



BOARD of REGENTS
STATE OF LOUISIANA

Kim Hunter Reed, Ph.D.
*Commissioner
of Higher Education*

Misti S. Cordell
*Chair
At-Large*

Darren G. Mire
*Secretary
2nd Congressional District*

David J. Aubrey
At-Large

Christian C. Creed
5th Congressional District

Blake R. David
3rd Congressional District

Stephanie A. Finley
3rd Congressional District

Robert W. Levy
5th Congressional District

Phillip R. May Jr.
1st Congressional District

Kennedy M. Orr
Student Member

Wilbert D. Pryor
4th Congressional District

Gary N. Solomon Jr.
2nd Congressional District

Terrie P. Sterling
At-Large

Collis B. Temple III
6th Congressional District

Felix R. Weill
6th Congressional District

July A. Williams-Brown
4th Congressional District

Agenda

Statewide Programs Committee

Wednesday, December 11, 2024
11:50 AM

Claiborne Building, 1st Floor ▪ Thomas Jefferson Rooms A&B 1–136
1201 N. Third St. ▪ Baton Rouge, LA 70802

- I. Call to Order
- II. Roll Call
- III. Consent Agenda
 - A. Final Rulemaking – M.J. Foster Promise Program Rulemaking to Implement Act 633 and Act 102 of the 2024 Regular Session of the Louisiana Legislature
 - B. Final Rulemaking – TOPS Rulemaking to Implement Act 211 of the 2024 Regular Session of the Louisiana Legislature which amends Sections 301, 704, 804, 1203 and deletes Chapter 13 of the Scholarship and Grants Rules
 - C. Rulemaking – Chafee Educational and Training Voucher (ETV) program rulemaking to implement provisions of the Consolidated Appropriations Act of 2021 that provide that the Chafee ETV shall be awarded without regard to financial need
 - D. Regional Contract Program (RCP) Exception – Deadline that requires a student to begin working in Louisiana or to begin repaying the amounts received
 - E. TOPS Home Study Exceptions – TOPS statutory provision that requires a student to begin a home study program no later than the conclusion of the tenth-grade year
 - F. TOPS and M.J. Foster Exceptions - TOPS regulatory provisions that require students to remain continuously enrolled and to earn the annual credit hours required during the academic year and to the M.J. Foster requirement that a student maintain continuous enrollment in school
- IV. Other Business
- V. Adjournment

<p>Act 633 – Gradually reduces the minimum age of eligibility for the M.J. Foster Promise Program Act 102 – M.J. Foster Promise Program - Advisory Council shall be called by Workforce Commission and provides the term “one-year” be defined. Act 211 – Adds Computer Science as a graduation and TOPS Core Curricula requirement.</p>
--

<p>Committee Members: Wilbert D. Pryor, Chair; Christian C. Creed, Vice Chair; Robert W. Levy; Samer Shamieh; Felix R. Weill; Kennedy M. Orr (<i>Student Member</i>) Staff: Carrie Robison, Deputy Commissioner for Sponsored Programs</p>

Agenda Item III.A

Consent Agenda: M.J. Foster Promise Program Final Rulemaking

Final Rulemaking for the M.J. Foster Promise Program to Implement Act 633 and Act 102 of the 2024 Regular Session of the Louisiana Legislature.

Background:

At its August 28, 2024, meeting, the Board of Regents authorized publication of a Notice of Intent to effect the below-described rule changes. The Notice of Intent was published in the *Louisiana Register* on September 20, 2024. The text of the rule changes is reflected on the attached excerpts from the *Louisiana Register*.

No comments have been received.

This rulemaking:

- gradually reduces the minimum age of eligibility for the M.J. Foster Promise Program from 21 to 17 to implement Act 633, and
- makes the following changes to implement Act 102:
 - provides that the Advisory Council shall be called by the Louisiana Workforce Commission rather than by the Board of Regents, and
 - defines the term “one year”.

LOSFA Advisory Board Recommendation

The LOSFA Advisory Board recommends that the Louisiana Board of Regents authorize the Executive Director of LOSFA to publish the final rule to implement Act 633 and Act 102 of the 2024 Regular Session of the Louisiana Legislature.

Agenda Item III.B

Consent Agenda: TOPS Final Rulemaking

Final TOPS Rulemaking to Implement Act 211 of the 2024 Regular Session of the Louisiana Legislature which amends Sections 301, 704, 804, 1203 and deletes Chapter 13 of the Scholarship and Grants Rules.

Background:

At its August 28, 2024, meeting, the Board of Regents authorized publication of a Notice of Intent to effect the below-described rule changes. The Notice of Intent was published in the *Louisiana Register* on September 20, 2024. The text of the rule changes is reflected on the attached excerpts from the *Louisiana Register*.

No comments have been received.

This rulemaking:

- implements the provisions of Act 211 of the 2024 Regular Session of the Louisiana Legislature which adds a Computer Science requirement to the TOPS Opportunity, Performance, and Honors and TOPS Tech core curricula,
- updates the administrative rules to eliminate references to Expected Family Contribution and to add references to Student Aid Index, and
- deletes Chapter 13 which codified rules for the Leveraging Educational Assistance Partnership (LEAP) Program, a program which has not been funded since 2011.

LOSFA Advisory Board Recommendation

The LOSFA Advisory Board recommends that the Louisiana Board of Regents authorize the Executive Director of LOSFA to publish the final rule to implement Act 211 of the 2024 Regular Session of the Louisiana Legislature which amends Sections 301, 704, 804, 1203 and deletes Chapter 13 of the Scholarship and Grants Rules.

