

DECLARATION OF EMERGENCY

Board of Regents Office of Student Financial Assistance

Scholarship/Grant Programs
Students Affected by 2020 Natural Disasters
(LAC 28:IV.509, 703, 705, 803, 805, 2103 and 2105)

The Louisiana Board of Regents is exercising the emergency provisions of the Administrative Procedure Act [R.S. 49:950 et seq.]] to amend the rules of the Scholarship/Grant programs (R.S. 17:3021-3025, R.S. 3041.10-3041.15, R.S. 17:3042.1.1-3042.8, R.S. 17:5001 et seq., and R.S. 56:797.D(2)).

This rulemaking implements the provisions of Act 17 of the Second Extraordinary Session of 2020 with respect to students affected by 2020 Natural Disasters. More specifically, this rulemaking provides for an extension of the ACT testing deadline for 2020 high school graduates; provides waivers of certain TOPS initial eligibility for students affected by natural disasters in 2020; and provides waivers of certain TOPS continuing eligibility requirements for students affected by natural disasters. In addition, this rulemaking provides deferments for students who are currently in repayment status for the Rockefeller State Wildlife Scholarship Program and TOPS Teacher.

This Emergency Rule is 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. The Board of Regents 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 on February 8, 2021, and shall remain in effect for the maximum period allowed under the Administrative Procedure Act. (SG21197ER)

Title 28 EDUCATION

Part IV. Student Financial Assistance—Higher Education Scholarship and Grant Programs Chapter 5.

Applications, Federal Grant Aid and ACT Test §509. ACT Testing Deadline

A.1. The student must take the official ACT test (including national, international, military or special test types) on or before the official April test date in the academic year (high school) in which the student graduates or completes a home study program approved by BESE.

2. A student may submit a request for exception to the deadline established in §509.A.1, which will be considered only under the following circumstances:

a. the student was prevented from taking the ACT test on or prior to the official April test date due to circumstances beyond his control and which are attributable to the administration of the test; and

b. the student achieves a qualifying score on or before August 1 of the year of the student's high school graduation.

c. the award for a student whose request for exception is approved under this Section shall not be reduced as set forth in §509.C.

d. 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.

3. An eligible non-graduate must take the official ACT test (including national, international, military or special test types) before the first day of the semester the student first enrolls in an eligible college or university.

4.a. Applicable to 2020 graduates only, the final deadline for achieving a qualifying score on an official ACT test (including national, international, military or special test types) is December 31, 2020. A student may qualify for an initial award or a higher award based on such test. The award for a student who achieves a qualifying ACT score as provided in the Section shall not be reduced as set forth in §509.C.

b. The provisions of this Subsection shall apply to any student who:

i. was enrolled in a Louisiana public high school during the 2019-2020 academic year (high school);

ii. was enrolled in a nonpublic high school in Louisiana having the approval by the State Board of Elementary and Secondary Education required by Part I of this Chapter for program eligibility purposes during the 2019-2020 academic year (high school);

iii. resided in the state of Louisiana and was enrolled in a home study program approved by the State Board of Elementary and Secondary Education during the 2019-2020 academic year (high school); or

iv. resided out of state during the 2019-2020 academic year but who is able to meet the residency requirements to qualify for an award as provided for in §703.A.2.

c. A student who meets the requirements of this Subsection may request an exception to the December 31, 2020, deadline if the student provides documentation that:

i. he was registered for one or more ACT exams prior to the December 31, 2020 deadline; and

ii. one or more ACT exams for which the student was registered was cancelled due to Hurricane Laura, Hurricane Delta, Hurricane Zeta, or due to measures implemented to mitigate the spread of COVID-19; and

iii. he was unable to register for an ACT exam that would occur prior to December 31, 2020, that was within a reasonable distance from his home or from the location to which he/his family had been evacuated due to Hurricane Laura, Hurricane Delta, or Hurricane Zeta.

d. The initial award or upgraded award for any student who requests and is granted an exception in accordance with the provisions of this Subsection shall be paid for the first time during the semester in which the qualifying ACT was achieved.

