

HOUSE COMMITTEE ON EDUCATION

Minutes of Meeting
2005 First Extraordinary Session
November 10, 2005

I. CALL TO ORDER

Representative Carl Crane, chairman of the House Committee on Education, called the meeting to order at 1:14 p.m. in Committee Room 1, in the State Capitol in Baton Rouge, Louisiana. The secretary called the roll.

II. ROLL CALL

MEMBERS PRESENT:

Representative Carl Crane, Chairman
Representative Avon Honey, Vice Chairman
Representative Ernie Alexander
Representative Austin Badon
Representative A. G. Crowe
Representative Hollis Downs
Representative Jim Fannin
Representative Hunter Greene
Representative Avon Honey
Representative Lelon Kenney
Representative Mike Powell
Representative Tank Powell
Representative Harold L. Ritchie
Representative Don Trahan

MEMBERS ABSENT:

Representative Regina Barrow
Representative Tommy Wright

III. STAFF MEMBERS PRESENT:

Paul Jones, Research Analyst
Nancy Jolly, Research Analyst
Jackie Snowden, Secretary
Ryan Snowden, Clerk
Beverly Vincent and Susan Ratcliff, Sergeants at Arms

IV. DISCUSSION

House Bill No. 144 by Representative Schneider

House Bill No. 144 provides relative to initial eligibility residency requirements for Tuition Opportunity Program for Students (TOPS) awards for high school students displaced during the 2005-2006 school year as a consequence of Hurricane Katrina or Rita.

Representative Crane announced that he had agreed to handle the bill in committee for Representative Schneider. He told committee members that because there was no rush on the matter, the bill will be refiled in the spring. Representative Crane moved that action on House Bill No. 144 be voluntarily deferred. There was no objection, and the motion that action on House Bill No. 144 be voluntarily deferred passed by a vote of 12 yeas and 0 nays. Representatives Ernie Alexander, Badon, Crane, Crowe, Downs, Fannin, Honey, Kenney, Mike Powell, Tank Powell, Ritchie, and Trahan voted yea.

House Bill No. 142 by Representative Salter

House Bill No. 142 provides relative to Tuition Opportunity Program for Students (TOPS) continuing eligibility requirements for the 2005-2006 academic year for postsecondary students displaced during such academic year as a consequence of Hurricanes Katrina or Rita, or both.

Before discussion on the bill began, Representative Crane commented that the two remaining bills on the agenda involved some of the issues brought up that have to be dealt with as a result of the impact of Hurricane Katrina and Hurricane Rita.

Representative Crane introduced Mr. Jack Guinn, representing the Office of Student Financial Assistance, Baton Rouge, LA, to present the bill. Mr. Guinn was accompanied by Dr. Joseph Savoie, commissioner of higher education, representing the state Board of Regents. Mr. Guinn informed committee members that a number of items in current law negatively impact "displaced" students; those students that either lived in one of the parishes affected by the hurricanes or attended a school in one of the affected parishes. He said some action needed to be taken to mitigate any negative impact these students would have to face. Mr. Guinn described the students as those who either are currently on TOPS or are TOPS eligible, but would begin their first year of college at an out-of-state institution.

Mr. Guinn explained the provisions of the bill. He noted that under current law a student who is eligible for TOPS as a graduate of an eligible high school would not be able to utilize TOPS if they initially enrolled in an out-of-state institution. He said they could return to Louisiana and use their award, but would lose the number of semesters of eligibility while they attended

the out-of-state institution. For these students just out of high school, Mr. Guinn explained that the bill, including the proposed amendment, would provide that the student's years of eligibility would not be reduced if the student is displaced, enrolls in an out-of-state institution first, and then returns to Louisiana; ensuring that they are not losing any of their periods of eligibility for the award because they were forced out of the state by occurrences at the in-state school they were attending. For students who were enrolled in a Louisiana institution at the time the hurricanes hit and then displaced out-of-state, the bill will ensure that they do not lose their eligibility for the award when they return. For students who fail to maintain the requisite grade point average at the end of the spring semester of each year, the bill provides that their requisite period of suspension will run consecutively and not concurrently, allowing the student up to two years to regain the required grade point average upon return to an eligible institution. For students who were enrolled in a technical college under the TOPS-Tech awards but were displaced, the bill would provide that these students would be able to enroll at a four-year institution in an academic program that would contribute toward their technical or skills diploma and be paid at the tuition rate of the institution they are attending rather than if they were attending a technical college.

Mr. Guinn added that the Student Financial Assistance Commission has contemplated most of the situations that negatively impact the eligible students or students who are currently on TOPS, but have been displaced. He noted, however, that there might be other situations that are not being covered by statutory provisions. For this reason, Mr. Guinn explained that the commission is requesting authority, by rule, to override a statutory provision if, in the case of a student affected by a natural disaster during the current year, it was necessary to receive a waiver of a statute to avoid the student being injured by virtue of the effects of the natural disaster.

Representative Crane announced that an amendment was pending. He asked Mr. Paul Jones, committee legislative analyst, to present the amendment. Mr. Jones explained that St. Mary Parish is being added to the list of affected parishes. Representative Crane offered the amendment and moved that it be adopted. There was no objection, and the amendment was adopted by a vote of 13 yeas and 0 nays. Representatives Ernie Alexander, Badon, Crane, Crowe, Downs, Fannin, Greene, Honey, Kenney, Mike Powell, Tank Powell, Ritchie, and Trahan voted yea.

Representative Mike Powell observed that the bill further protects and affirms the state's commitment to TOPS, keeping young people in the state, and providing them with a quality education. Mr. Guinn agreed and said he also sees the measure as a means to encourage students to return to the state to pursue their education.