Agenda Item III.C

Consent Agenda: Chafee Educational and Training Voucher (ETV) Program Rulemaking

Rulemaking to implement provisions of the Consolidated Appropriations Act of 2021 that provide that the Chafee ETV shall be awarded without regard to financial need.

Background:

LOSFA administers the Chafee Educational and Training Voucher (ETV) program in accordance with a Memorandum of Understanding (MOU) with the Department of Children and Family Services (DCFS).

The U.S. Department of Education has released guidance stating that the Chafee ETV is not to be included as other financial assistance when determining a student's eligibility for federal financial aid. More recent clarification also indicates that a student may receive the full Chafee ETV even if they have other sources of financial aid that meet their full cost of attendance.

Staff has received confirmation from DCFS that it wishes to implement these changes, and the attached rulemaking is necessary to accomplish this goal.

Note that these changes only apply to the awarding of federal financial assistance. For purposes of awarding state financial aid programs, postsecondary institutions will still be required to include the Chafee ETV in determining whether and how much aid a student may be eligible to receive.

LOSFA Advisory Board Recommendation

The LOSFA Advisory Board recommends that the Louisiana Board of Regents authorize the Executive Director of LOSFA to publish a notice of intent to make these rules permanent.

Agenda Item III.D

Consent Agenda: Regional Contract Program (RCP) Exception

Requests for exception to the TOPS regulatory provisions that require students to remain continuously enrolled and to earn the annual credit hours required during the academic year and to the M.J. Foster requirement that a student maintain continuous enrollment in school

Background:

The Regional Contract Program (RCP) allows Louisiana residents to attend a participating RCP postsecondary institution in the field of optometry or podiatry at an out-of-state college or university at tuition rates provided through the RCP when specific programs of study are not offered at all at a Louisiana institution, subject to a promissory note executed by the student.

The student must agree to practice in Louisiana in the field for which he received RCP funding and to maintain employment as a Medicaid provider for all of eighteen consecutive months for each year of funding. A recipient who meets this obligation will have all funding disbursed on his behalf under this promissory note forgiven. A recipient who fails to practice in the requisite field and maintain the required employment as a Medicaid provider for all of eighteen consecutive months for each year of funding received will be required to repay the loan at an annual rate of 4 percent from the date the RCP waiver was credited to the student's account each semester plus any collection costs and attorney fees incurred to collect the debt, if required.

The promissory note completed by RCP recipients provides that a deferment to these requirements may be granted at the discretion of the Board of Regents.

One request for exception to the deadline to begin working in Louisiana or to begin repaying the amounts received was reviewed and approved by the LOSFA Advisory Board at its meeting on December 4, 2024. The student has presented facts and documentation that they believe justify the granting of an exception as an exceptional circumstance.

LOSFA Advisory Board Recommendation

The LOSFA Advisory Board recommends approval of the request for exception to the deadline to begin working in Louisiana or to begin repaying the amounts received.

Agenda Item III.E

Consent Agenda: TOPS Home Study Exceptions

Requests for exception to the TOPS statutory provision that requires a student to begin a home study program no later than the conclusion of the tenth-grade year

Background:

The TOPS statute requires that a student begin a home study program no later than the conclusion of the tenth-grade year. Act 95 of the 2021 Regular Session of the Louisiana Legislature implemented a provision which allows the administering agency to grant exceptions to this requirement when a student provides documentation that the transfer to a home study program later than the statutorily provided timeframe was beyond the student's control.

Two requests for exception to the deadline to begin a home study program were reviewed and approved by the LOSFA Advisory Board at its meeting on December 4, 2024. The students have presented facts and documentation that they believe justify the granting of an exception as an exceptional circumstance.

LOSFA Advisory Board Recommendation

The LOSFA Advisory Board recommends approval of the requests for exception to the deadline to begin a home study program no later than the conclusion of the tenth-grade year.

Agenda Item III.F

Consent Agenda: TOPS and M.J. Foster Exceptions

Requests for exception to the TOPS regulatory provisions that require students to remain continuously enrolled and to earn the annual credit hours required during the academic year and to the M.J. Foster requirement that a student maintain continuous enrollment in school

Background:

Sections 705.A.6 and 7 of the TOPS administrative rules require TOPS recipients to continue to enroll full-time for the fall and spring semesters of each academic year, to remain enrolled throughout the semester, and to earn a minimum number of credit hours by the end of the academic year. Section 2103.E authorizes the governing body to grant an exception to the full-time, continuous enrollment and the annual earned-hour requirements when the “student/recipient has exceptional circumstances that are beyond his immediate control and that necessitate full or partial withdrawal from or non-enrollment in an eligible postsecondary institution.”

Section 2207.A.5 of the M.J. Foster administrative rules provides that students must maintain continuous enrollment, unless granted an exception for cause in accordance with §2103 of the Scholarship and Grant administrative rules. The same exceptions that apply for TOPS students apply to all programs for which the administering agency has been granted the authority to grant exceptions, including M.J. Foster.

Twelve requests for exception to the TOPS requirements were reviewed and approved by the LOSFA Advisory Board at its meeting on December 4, 2024. One request for exception to the M.J. Foster continuous enrollment requirement was reviewed and approved by the LOSFA Advisory Board at its meeting on December 4, 2024. The students have presented facts and circumstances that the students believe justify the granting of an exception as an exceptional circumstance.

LOSFA Advisory Board Recommendation

The LOSFA Advisory Board recommends approval of the requests for exception to the TOPS regulatory provisions that require students to remain continuously enrolled and to earn the annual credit hours required during the academic year and to the M.J. Foster requirement that a student maintain continuous enrollment in school.