B.1. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031, R.S. 17:3042.1 and R.S. 17:5001 et seq.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 26:1995 (September 2000), amended LR 26:2000 (September 2000), LR 27:36 (January 2001), LR 27:284 (March 2001), repromulgated LR 27:1847 (November 2001), amended LR 30:1161 (June 2004), LR 31:37 (January 2005), LR 38:3157

(December 2012), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:503 (March 2018), LR 44:1869 (October 2018), LR 47:

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

§703. Establishing Eligibility

A. - I.8. ...

J. 2005 Natural Disaster Initial Eligibility Requirements

J.1. - K.2.d. ...

L. 2020 Natural Disaster Initial Eligibility Requirements

1. To establish eligibility for a TOPS Opportunity, Performance or Honors Award, a displaced student graduating from high school or completing a BESE approved home study program at the 12th grade level during the 2020-2021 academic year (high school) must meet all of the requirements of §703.A-I.8 above, except as follows.

a. A displaced student who has been certified by the principal or headmaster to have graduated during the 2020-2021 academic year (high school) from an out-of-state high school that meets the criteria of an eligible out-of-state high school as provided in §1701.A.4 and 5 shall not be required to have for the respective awards a higher minimum composite score on the ACT or on the scholastic aptitude test than required for a student who graduates from an eligible Louisiana high school.

b. The requirement that a student who graduates from an eligible Louisiana high school during the 2020-2021 academic year (high school) must have successfully completed the applicable core curriculum shall be waived for a displaced student based upon a sworn affidavit by the student's high school principal or headmaster or authorized designee that failure to comply with such requirement is due solely to the fact that the required course or courses were not available to the student at the school attended.

c. A displaced student shall be deemed to meet the Louisiana residency requirement if:

i. such dependent or independent student actually resided in Louisiana during the entire 2019-2020 academic year (high school) and was enrolled for such time in an eligible Louisiana high school and graduated from high school during 2020-2021 academic year (high school); or

ii. such dependent student has a parent or court-ordered custodian who actually resided in a parish listed in §703.L.2.a below for at least the 12 months prior to August 26, 2020, or in a parish listed in §703.L.2.b below for at least the 12 months prior to October 8, 2020, or in a parish listed in §703.L.2.c below for at least the 12 months prior to October 26, 2020.

d. A dependent student who graduated from an eligible out-of-state high school shall be deemed to meet the Louisiana residency requirement if his parent or court-ordered custodian was displaced as a resident from a parish listed:

i. in §703.L.2.a. below due to Hurricane Laura and such parent or court-ordered custodian actually resided in Louisiana for at least the 12 months prior to August 26, 2020; or

ii. in §703.L.2.b. below due to Hurricane Delta and such parent or court-ordered custodian actually resided in Louisiana for at least the 12 months prior to October 8, 2020.

iii. in §703.L.2.c. below due to Hurricane Zeta and such parent or court-ordered custodian actually resided in

Louisiana for at least the 12 months prior to October 26, 2020.

e. A displaced student who during the 2020-2021 academic year (high school) successfully completes at the 12th grade level a home study program approved by BESE shall not be required to have also completed the 11th grade level of an approved home study program.

2. For the purposes of this Subsection, *displaced student* means:

a. a student who on August 26, 2020, was actually residing in Acadia, Allen, Beauregard, Calcasieu, Cameron, Grant, Jackson, Jefferson Davis, Lasalle, Lincoln, Morehouse, Natchitoches, Ouachita, Rapides, Sabine, St. Landry, Union, Vermilion, Vernon, or Winn Parish, and:

i. was enrolled in an eligible Louisiana high school as provided in §1701.A.1, 2 and 3; or

ii. was enrolled in a home study program approved by BESE; or

b. a student who on October 8, 2020, was actually residing in Acadia, Allen, Beauregard, Calcasieu, Cameron, Iberia, Jefferson Davis, Lafayette, Rapides, St. Landry, St. Martin, or Vermilion Parish, and:

i. was enrolled in an eligible Louisiana high school as provided in §1701.A.1, 2 and 3; or

ii. was enrolled in a home study program approved by BESE.

c. a student who on October 26, 2020, was actually residing in Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, or Terrebonne Parish, and:

i. was enrolled in an eligible Louisiana high school as provided in §1701.A.1, 2 and 3; or

ii. was enrolled in a home study program approved by BESE.