In response to a question from Representative Honey, Mr. Guinn said at this time last year, 38,000 students had been paid and this year, the number of TOPS awards paid was 34,000. Mr. Guinn said there were about 4,200 students whose whereabouts are not certain. He said UNO had a large population of TOPS recipients, a number of whom were enrolled in other eligible institutions in the state, particularly Louisiana State University (LSU). He commented that those students who are currently attending an out-of-state institution cannot be identified at this time. Mr. Guinn said that this number will not be identified until the close of the current semester.

Representative Crane announced that an amendment was pending for adoption. Mr. Paul Jones, committee legislative analyst, said the amendment covers a spelling correction in the bill in reference to Our Lady of Holy Cross College. Representative Crane offered the amendment and moved that it be adopted. There was no objection, and the amendment was adopted by a vote of 13 yeas and 0 nays. Representatives Ernie Alexander, Badon, Crane, Crowe, Downs, Fannin, Greene, Honey, Kenney, Mike Powell, Tank Powell, Ritchie, and Trahan voted yea.

Representative Mike Powell moved that House Bill No. 142 be reported with amendments. There was no objection, and House Bill No. 142 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Ernie Alexander, Badon, Crane, Crowe, Downs, Fannin, Greene, Honey, Kenney, Mike Powell, Tank Powell, Ritchie, and Trahan voted yea.

House Bill No. 143 by Representative Salter

House Bill No. 143 provides relative to Tuition Opportunity Program for Students (TOPS) continuing eligibility requirements for the 2005-2006 academic year for postsecondary students displaced during such academic year as a consequence of Hurricane Katrina and Rita, or both.

Mr. Jack Guinn, representing the Office of Student Financial Assistance, Baton Rouge, LA, explained the bill and was accompanied by Dr. Joseph Savoie, commissioner of higher education, representing the state Board of Regents. Mr. Guinn explained that this bill deals with high school students who were impacted by one of the two hurricanes. Mr. Guinn told committee members that currently if a student is displaced to an out-of-state school or enrolled in an out-of-state school, they can qualify for TOPS if they have a Louisiana residency. He noted that in order to qualify, the students must have an ACT score three points higher than the score necessary if they had graduated from a Louisiana school. The bill would not force upon these displaced students a higher requirement than they would have if they had remained at their Louisiana high school. He noted as well that the student might not be able to complete the core curriculum required in Louisiana at the out-of-state institution. The requirements would be a 2.5 grade point average; a review and evaluation of all courses taken (Louisiana

core curriculum courses not required); an ACT score of 20; and Louisiana residency (if the student had attended school in Louisiana for one year prior to the date of the hurricanes).

Mr. Guinn then explained that the next group provided for will be students who did not attend an out-of-state institution, nor an in-state school, but took part in a home-study program. He stated that currently, in order for these students to qualify for TOPS, they had to complete the 11th and 12th grades in the home-study program. The bill provides that the student be permitted to complete the 12th grade in a home-study program if they are displaced.

Representative Crane announced that an amendment was pending. Mr. Paul Jones, committee legislative analyst, explained that the amendment was similar to that added to the previous bill: adding St. Mary Parish as an affected, eligible parish. Representative Crane offered the amendment and moved that it be adopted. There was no objection, and the amendment was adopted by a vote of 12 yeas and 0 nays. Representatives Ernie Alexander, Badon, Crane, Downs, Fannin, Greene, Honey, Kenney, Mike Powell, Tank Powell, Ritchie, and Trahan voted yea.

Representative Tank Powell moved that House Bill No. 143 be reported with amendments. There was no objection, and House Bill No. 143 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Ernie Alexander, Badon, Crane, Downs, Fannin, Greene, Honey, Kenney, Mike Powell, Tank Powell, Ritchie, and Trahan voted yea.

V. OTHER BUSINESS

Representative Crane asked Dr. Joseph Savoie, commissioner of higher education, representing the state Board of Regents, to address the issue of student tuition. Dr. Savoie pointed out that some of the state's public universities have picked up students displaced from the private universities. Representative Crane asked if the private institutions were reimbursing the public institutions for tuition costs. He specifically asked about Tulane University. After consulting with Ms. Mary Ann Coleman, representing the Louisiana Independent Colleges and Universities, Dr. Savoie said that the process being used is to have the students pay the host institution the tuition, bring the receipt back to their home institution, and either be reimbursed or have that amount credited to their account at the home institution. Dr. Savoie added that they were waiting to see how Congress will act to determine how the state will handle the situation.

Ms. Coleman informed members that all pertinent information can be found on the private institution's official website. She said Louisiana students are enrolled in 657 different institutions across the country, in 49 states, and the District of Columbia. Ms. Coleman told

members that Loyola and Tulane universities, through their official website, have continuously stated that it was never their intention that students would pay a "double" tuition. She added that the public institutions in the state and across the country came forward to offer their campuses to the displaced college and university students in Louisiana. She indicated that many of those institutions that accepted Louisiana students do not plan to charge tuition, whereas some of the public institutions, for example, the University of Nebraska, would charge only the in-state tuition fee. Ms. Coleman emphasized that the private institutions' websites must be the source of information to ensure that the information is official and correct.

VI. ANNOUNCEMENTS

There were no announcements.

VII. ADJOURNMENT

The meeting was adjourned at 2:03 p.m.

Respectfully submitted,

Austin J. Badon, Jr., Chairman

The committee has acknowledged on _____, that these minutes were prepared in accordance with the rules of the House of Representatives.