

1 **SENATE FLOOR VERSION**

2 March 1, 2017

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 529

By: Smalley of the Senate

and

Henke of the House

6
7
8
9 [Oklahoma Higher Learning Access Program - modifying
10 income qualification - modifying references -
11 ~~effective date -~~ emergency]

12
13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY 70 O.S. 2011, Section 2602, is
15 amended to read as follows:

16 Section 2602. There is hereby created the Oklahoma Higher
17 Learning Access Program. The program shall also be known as
18 "Oklahoma's Promise". The purpose of the program is to provide an
19 award to students who meet the criteria set forth in the Oklahoma
20 Higher Learning Access Act, ~~Section 2601 et seq. of this title, and~~
21 who are pursuing studies in this state leading to an associate or
22 baccalaureate degree or who are pursuing studies in a postsecondary
23 ~~vocational-technical~~ career technology program ~~or course that would~~
24 meet the requirements to be eligible for federal student financial

1 aid and is offered pursuant to a duly approved cooperative agreement
2 between by a technology center school and an institution of The
3 Oklahoma State System of Higher Education supervised by the State
4 Board of Career and Technology Education, and who are in good
5 academic standing in the institution ~~of higher education~~ or
6 ~~technology center~~ school in which the student is enrolled, ~~to that~~
7 will relieve ~~them~~ the student of the burden of paying nonguaranteed
8 resident tuition at institutions of The Oklahoma State System of
9 Higher Education, ~~to relieve them of the burden of~~ paying tuition
10 for enrollment in postsecondary programs of the technology center
11 districts, or ~~to relieve them of some portion of the burden of~~
12 paying some portion of such fees or tuition, pursuant to the
13 provisions of ~~this act~~ the Oklahoma Higher Learning Access Act, as
14 may be required of enrollees at private institutions of higher
15 education which are accredited pursuant to Section 4103 of this
16 title. The further purpose of this program is to establish and
17 maintain a variety of support services whereby a broader range of
18 the general student population of this state will be prepared for
19 success in postsecondary endeavors.

20 SECTION 2. AMENDATORY 70 O.S. 2011, Section 2603, as
21 amended by Section 24, Chapter 11, O.S.L. 2012 (70 O.S. Supp. 2016,
22 Section 2603), is amended to read as follows:

23 Section 2603. A. Except as otherwise provided for in
24 subsection B of this section and elsewhere in this section, to be

1 eligible to participate in the Oklahoma Higher Learning Access
2 Program and to qualify for an award which includes payment of an
3 amount equivalent to resident tuition or other tuition pursuant to
4 Section 2604 of this title for the first semester or other academic
5 unit of postsecondary enrollment, a student shall:

6 1. Be a resident of this state or be enrolled in a school
7 district located in this state that serves students who reside in
8 both this state and an adjacent state pursuant to a contract as
9 authorized in Section 5-117.1 of this title;

10 2. Be a United States citizen or lawfully present in the United
11 States. A student who is not a United States citizen or lawfully
12 present in the United States shall not be eligible to participate in
13 the Oklahoma Higher Learning Access Program and to qualify for an
14 award notwithstanding the provisions of Section 3242 of this title.
15 The provisions of this paragraph shall not apply to any student who
16 was enrolled in the Oklahoma Higher Learning Access Program prior to
17 the end of the 2006-2007 school year;

18 3. Have a record of satisfactory compliance with agreements
19 executed pursuant to Section 2605 of this title;

20 4. a. have graduated within the previous three (3) years
21 from a high school accredited by the State Board of
22 Education, or the Oklahoma School of Science and
23 Mathematics with a minimum 2.5 cumulative grade point
24

1 average on a 4.0 scale for all work attempted in
2 grades nine through twelve,

3 b. have graduated within the previous three (3) years
4 from a high school not accredited by the State Board
5 of Education with a minimum 2.5 cumulative grade point
6 average on a 4.0 scale for all work attempted in
7 grades nine through twelve and have achieved a
8 composite score of 22 or higher on the ACT test, or

9 c. have satisfactorily completed within the previous
10 three (3) years an educational program that was
11 provided through a means other than a public or
12 private school and have achieved a composite score of
13 22 or higher on the ACT test;