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 24:636 (April 1998), amended LR 24:1902 (October 1998), LR 24:2237 (December 1998), LR 25:257 (February 1999), LR 25:655 (April 1999), LR 25:1794 (October 1999), LR 26:64, 67 (January 2000), LR 26:689 (April 2000), LR 26:1262 (June 2000), LR 26:1602 (August 2000), LR 26:1996, 1999, 2001 (September 2000), LR 26:2268 (October 2000), LR 26:2753 (December 2000), LR 27:36 (January 2001), LR 27:702 (May 2001), LR 27:1219, 1219 (August 2001), repromulgated LR 27:1850 (November 2001), amended LR 28:772 (April 2002), LR 28:2330, 2332 (November 2002), LR 29:125 (February 2003), LR 29:2372 (November 2003), LR 30:1162 (June 2004), LR 30:1471 (July 2004), LR 30:2019 (September 2004), LR 31:37 (January 2005), LR 31:2213 (September 2005), LR 31:3112 (December 2005), LR 32:2239 (December 2006), LR 33:435 (March 2007), LR 33:2357 (November 2007), LR 33:2612 (December 2007), LR 34:1389 (July 2008), LR 35:228 (February 2009), LR 36:312 (February 2010), LR 36:490 (March 2010), LR 36:2269 (October 2010), LR 36:2855 (December 2010), LR 37:2987 (October 2011), LR 38:354 (February 2012), LR 38:3158 (December 2012), LR 39:481 (March 2013), LR 39:2485 (September 2013), LR 40:54 (January 2014), LR 41:373 (February 2015), LR 41:651, 664 (April 2015), LR 41:1486 (August 2015), LR 41:2596, 2599 (December 2015), amended by the Board of Regents, Office of Student Financial Assistance, LR 42:1657 (October 2016), LR 42:1882 (November 2016), LR 43:518 (March 2017), LR 43:1346 (July 2017), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:506 (March 2018), LR 44:1004 (June 2018), LR 44:1870 (October 2018), LR 46:326 (March 2020), LR 47:

§705. Maintaining Eligibility

A.1. - D. ...

E. 2005 Natural Disaster Maintaining Eligibility Requirements

E.1. - F.2. ...

G. 2020 Natural Disaster Maintaining Eligibility Requirements

1. To continue receiving the TOPS Opportunity, Performance or Honors Awards, a displaced student must meet all of the criteria in §705.A-D above, except as follows.

a. The TOPS Award of a displaced student who enrolls as a full-time student in an eligible out-of-state college or university during the 2020-2021 academic year (TOPS) and subsequently enrolls at a Louisiana-eligible college or university shall not be reduced due to enrollment in an eligible out-of-state institution during the 2020-2021 academic year (TOPS).

b. The period of suspension of a TOPS Award for a displaced student due to the student not meeting a requirement to maintain a minimum grade point average or to make steady academic progress shall be extended on a one-for-one basis for each semester or term in which the student does not enroll on a full-time basis in an eligible college or university during the 2020-2021 academic year (TOPS).

c. A displaced student shall not be required to meet the minimum academic progress requirements set forth in §705.A.6..

b. A displaced student shall not be required to meet the steady academic progress requirements set forth in §705.A.7.

c. A displaced student shall not be required to meet the continuation GPA requirements set forth in §705.A.8.

2. For the purposes of this Subsection, *displaced student* means:

a. a student whose home of record on August 26, 2020, was located in, or who, on August 26, 2020, was attending a postsecondary institution located in Acadia, Allen, Beauregard, Calcasieu, Cameron, Grant, Jackson, Jefferson Davis, Lasalle, Lincoln, Morehouse, Natchitoches, Ouachita, Rapides, Sabine, St. Landry, Union, Vermilion, Vernon, or Winn Parish: or

b. a student whose home of record on October 8, 2020, was located in, or who, on October 8, 2020, was attending a postsecondary institution located in Acadia, Allen, Beauregard, Calcasieu, Cameron, Iberia, Jefferson Davis, Lafayette, Rapides, St. Landry, St. Martin, or Vermilion Parish.

c. a student whose home of record on October 26, 2020, was located in, or who, on October 26, 2020, was attending a postsecondary institution located in Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, or Terrebonne Parish.

