

**LOUISIANA STUDENT FINANCIAL ASSISTANCE
COMMISSION
OFFICE OF STUDENT FINANCIAL ASSISTANCE**

***Taylor Opportunity Program for Students (TOPS)
Bulletin***

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TOPICS:	TOPS Definitions of Tuition, Academic Year and Intersession

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The Executive Committee of the Louisiana Student Financial Assistance Commission, at its meeting held on December 21, 2010, approved Emergency Rules and Notices of Intent for the Taylor Opportunity Program for Students (TOPS) that revises the definition of “tuition” for the purpose of determining the TOPS award amount and amends the definitions of “academic year (college)” and “intersession.”

TOPS “Tuition”

Effective Date: Spring Term 2011

Initially, the TOPS Award amount was set for each institution based on the tuition level and mandatory fees charged to all students at the institution as of January 1, 1998. Over time, the TOPS Award amount has been adjusted by each tuition increase approved by the Legislature and management boards for each individual institution. Recently, the tuition charged by some institutions as reported to the Board of Regents has exceeded the TOPS Award amount. After discussion with the Board of Regents staff and in order to ensure that no TOPS student or institution receives less than the published tuition amount while remaining within the current year TOPS appropriation, the definition of “tuition” for the purposes of a TOPS Award was modified. Beginning with the spring semester, quarter or term of the 2010-2011 award year, the TOPS Award amount will be the amount as currently set by the Commission or the institution’s published tuition fee amount only, whichever is greater.

See Emergency Rule at http://www.osfa.state.la.us/MainSitePDFs/policy4_SG11125E.pdf.

Revised TOPS Award Amount Charts are available at

http://www.osfa.la.gov/MainSitePDFs/TOPS_Tuition_Amounts.pdf and

http://www.osfa.la.gov/MainSitePDFs/TOPS_Tech_Tuition_Amounts.pdf.

TOPS “Academic Year (College)” and “Intersession”

Effective Date: 2009-2010 Academic Year

The tops definitions of Academic Year (College) and Intersession have been clarified. The Commission changed the definition of Academic Year (College) in 2009 and added a definition of Intersession to allow hours earned during the intersession immediately following the end of the spring semester/term to be used to meet the TOPS requirement to earn at least 24 hours each academic year. The change approved on December 21, 2010, modifies the Academic Year (College) and Intersession definitions to add additional specificity to the definitions to increase clarity.

The rulemaking:

- Specifies that the Academic Year (College) concludes with the completion of the Spring term of the award year or the intersession immediately following the spring term if such intersession ends no later than June 15, whichever is later; and
- Specifies that an Intersession is an academic term that is taught in 15 class days or less to provide credit courses to students in an intensive, condensed format.

IMPORTANT NOTE: This is the definition of “Intersession” for the purposes of TOPS. A TOPS “Intersession” may or may not be classified as an “Intersession” by the institution. For instance, if a term is classified as a summer session by the institution, but meets the TOPS definition of an Intersession and ends no later than June 15, 2011, the institution must report the hours attempted, hours earned and quality points earned for that term as spring intersession hours (2I2011).

See Emergency Rule at http://www.osfa.state.la.us/MainSitePDFs/policy4_SG11129E.pdf.

For additional information, please contact Melanie Amrhein, Executive Director, at mamrhein@osfa.la.gov or George Eldredge, General Counsel, at geldredge@osfa.la.gov.

DECLARATION OF EMERGENCY

**Student Financial Assistance Commission
Office of Student Financial Assistance**

Scholarship/Grant Programs
(LAC 28:IV.301)

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 revises the definition of “tuition” for the purpose of determining the award amount for the Taylor Opportunity Program for Students (TOPS) beginning with the spring semester, quarter or term of the 2011-2012 award year to be either the tuition and mandatory fees as currently defined or the institution’s published tuition fee amount only, whichever is greater.

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 December 21, 2010, and shall remain in effect for the maximum period allowed under the Administrative Procedure Act. (SG11125E)

**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 these rules 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.