14 5. Have completed the curricular requirements for admission to
15 an institution within The Oklahoma State System of Higher Education
16 and one additional unit or set of competencies in a course that
17 meets college admission requirements. The curriculum requirements
18 shall include two units or sets of competencies in foreign or non-
19 English language or technology courses that meet the college
20 admission requirements and one unit or set of competencies of a fine
21 arts course. Students shall also have attained a 2.5 grade point
22 average in the core curriculum courses. Students who attended a
23 high school which did not offer all the core curriculum courses or
24 students who were educated by other means and were not offered all

1 the core curriculum courses shall be allowed to satisfy this
2 curriculum requirement by participating in a program approved by the
3 State Regents for remediation of high school curricular
4 deficiencies;

5 6. Have satisfied admission standards as determined by the
6 Oklahoma State Regents for Higher Education for first-time-entering
7 students for the appropriate type of institution, or, if attending a
8 private institution, have satisfied admission standards as
9 determined by the private institution. No student participating in
10 the Oklahoma Higher Learning Access Program shall be admitted into
11 an institution of higher education by special admission standards;

12 7. Have secured admission to, and enrolled in, an institution
13 which is a member of The Oklahoma State System of Higher Education,
14 a postsecondary vocational-technical program offered ~~pursuant to a~~
15 ~~duly approved cooperative agreement between~~ by a technology center
16 ~~school and an institution of The Oklahoma State System of Higher~~
17 ~~Education~~ that meets the requirements to be eligible for federal
18 student financial aid, or a private institution of higher learning
19 located within this state and accredited pursuant to Section 4103 of
20 this title; and

21 8. a. have established financial need according to the
22 provisions of subsection D of Section 2605 of this
23 title and standards and provisions promulgated by the
24 Oklahoma State Regents for Higher Education,

1 b. if the student was adopted between birth and twelve
2 (12) years of age while in the permanent custody of
3 the Department of Human Services, in the court-ordered
4 custody of a licensed private nonprofit child-placing
5 agency, or federally recognized Indian tribe, as
6 defined by the federal Indian Child Welfare Act, have
7 established financial need according to the provisions
8 of paragraph 1 of subsection E of Section 2605 of this
9 title and standards and provisions promulgated by the
10 Oklahoma State Regents for Higher Education, or

11 c. if the student was adopted between thirteen (13) and
12 seventeen (17) years of age while in the permanent
13 custody of the Department of Human Services, in the
14 court-ordered custody of a licensed private nonprofit
15 child-placing agency, or federally recognized Indian
16 tribe, as defined by the federal Indian Child Welfare
17 Act, have established financial need according to the
18 provisions of paragraph 2 of subsection E of Section
19 2605 of this title and standards and provisions
20 promulgated by the Oklahoma State Regents for Higher
21 Education.

22 B. 1. A student shall be eligible to participate in the
23 Oklahoma Higher Learning Access Program and to qualify for an award
24 which includes payment of an amount equivalent to resident tuition

1 or other tuition pursuant to Section 2604 of this title for the
2 first semester or other academic unit of postsecondary enrollment if
3 the student meets all of the following criteria:

4 a. is a child of any person killed after January 1, 2000,
5 in the line of duty in any branch of the United States
6 Armed Forces or who died after January 1, 2000, as a
7 result of an injury sustained while in the line of
8 duty in any branch of the United States Armed Forces
9 and the person who was killed or died filed an
10 individual or joint Oklahoma income tax return for the
11 tax year prior to the year during which the person was
12 killed or died,

13 b. is a resident of this state or is enrolled in a school
14 district located in this state that serves students
15 who reside in both this state and an adjacent state
16 pursuant to a contract as authorized in Section 5-
17 117.1 of this title,

18 c. enrolls in an institution within The Oklahoma State
19 System of Higher Education prior to reaching the age
20 of twenty-one (21),

21 d. has satisfied admission standards as determined by the
22 Oklahoma State Regents for Higher Education for first-
23 time-entering students for the appropriate type of
24 institution, or, if attending a private institution,

1 has satisfied admission standards as determined by the
2 private institution. No student participating in the
3 Oklahoma Higher Learning Access Program shall be
4 admitted into an institution of higher education by
5 special admission standards,

6 e. has secured admission to, and enrolled in, an
7 institution which is a member of The Oklahoma State
8 System of Higher Education, a postsecondary
9 vocational-technical program offered ~~pursuant to a~~
10 ~~duly approved cooperative agreement between~~ by a
11 technology center school ~~and an institution of The~~
12 ~~Oklahoma State System of Higher Education~~ that meets
13 the requirements to be eligible for federal student
14 financial aid, or a private institution of higher
15 learning located within this state and accredited
16 pursuant to Section 4103 of this title, and

17 f. executes an agreement pursuant to subsection C of
18 Section 2605 of this title.