3. For the purposes of this Subsection, *home of record for a dependent student* shall mean the domiciliary address of the student's parent or court-ordered custodian and for an independent student shall mean the domiciliary address of such student.

H.1. A student who successfully completes a baccalaureate degree without having exhausted his period of award eligibility shall receive an award for the remainder of his eligibility if he enrolls in a graduate or professional school at an eligible college or university no later than the fall semester immediately following the first anniversary of

the student's completion of an undergraduate degree and has met the requirements for continued eligibility set forth in §705.A.6. The remaining eligibility may not be used to pursue a second undergraduate degree.

2. Beginning with the 2012-2013 academic year (TOPS), a student who successfully completes any type of technical, vocational, or academic credential other than a baccalaureate degree without having exhausted his period of award eligibility shall receive an award for the remainder of his eligibility if he enrolls in a program of study leading to a baccalaureate degree, to a vocational or technical certificate or diploma, or to a non-academic degree at an eligible college or university no later than the fall semester immediately following the first anniversary of the student's completion of an associate's degree and has met the requirements for continued eligibility set forth in §705.A.6.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031, R.S. 17:3042.1, and R.S. 17:5001 et seq.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), repromulgated LR 24:637 (April 1998), amended LR 24:1904 (October 1998), LR 25:257 (February 1999), LR 25:656 (April 1999), LR 25:1091 (June 1999), LR 26:67 (January 2000), LR 26:688 (April 2000), LR 26:1996 (September 2000), LR 26:2001 (September 2000), repromulgated LR 27:1853 (November 2001), amended LR 28:447 (March 2002), LR 28:772 (April 2002), LR 28:2332 (November 2002), LR 29:2373 (November 2003), LR 30:781 (April 2004), LR 30:1163 (June 2004), LR 30:2019 (September 2004), LR 31:3115 (December 2005), LR 33:437 (March 2007), LR 34:1390 (July 2008), LR 36:491 (March 2010), LR 36:2856 (December 2010), LR 38:3159 (December 2012), LR 40:1002 (May 2014), LR 41:664 (April 2015), LR 42:47 (January 2016), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:520 (March 2018), LR 49:

Chapter 8. TOPS-Tech Award §803. Establishing Eligibility

A. - A-10. ...

B. 2005 Natural Disaster Initial Eligibility Requirements

B.1. - D.2.h. ...

E. 2020 Natural Disaster Initial Eligibility Requirements

1. To establish eligibility for a TOPS Tech Award, a displaced student graduating from high school or completing a BESE approved home study program at the 12th grade level during the 2020-2021 academic year (high school) must meet all of the requirements of §803.A, except as follows.

a. A displaced student who has been certified by the principal or headmaster to have graduated during the 2020-2021 academic year (high school) from an out-of-state high school that meets the criteria of an eligible out-of-state high school as provided in §1701.A.4 and 5 shall not be required to have for the respective awards a higher minimum composite score on the ACT or on the scholastic aptitude test than required for a student who graduates from an eligible Louisiana high school.

b. The requirement that a student who graduates from an eligible Louisiana high school during the 2020-2021 academic year (high school) must have successfully completed the applicable core curriculum shall be waived for a displaced student based upon a sworn affidavit by the student's high school principal or headmaster or authorized designee that failure to comply with such requirement is due solely to the fact that the required course or courses were not available to the student at the school attended.

c. A displaced student shall be deemed to meet the Louisiana residency requirement if:

i. such dependent or independent student actually resided in Louisiana during the entire 2019-2020 academic year (high school) and was enrolled for such time in an eligible Louisiana high school and graduated from high school during 2020-2021 academic year (high school); or

ii. such dependent student has a parent or court-ordered custodian who actually resided in a parish listed in §803.E.2.a below for at least the 12 months prior to August 26, 2020, or in a parish listed in §803.E.2.b below for at least the 12 months prior to October 8, 2020, or in parish listed in §803.E.2.c for at least the 12 months prior to October 26, 2020.