* * *

Tuition—

a. Through the fall semester or term and winter quarter of the 2010-2011 award year, the fee charged each student by a post-secondary institution to cover the student's share of the cost of instruction, including all other mandatory enrollment fees charged to all students except for the technology fee authorized by Act 1450 of the 1997 Regular Session of the Legislature:

ia. which were in effect as of January 1, 1998;

iib. any changes in the cost of instruction authorized by the legislature and implemented by the institution after that date; and

iiie. for programs with alternative scheduling formats that are approved in writing by the Board of Regents after that date. Any payment for enrollment in one of these programs shall count towards the student's maximum eligibility for his award:

(a)i. up to the equivalent of eight full time semesters of postsecondary education in full time semesters for the TOPS Opportunity, Performance and Honors Award; or

(b)ii. up to the equivalent of two years of postsecondary education in full time semesters and summer sessions for the TOPS Tech Award.

b. Beginning with the spring semester, quarter or term of the 2010-2011 award year:

i. the tuition and mandatory fees authorized in subparagraph a. above; or

ii. the tuition fee amount published by the postsecondary institution, whichever is greater.

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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.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), repromulgated LR 24:632 (April 1998), amended LR 24:1898 (October 1998), LR 24:2237 (December 1998), LR 25:256 (February 1999), LR 25:654 (April 1999), LR 25:1458 and 1460 (August 1999), LR 25:1794 (October 1999), LR 26:65 (January 2000), LR 26:688 (April 2000), LR 26:1262 (June 2000), LR 26:1601 (August 2000), LR 26:1993, 1999 (September 2000), LR 26:2268 (October 2000), LR 26:2752 (December 2000), LR 27:36 (January 2001), LR 27:284 (March 2001), LR 27:1219 (August 2001), LR 27:1840 (November 2001), LR 27:1875 (November 2001), LR 28:45 (January 2002), LR 28:446 (March 2002), LR 28:772 (April 2002), LR 28:2330, 2331 (November 2002), LR 29:555 (April 2003), LR 29:879 (June 2003), LR 30:1159 (June 2004), LR 30:2015 (September 2004), LR 31:36 (January 2005), LR 31:3112 (December 2005), LR 33:86 (January 2007), LR 33:439 (March 2007), LR 33:1339 (July 2007), LR 33:2612 (December 2007), LR 34:234 (February 2008), LR 34:1388 (July 2008), LR 34:1884 (September 2008), LR 35:228 (February 2009), LR 35:1489 (August 2009), LR 35:1490 (August 2009), LR 36:311 (February 2010), LR 36:490 (March 2010).

George Badge Eldredge
General Counsel

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This rulemaking amends the definitions of academic year (college) and intersession to provide that the academic year (college) includes an intersession that lasts no more than 15 class days and ends no later than June 15.

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

This declaration of emergency is effective December 21, 2010, and shall remain in effect for the maximum period allowed under the Administrative Procedure Act. (SG11129E)

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Academic Year (College)—

a. Through the 2007-2008 *academic year*, the two- and four-year college and university *academic year* begins with the fall term of the award year, includes the winter term, if applicable, and concludes with the completion of the spring term of the award year. Intersessions ending during the *academic year* are included in the *academic year*. The two- and four-year college and university *academic year* does not include summer sessions or intersessions that do not end during the *academic year*.

ba. ~~Beginning with~~ During the 2008-2009 *academic year* ~~and thereafter~~, the *academic year* begins with the fall term of the award year, includes the winter term, if applicable, and concludes with the completion of the intersession immediately following the spring term of the award year. Intersessions ending during the *academic year*, including the intersession immediately following the spring term, are included in the *academic year*. The two- and four-year college and university *academic year* does not include summer sessions or other intersessions.

c. Beginning with the 2009-2010 academic year and thereafter, the academic year begins with the fall term of the award year and concludes with the completion of the spring term of the award year or the intersession immediately following the spring term if such intersession ends no later than June 15, whichever is later. Any intersession or term that begins and ends during the academic year is included. The two- and four-year college and university academic year does not include other intersessions or summer sessions. See the definition of "intersession" below.

Intersession—

a. During the 2008-2009 academic year,
an academic term between regular semesters/terms
that provides credit courses to students in an
intensive, condensed format.

b. Beginning with the 2009-2010 academic
year, any academic term that provides credit
courses to students in an intensive, condensed
format that is no longer than 15 class days.

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

HISTORICAL NOTE: Promulgated by the
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27:1840 (November 2001), LR 27:1875
(November 2001), LR 28:45 (January 2002), LR
28:446 (March 2002), LR 28:772 (April 2002),
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(June 2004), LR 30:2015 (September 2004), LR
31:36 (January 2005), LR 31:3112 (December
2005), LR 33:86 (January 2007), LR 33:439
(March 2007), LR 33:1339 (July 2007), LR
33:2612 (December 2007), LR 34:234 (February
2008), LR 34:1388 (July 2008), LR 34:1884
(September 2008), LR 35:228 (February 2009),
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