19 2. A student who is eligible to participate in the program
20 pursuant to this subsection shall not be required to meet the
21 eligibility requirements set forth in subsection A of this section.

22 C. To retain eligibility while pursuing the program of higher
23 learning in which enrolled, the student shall:

1 1. ~~Achieve a minimum cumulative grade point average of 2.0 on a~~
2 ~~4.0 scale or its equivalent for courses taken through the student's~~
3 ~~sophomore year and achieve a minimum grade point average of 2.5 on a~~
4 ~~4.0 scale or its equivalent for courses taken during the student's~~
5 ~~junior year and thereafter. The provisions of this paragraph shall~~
6 ~~not apply to any student who has received an Oklahoma Higher~~
7 ~~Learning Access Program benefit award prior to the 2012-2013 school~~
8 ~~year~~ Meet the requirements for retention and degree completion as
9 established by the institution in which the student is enrolled;

10 2. Maintain good academic standing and satisfactory academic
11 progress according to standards of the Oklahoma State Regents for
12 Higher Education;

13 3. Maintain satisfactory academic progress as required for
14 eligibility for federal Title IV student financial aid programs.
15 The provisions of this paragraph shall become effective for the
16 2012-2013 school year;

17 4. Comply with the standards related to maintenance of
18 eligibility as promulgated by the Oklahoma State Regents for Higher
19 Education; and

20 5. Refrain from conduct that leads to expulsion or suspension
21 of more than one semester from an institution of higher education.
22 A student who violates the provisions of this paragraph shall
23 permanently lose eligibility for program benefits. The provisions
24 of this paragraph shall become effective January 1, 2008.

1 D. The Oklahoma State Regents for Higher Education and the
2 State Board of Career and Technology Education shall promulgate
3 rules relating to maintenance of eligibility under the Oklahoma
4 Higher Learning Access Act by a student.

5 E. It is the intent of the Legislature that students in the
6 ninth grade for the 1992-93 school year who are determined to be
7 eligible Oklahoma Higher Learning Access students pursuant to the
8 Oklahoma Higher Learning Access Act shall be the first students
9 eligible for benefits from the Oklahoma Higher Learning Access Trust
10 Fund.

11 F. The Oklahoma State Regents for Higher Education are
12 authorized to study, develop and propose criteria for determining
13 award eligibility based upon the completion of seven (7) semesters
14 of high school coursework by a student.

15 SECTION 3. AMENDATORY 70 O.S. 2011, Section 2604, is
16 amended to read as follows:

17 Section 2604. A. Subject to the availability of funds, an
18 amount equivalent to the nonguaranteed resident tuition for which an
19 eligible Oklahoma Higher Learning Access Program student is
20 obligated at an institution of The Oklahoma State System of Higher
21 Education shall be awarded by allocation from the Oklahoma Higher
22 Learning Access Trust Fund.

23 B. Subject to the availability of funds, for each eligible
24 Oklahoma Higher Learning Access Program student enrolled at a

1 private institution of higher learning located within this state and
2 accredited pursuant to Section 4103 of this title, the Oklahoma
3 State Regents for Higher Education shall award from the Oklahoma
4 Higher Learning Access Trust Fund an amount equivalent to the amount
5 of resident tuition for which the student would be eligible if the
6 student were enrolled in a comparable program at a comparable
7 institution of The Oklahoma State System of Higher Education.
8 Comparability shall be determined by the State Regents.

9 C. Subject to the availability of funds, an amount equivalent
10 to the tuition for any eligible Oklahoma Higher Learning Access
11 Program student enrolled in a public postsecondary vocational-
12 technical program or course for the purpose set forth in Section
13 2602 of this title shall be awarded by allocation from the Oklahoma
14 Higher Learning Access Trust Fund. Provided, such allocation shall
15 not exceed the amount a student would have received for comparable
16 enrollment at a two-year institution within The Oklahoma State
17 System of Higher Education.