d. A dependent student who graduated from an eligible out-of-state high school shall be deemed to meet the Louisiana residency requirement if his parent or court-ordered custodian was displaced as a resident from a parish listed:

i. in §803.E.2.a below due to Hurricane Laura and such parent or court-ordered custodian actually resided in Louisiana for at least the 12 months prior to August 26, 2020; or

ii. in §803.E.2.b below due to Hurricane Delta and such parent or court-ordered custodian actually resided in Louisiana for at least the 12 months prior to October 8, 2020.

iii. in §803.E.2.c below due to Hurricane Zeta and such parent or court-ordered custodian actually resided in Louisiana for at least the 12 months prior to October 26, 2020

e. A displaced student who during the 2020-2021 academic year (high school) successfully completes at the 12th grade level a home study program approved by BESE shall not be required to have also completed the 11th grade level of an approved home study program.

2. For the purposes of this Subsection, *displaced student* means:

a. a student who on August 26, 2020, was actually residing in Acadia, Allen, Beauregard, Calcasieu, Cameron, Grant, Jackson, Jefferson Davis, Lasalle, Lincoln, Morehouse, Natchitoches, Ouachita, Rapides, Sabine, St. Landry, Union, Vermilion, Vernon, or Winn Parish, and:

i. was enrolled in an eligible Louisiana high school as provided in §1701.A.1, 2 and 3; or

ii. was enrolled in a home study program approved by BESE; or

b. a student who on October 8, 2020, was actually residing in Acadia, Allen, Beauregard, Calcasieu, Cameron, Iberia, Jefferson Davis, Lafayette, Rapides, St. Landry, St. Martin, or Vermilion Parish, and:

i. was enrolled in an eligible Louisiana high school as provided in §1701.A.1, 2 and 3; or

ii. was enrolled in a home study program approved by BESE.

c. a student who on October 26, 2020, was actually residing in Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, or Terrebonne Parish, and:

i. was enrolled in an eligible Louisiana high school as provided in §1701.A.1, 2 and 3; or

ii. was enrolled in a home study program approved by BESE.

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 24:1904 (October 1998), amended LR 24:2237 (December 1998), LR 25:1795 (October 1999), LR 26:65 and 67 (January 2000), LR 26:1602 (August 2000), LR 26:1997 (September 2000), LR 26:2269 (October 2000), LR 26:2754 (December 2000), LR 27:36 (January 2001), LR 27:1220 (August 2001), repromulgated LR 27:1854 (November 2001), amended LR 28:447 (March 2002), LR 28:773 (April 2002), LR 28:2330 (November 2002), LR 29:554 (April 2003), LR 30:1164 (June 2004), LR 30:2019 (September 2004), LR 31:39 (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), LR 38:3159 (December 2012), LR 41:654 (April 2015), LR 41:2597 (December 2015), LR 42:48 (January 2016), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:523 (March 2018), amended LR 44:1874 (October 2018), LR 45:1172 (September 2019), LR 47:

§805. Maintaining Eligibility

A.1. - C. ...

D. 2005 Natural Disaster Maintaining Eligibility Requirements

D.1. - G. ...

H. 2020 Natural Disaster Maintaining Eligibility Requirements

1. To continue receiving the TOPS Tech Award, a displaced student must meet all of the criteria in §805.A-C above, except as follows.

a. The TOPS Award of a displaced student who enrolls as a full-time student in an eligible out-of-state college or university during the 2020-2021 academic year (TOPS) and subsequently enrolls at a Louisiana-eligible college or university shall not be cancelled or reduced due to enrollment in an eligible out-of-state institution during the 2020-2021 academic year (TOPS).

b. The period of suspension of a TOPS Award for a displaced student due to the student not meeting a requirement to maintain a minimum grade point average or to make steady academic progress shall be extended on a one-for-one basis for each semester or term in which the student does not enroll on a full-time basis in an eligible college or university during the 2020-2021 academic year (TOPS).

c. A displaced student shall not be required to meet the minimum academic progress requirements set forth in §805.A.8.

b. A displaced student shall not be required to meet the steady academic progress requirements set forth in §805.A.6.

c. A displaced student shall not be required to meet the continuation GPA requirements set forth in §805.A.7.

