency, cooperative work, or work/study program or a similar program that is related to the student's major or otherwise has an opportunity not specifically sponsored by the school attended by the student that, in the opinion of the student's academic dean, will enhance the student's education. Participation in one of the programs does not qualify as an exception to the initial enrollment requirement.

b. Certification Requirements. The student/recipient must submit:

i. a completed exception request form including official college transcripts; and

ii. a written statement from the college/school official that the applicant is a student at the school/college and that the program is offered or sponsored by the college/school, or a statement from the dean of the college or the dean's designee that the program is related to the student's major and will enhance the student's education. The statements must include the dates of leave of absence, the semester(s) or number of days involved, the beginning and ending dates of the program.

c. Maximum Length of Exception. Up to ~~four~~ two semesters (~~three-six~~ consecutive quarters) or required program of study.

7. Religious Commitment

a. Definition. The student/recipient is a member of a religious group that requires the student to perform certain activities or obligations which necessitate taking a leave of absence from school.

b. Certification Requirements. The student/recipient must submit:

i. a completed exception request form including official college transcripts, the necessity of withdrawing, dropping hours, etc., the semester(s) or number of days involved, and the length of the religious obligation; and

ii. ~~a written statement from the college official and~~ a written statement from the religious group's governing official evidencing the requirement necessitating the leave of absence including dates of the required leave of absence.

c. Maximum Length of Exception. Up to ~~four~~ five consecutive semesters (~~six-eight~~ consecutive quarters).

E.8. – E.8.c ...

9. Military Service

a. Definition. The student/recipient is in the United States Armed Forces Reserves or National Guard and is called on active duty status or is performing emergency state service with the National Guard or ~~voluntarily~~ enlists or reenlists and enters on active duty as a member of the regular United States Armed Forces ~~during a National Emergency declared by the President of the United States or when the United States is engaged in armed conflict.~~

b. Certification Requirements. The student/recipient must submit:

i. a completed exception request form including official college transcripts, the dates of the required leave of absence, necessity of withdrawing, dropping hours, etc., the semester(s) or number of

days involved, and the length of duty (beginning and ending dates); and

ii. a written certification from ~~the commanding officer or regional supervisor~~ the military including the dates and location of active duty; or

iii. a ~~certified~~ copy of the military orders or other military documents confirming military service.

c. Maximum Length of Exception. Up to the length of the required active duty service period, ~~not to exceed four years.~~

E.10. – E.10.c. ...

11. Exceptional Circumstances

a. Definition. The student/recipient has exceptional circumstances, other than those listed in §2103.E.1-10, which are beyond his immediate control and which necessitate full or partial withdrawal from, or non-enrollment in an eligible postsecondary institution.

i. The following situations are not exceptional circumstances:

(a). financial conditions related to a student's ability to meet his or her educational expenses are not a justified reason for failure to meet the hours or continuous enrollment requirement, because TOPS is a merit, rather than need-based award;

(b). dropping a course, failing a course, or withdrawing from school to protect the student's grade point average or because of difficulty with a course or difficulty arranging tutoring;

(c). not being aware of or understanding the requirements;

(d). assumption that advanced standing, ~~summer course work~~, or correspondence course work credited outside the ~~appropriate regular semesters or quarters~~ academic year would be applied to the hours requirement;

(e). differing scholarship or award requirements for other programs, such as NCAA full-time enrollment requirements;

(f). voluntary withdrawal from school to move out-of-state or pursue other interests or activities;

(g). claims of receipt of advice that is contrary to these rules, public information promulgated by LOSFA, award letters, and the rights and responsibilities document that detail the requirements for full-time continuous enrollment;

(h). failure to provide or respond to a request for documentation within 30 days of the date

of the request, unless additional time is requested in writing, LOSFA grants the request, and the requested documentation is provided within the additional time granted;

(i). an involuntary drop, suspension, or withdrawal from enrollment because of academics, scholastics, or failure to attend classes or to comply with institutional regulations;

(j). a suspension or expulsion for misconduct;

(k). an inability to register because of failure to satisfy financial obligations.

ii. All other situations will be assessed at the discretion of LOSFA and subject to appeal to the commission.

b. Certification Requirement. Submit a completed exception request form including a sworn affidavit from the student detailing the circumstances and including the official college transcripts and documentation necessary to support the request for reinstatement.

c. Maximum Length of Exception. Up to the number of semesters or quarters determined to be supported by the request for exception. Up to two consecutive semesters or three consecutive quarters.

F. – G.5.b.iii. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3025, R.S. 17:3042.1, R.S. 17:3048.1 and R.S. 17:3050.1-3050.4.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), amended LR 23:1648 (December 1997), repromulgated LR 24:647 (April 1998), amended LR 24:1916 (October 1998), LR 26:1015 (May 2000), LR 26:2002 (September 2000), LR 27:36 (January 2001), repromulgated LR 27:1866 (November 2001), amended LR 27:1875 (November 2001), LR 28:46 (January 2002), LR 28:449 (March 2002), LR 28:775 (April 2002), LR 28:2330 and 2333 (November 2002), LR 29:126 (February 2003), LR 29:2373 (November 2003), LR 29:2373 (November 2003), LR 30:785 (April 2004), LR 30:1167 (June 2004), LR 31:1060 (May 2005), LR 33:440 (March 2007), LR 35:1233 (July 2009).

§2107. Funding and Fees

A. Limitation of Terms Funded

~~1.~~ -Routine funding for all Scholarship and Grant Programs is limited to the fall, winter and spring school terms.

~~2.~~ -Extensions will be granted for the TOPS Opportunity, Performance, and Honors Awards for an institution's educational programs that require recipients to attend summer sessions to complete the program's mandatory courses when such courses are not offered during regular terms.

B. – D. ...

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

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), amended LR 23:1648 (December 1997), repromulgated LR 24:649 (April 1998), amended LR 24:1919 (October 1998), LR 26:1998 (September 2000), repromulgated LR 27:1869 (November 2001), amended LR 28:449 (March 2002), LR 28:777 (April 2002), LR 28:2333 (November 2002), LR 31:40 (January 2005).

Interested persons may submit written comments on the proposed changes (SG13140NI) until 4:30 p.m., September 10, 2012, to Melanie Amrhein, Executive Director, Office of Student Financial Assistance, P.O. Box 91202, Baton Rouge, LA 70821-9202.

George Badge Eldredge
General Counsel