18 D. 1. An award allowed by this section shall not be allowed
19 for courses or other postsecondary units taken in excess of the
20 requirements for completion of a baccalaureate program or taken more
21 than five (5) years after the student's first semester of
22 postsecondary enrollment. The Oklahoma State Regents for Higher
23 Education may award the Oklahoma Higher Learning Access Program
24 benefits for courses of postsecondary units taken more than five (5)

1 years after the student's first semester of postsecondary enrollment
2 only in hardship circumstances; provided, however, no Oklahoma
3 Higher Learning Access Program participant may receive benefits
4 beyond a cumulative time period of five (5) years.

5 2. The Oklahoma State Regents for Higher Education may award
6 the Oklahoma Higher Learning Access Program benefits for a student's
7 first semester or other academic unit of postsecondary enrollment
8 taken more than three (3) years after the student graduates from
9 high school or completes an educational program equivalent to high
10 school graduation as authorized in subsection A of Section 2603 of
11 this title or after the student turns twenty-one (21) years of age
12 as authorized in subsection B of Section 2603 of this title if the
13 student is a member of the Armed Forces of the United States, the
14 Reserve Corps of the Armed Forces of the United States, or the
15 Oklahoma National Guard, and is ordered to active duty or active
16 duty for special work or training and due to the duty commitment the
17 student is unable to enroll prior to the end of the three-year
18 period or before the student reaches twenty-one (21) years of age.
19 The period shall be extended by the length of the term of duty.

20 3. The Oklahoma State Regents for Higher Education ~~may~~ shall
21 establish a maximum limit on the number of courses or other
22 postsecondary units to which Oklahoma Higher Learning Access Program
23 benefits will apply.

1 ~~4. An award for eligible Oklahoma Higher Learning Access~~
2 ~~Program students enrolled in cooperative programs pursuant to~~
3 ~~agreements between technology center schools and institutions of The~~
4 ~~Oklahoma State System of Higher Education shall be satisfied for~~
5 ~~both vocational-technical and college work in which enrolled~~
6 ~~pursuant to such cooperative program.~~

7 E. Benefits awarded under the Oklahoma Higher Learning Access
8 Program shall be awarded to all eligible applicants without any
9 limitation on the number of awards in any year other than the amount
10 of funds available for the program and the number of eligible
11 applicants. Subject to the provisions of subsection F of this
12 section, if funds are not sufficient to provide awards for all
13 eligible applicants, the Oklahoma State Regents for Higher Education
14 shall make awards on the basis of need. Provided, the Oklahoma
15 State Regents for Higher Education shall take into consideration
16 other grants and scholarships received by an eligible applicant when
17 making awards.

18 F. The Oklahoma State Regents for Higher Education may, at the
19 time an award is made on behalf of an Oklahoma Higher Learning
20 Access Program student, set aside in the Oklahoma Higher Learning
21 Access Trust Fund funds for the full commitment made to such Higher
22 Learning Access Program student. For all academic years, students
23 who have previously received awards under the provisions of the
24 Oklahoma Higher Learning Access Act, Section 2601 et seq. of this

1 title, and who have continued at all times to fulfill the
2 requirements for eligibility to receive awards provided pursuant to
3 this program shall be given an absolute priority for continued
4 financial support by the Oklahoma Higher Learning Access Program
5 superior to any students who are applying for such benefits for the
6 first time.

7 G. Beginning with the 2018-2019 academic year, an award allowed
8 by this section shall not include an amount for payment of remedial
9 non-credit-earning courses taken by an eligible Oklahoma Higher
10 Learning Access Program student.

11 SECTION 4. AMENDATORY 70 O.S. 2011, Section 2605, as
12 last amended by Section 1, Chapter 63, O.S.L. 2015 (70 O.S. Supp.
13 2016, Section 2605), is amended to read as follows:

14 Section 2605. A. Each school year, every fifth- through ninth-
15 grade student in the public and private schools of this state and
16 students who are educated by other means and are in the equivalent
17 of the fifth through ninth grade shall be apprised, together with
18 the parent, custodial parent, or guardian of the student, of the
19 opportunity for access to higher learning under the Oklahoma Higher
20 Learning Access Program. The Oklahoma State Regents for Higher
21 Education and the State Board of Education shall develop, promote,
22 and coordinate a public awareness program to be utilized in making
23 students and parents aware of the Oklahoma Higher Learning Access
24 Program.