2. For the purposes of this Subsection, *displaced student* means:

a. a student whose home of record on August 26, 2020, was located in, or who, on August 26, 2020, was attending a postsecondary institution located in Acadia, Allen, Beauregard, Caddo, Calcasieu, Cameron, Grant, Jackson, Jefferson Davis, Lasalle, Lincoln, Morehouse, Natchitoches, Ouachita, Rapides, Sabine, St. Landry, Union, Vermilion, Vernon, or Winn Parish: or

b. a student whose home of record on October 8, 2020, was located in, or who, on October 8, 2020, was attending a postsecondary institution located in Acadia, Allen, Beauregard, Calcasieu, Cameron, Iberia, Jefferson

Davis, Lafayette, Rapides, St. Landry, St. Martin, or Vermilion Parish.

c. a student whose home of record on October 26, 2020, was located in, or who, on October 26, 2020, was attending a postsecondary institution located in Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, or Terrebonne Parish.

3. For the purposes of this Subsection, *home of record for a dependent student* shall mean the domiciliary address of the student's parent or court-ordered custodian and for an independent student shall mean the domiciliary address of such student.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031, R.S. 17:3042.1 and R.S. 17:5001 et seq.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:1905 (October 1998) amended LR 25:1091 (June 1999), LR 26:68 (January 2000), LR 26:689 (April 2000), LR 26:1997, 2002 (September 2000), repromulgated LR 27:1856 (November 2001), amended LR 28:774 (April 2002), LR 28:2332 (November 2002), LR 29:880 (June 2003), LR 29:2373 (November 2003), LR 30:781 (April 2004), LR 30:1165 (June 2004), LR 30:2019 (September 2004), LR 31:3115 (December 2005), LR 33:438 (March 2007), LR 35:1489 (August 2009), LR 38:3160 (December 2012), LR 40:1002 (May 2014), LR 41:666 (April 2015), LR 41:2598 (December 2015), LR 42:49 (January 2016), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:527 (March 2018), LR 47:

Chapter 21 Miscellaneous Provisions and Exceptions

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

A. - G.5.b.iii. ...

H. 2020 Natural Disaster Exceptions

1. For the purposes of this subsection, *displaced students* are TOPS, Rockefeller State Wildlife Scholarship, and GO Youth Challenge recipients and students eligible for TOPS whose home of record on August 26, 2020, was located in, or who, on August 26, 2020, was attending a postsecondary institution located in Acadia, Allen, Beauregard, Caddo, Calcasieu, Cameron, Grant, Jackson, Jefferson Davis, Lasalle, Lincoln, Morehouse, Natchitoches, Ouachita, Rapides, Sabine, St. Landry, Union, Vermilion, Vernon, or Winn Parish: or

b. a student whose home of record on October 8, 2020, was located in, or who, on October 8, 2020, was attending a postsecondary institution located in Acadia, Allen, Beauregard, Calcasieu, Cameron, Iberia, Jefferson Davis, Lafayette, Rapides, St. Landry, St. Martin, or Vermilion Parish.

c. a student whose home of record on October 26, 2020, was located in, or who, on October 26, 2020, was attending a postsecondary institution located in Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, or Terrebonne Parish.

2. For the purposes of this Subsection, *home of record* is:

a. the domiciliary address of a dependent student's parent or court-ordered custodian; or

b. the domiciliary address of an independent student.

3. For the 2020-2021 academic year (TOPS), displaced students are not required to enroll as full-time students, to maintain continuous enrollment, or to earn at least 24 hours during the 2020-2021 academic year (TOPS).

4. Displaced students may enroll on a part-time basis in an eligible college or university without losing TOPS eligibility.

a. Upon request of the student, the eligible college or university may bill for the TOPS award for these part-time students.

b. The terms of eligibility for a displaced student whose part-time enrollment is paid by TOPS will be reduced by one full semester (term) for each semester (term) paid.

c. Institutions must document the displaced student's request for part-time payment of TOPS under these circumstances.

d. Any grades earned by a displaced student who enrolls part-time during the 2020-2021 academic year (TOPS) will be included in the calculation of the student's cumulative grade point average.

