

*Marty J. Chabert*  
Chair

*Collis B. Temple III*  
Vice Chair

*Blake R. David*  
Secretary

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



*Claudia H. Adley*  
*Randy L. Ewing*  
*Robert W. Levy*  
*Charles R. McDonald*  
*Darren G. Mire*  
*Sonia A. Pérez*  
*Wilbert D. Pryor*  
*T. Jay Seale III*  
*Gary N. Solomon, Jr.*  
*Gerald J. Theunissen*  
*Felix R. Weill*  
*Jacqueline V. Wyatt*  
*Anthony B. Kenney, Jr., Student*

**BOARD OF REGENTS**  
P. O. Box 3677  
Baton Rouge, LA 70821-3677  
Phone (225) 342-4253, FAX (225) 342-9318  
[www.regents.la.gov](http://www.regents.la.gov)

**AGENDA**  
**STATEWIDE PROGRAMS COMMITTEE**  
**Wednesday, March 27, 2019 2:00 p.m.**  
**Claiborne Building**

1201 North Third Street, First Floor  
Baton Rouge, Louisiana

- I. Call to Order
- II. Roll Call
- III. Consent Agenda
  - A. Approval of Final Rulemaking – Chafee Educational Training and Voucher Program
  - B. Approval of Rulemaking – Scholarship and Grant Program
  - C. Approval of TOPS Exceptions
- IV. Other Business
- V. Adjournment

Committee Members: Robert Levy, Chair, Gerald Theunissen, Vice Chair, Charles McDonald, Wilbert Pryor, T. Jay Seale III, Collis Temple III, Jacqueline Wyatt

**Consent Agenda**  
**Agenda Item III.A.**

Authorize publication of the final rule to amend the Chafee Educational Training and Voucher Program administrative rules to implement new federal guidelines.

**BACKGROUND:**

At its September 26, 2018, meeting, the Louisiana 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 November 20, 2018.

No comments have been received.

This rulemaking implements the following changes made necessary by amendments to the Program at the federal level:

- Decrease the minimum age of eligibility to 14 from 16;
- Increase the maximum age of eligibility to 26 from 23, provided that the student has been enrolled in postsecondary education and is making satisfactory academic progress in their program of study;
- Limit eligibility to a maximum of 5 years, whether or not those years are consecutive;
- Provide that youth who exit the foster care system through legal guardianship, adoption, aging out of the system, or other reasons may qualify.

**Consent Agenda**  
**Agenda Item III.B.**

Approve the rulemaking to update the definition of selective enrollment program, to remove references to program year, and to amend the types of requests for exception that may be considered by LOSFA staff and authorize the Executive Director of LOSFA to publish a notice of intent to make these rules permanent.

**BACKGROUND:**

In November 2014, the term and definition of Program Year was removed from Section 301 of the Scholarship and Grant Program Rules. This change was implemented because the majority of technical schools had moved to a semester system, and it was no longer necessary. At that time, a few references to program were not deleted, particularly with respect to the National Guard Go Youth ChalleNGe Program. This rulemaking will delete all remaining references to program year throughout the administrative rules.

In addition, this rulemaking codifies circumstances that the Student Financial Assistance Commission, the LOSFA Advisory Board, and the Board of Regents have approved repeatedly as exceptional circumstances. When exception requests of this nature are received by staff, the same documentation is requested from the students to substantiate the request, and as a result, staff recommends that these be added to the administrative rules as objective circumstances that can be approved by LOSFA staff. These circumstances are:

- Military Spouse;
- Unavailability of Courses: this would be limited to students who have earned credit for at least 75% of the coursework required to complete their degree;
- Natural Disaster

In addition to these new objective exception types, the rulemaking clarifies that when a male student requests an exception based on parental leave, he must provide a letter from the mother of the child verifying that he is assisting in the care of that child. The rulemaking also clarifies that a student who requests an exception based on death of an immediate family member must provide documentation that evidences his relationship to the deceased.

This rulemaking also updates the definition of selective enrollment program by deleting the requirement that the program of study be an “advanced college course of study”. Recently, a number of exceptions have been presented to the Advisory Board and to the Board of Regents for students who are pursuing technical degrees and who are required to sit out of school a semester or more because there are limited slots in their program of study. Most often, this circumstance

occurs when students are attempting to enroll in a Radiologic Technology program or a nursing program at a technical community college.

Finally, this rulemaking provides for an extended deadline for submitting a request for exception for students serving in the military. For all other students, the deadline to submit a request for exception is six months following the notification date. This date is prominently displayed on the notice advising that the student's TOPS Award has been canceled. This rulemaking extends this deadline to six months following discharge from active duty for those students who have been on active duty with the military

**Consent Agenda**  
**Agenda Item III.C.**

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.

**BACKGROUND:**

Sections 705.A.6 and 7 of the TOPS administrative rules require TOPS recipients to continue to enroll in the fall and spring semesters of each academic year, to remain enrolled throughout the semester, and to earn the annual credit hours required by the end of the academic year. Section 2103.E authorizes the governing body to grant an exception to these 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."

Six requests for exception were reviewed and approved by the LOSFA Advisory Board at its meetings of March 14, 2019. The students have presented facts and circumstances that the students believe justify the granting of an exception as an exceptional circumstance.