5. Displaced students who are Rockefeller State Wildlife Scholarship recipients may enroll full-time or part-time in a college or university that does not offer a course of study leading to an undergraduate or graduate degree in wildlife, forestry or marine science.

a. Upon request of the student, the eligible college or university may bill for the Rockefeller State Wildlife Scholarship for these students.

b. The amount paid for any such semester of enrollment in accordance with this Subsection shall reduce the student's total eligibility for the Rockefeller State Wildlife Scholarship Program.

c. Institutions must document the displaced student's request for payment in accordance with this Subsection.

d. Any grades earned by a displaced student who enrolls in school during the 2020-2021 in accordance with this Subsection will be included in the calculation of the student's cumulative grade point average.

6. For the 2020-2021 academic year (TOPS), students who are not *displaced students*, but who, due to the effects of Hurricane Laura were unable to enroll for the first time as full time students by the applicable deadline, to enroll as full-time students, to maintain continuous enrollment in school, or to earn 24 hours during the 2020-2021 academic year (TOPS) may submit a request for exception in accordance with §2103.D. based on the circumstances provided in §2103.E.12.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3025, R.S. 17:5001 et seq., 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), LR 38:3160 (December 2012), LR 41:657, 667 (April 2015), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:562 (March 2018), LR 45:1173 (September 2019), LR 47:

§2105. Repayment Obligation, Deferment, Cancellation and Reduced Payments

A. - B.9.e.iii. ...

10. 2020 Natural Disaster Deferments. For the purposes of this Subsection, *displaced students* are recipients of the Rockefeller State Wildlife Scholarship or TOPS Teacher Award who are in repayment status and whose Home of Record:

a. on August 26, 2020, was located in Acadia, Allen, Beauregard, Caddo, Calcasieu, Cameron, Grant, Jackson, Jefferson Davis, Lasalle, Lincoln, Morehouse, Natchitoches, Ouachita, Rapides, Sabine, St. Landry, Union, Vermilion, Vernon, or Winn Parish: or

b. on October 8, 2020, was located in, or who, on October 8, 2020, was attending a postsecondary institution located in Acadia, Allen, Beauregard, Calcasieu, Cameron, Iberia, Jefferson Davis, Lafayette, Rapides, St. Landry, St. Martin, or Vermilion Parish.

c. on October 26, 2020, was located in, or who, on October 26, 2020, was attending a postsecondary institution located in Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, or Terrebonne Parish.

d. For the purposes of this Subsection, *home of record* is the domiciliary address of the recipient who is in repayment status.

e.i. For students qualifying for deferment under the provisions of §2105.B.10.a. above, loan repayments are deferred and interest accrual is suspended for the period August 26, 2020, through August 31, 2021;

ii. For students qualifying for deferment under the provisions of §2105.B.10.b. above, loan repayments are deferred and interest accrual is suspended for the period October 8, 2020, through October 31, 2021.

iii. For students qualifying for deferment under the provisions of §2105.B.10.c. above, loan repayments are deferred and interest accrual is suspended for the period October 26, 2020, through October 31, 2021.

f. For the period August 26, 2020, through October 31, 2021, recipients of the Rockefeller State Wildlife Scholarship or the TOPS Teacher Award who are not *displaced students*, but who, due to the effects of a natural disaster as provided in this Subsection, are unable to repay their loan may submit a request for exception in accordance with §2103.D. based on the circumstances provided in §2103.E.12.

C. - H.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:3042.1.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:649 (April 1998), amended LR 24:1918 (October 1998), LR 26:1603 (August 2000), repromulgated LR 27:1868 (November 2001), amended LR 28:775 (April 2002), LR 30:781 (April 2004), LR 30:1167, 1168 (June 2004), LR 33:442 (March 2007), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:566 (March 2018), LR 47:

Robyn Rhea Lively
Senior Attorney