1 B. On a form provided by the Oklahoma State Regents for Higher
2 Education, every public school district shall designate at least one
3 Oklahoma Higher Learning Access Program contact person, who shall be
4 a counselor or teacher, at each public school site in this state in
5 which eighth-, ninth- or tenth-grade classes are taught. When
6 requested by the State Regents, the State Board of Education shall
7 assist the State Regents to ensure the designation of contact
8 persons. Private schools shall also designate at least one school
9 official as a contact person. For students who are educated by
10 other means, a parent or guardian or other person approved by the
11 State Regents shall be designated the contact person.

12 C. 1. Students who qualify on the basis of financial need
13 according to subsection D or E of this section or who meet the
14 eligibility qualification set forth in subparagraph a of paragraph 1
15 of subsection B of Section 2603 of this title prior to entering the
16 tenth grade or prior to reaching the age of fifteen (15) and the
17 standards and provisions promulgated by the Oklahoma State Regents
18 for Higher Education shall be given the opportunity throughout the
19 eighth-, ninth-, and tenth-grade years, for students enrolled in a
20 public or private school, or between the ages of thirteen (13) and
21 fifteen (15), for students who are educated by other means, to enter
22 into participation in the program by agreeing to, throughout the
23 remainder of their school years or educational program:

24

- a. attend school or an educational program regularly and do homework regularly,
- b. refrain from substance abuse,
- c. refrain from commission of crimes or delinquent acts,
- d. have school work and school records reviewed by mentors designated pursuant to the program,
- e. provide information requested by the Oklahoma State Regents for Higher Education or the State Board of Education, and
- f. participate in program activities.

2. Students who meet the eligibility qualification set forth in subparagraph a of paragraph 1 of subsection B of Section 2603 of this title after completing the tenth grade or after reaching the age of sixteen (16) shall be given the opportunity prior to reaching the age of twenty-one (21) to enter into participation in the program and shall execute an agreement with provisions as determined by the Oklahoma State Regents for Higher Education.

3. The contact person shall maintain the agreements, which shall be executed on forms provided by the Oklahoma State Regents for Higher Education and managed according to regulations promulgated by the Oklahoma State Regents for Higher Education, and the contact person shall monitor compliance of the student with the terms of the agreement. The Oklahoma State Regents for Higher Education are authorized to process student agreements and verify

1 compliance with the agreements. Students failing to comply with the
2 terms of the agreement shall not be eligible for the awards provided
3 in Section 2604 of this title.

4 D. Except as otherwise provided for in subsection E of this
5 section and except for students who qualify pursuant to subsection B
6 of Section 2603 of this title, a student shall not be found to be in
7 financial need for purposes of the Oklahoma Higher Learning Access
8 Program if:

9 1. At the time the student applies for participation in the
10 Program during the eighth, ninth or tenth grade for students
11 enrolled in a public or private school, or between the ages of
12 thirteen (13) and fifteen (15), for students who are educated by
13 other means, the income from taxable and nontaxable sources of the
14 student's parent(s) exceeds Fifty Thousand Dollars (\$50,000.00) per
15 year; ~~and~~

16 2. Beginning with eighth, ninth or tenth grade students who are
17 enrolled in a public or private school or students between the ages
18 of thirteen (13) and fifteen (15) who are educated by other means
19 who apply for participation in the Program in the 2017-2018 school
20 year, the federal adjusted gross income of the student's parent(s)
21 exceeds Fifty-five Thousand Dollars (\$55,000.00) per year;

22 3. Beginning with eighth, ninth or tenth grade students who are
23 enrolled in a public or private school or students between the ages
24 of thirteen (13) and fifteen (15) who are educated by other means

1 who apply for participation in the Program in the 2021-2022 school
2 year, the federal adjusted gross income of the student's parent(s)
3 exceeds Sixty Thousand Dollars (\$60,000.00) per year;

4 4. At the time the student begins postsecondary education and
5 prior to receiving any Oklahoma Higher Learning Access Program
6 benefit award, the federal adjusted gross income of the student's
7 parent(s) exceeds One Hundred Thousand Dollars (\$100,000.00) per
8 year; and

9 5. Beginning with the 2018-2019 academic year, prior to
10 receiving any Oklahoma Higher Learning Access Program benefit award
11 for any year during which the student is enrolled in an institution
12 which is a member of The Oklahoma State System of Higher Education,
13 a postsecondary vocational-technical program offered by a technology
14 center school that meets the requirements to be eligible for federal
15 student financial aid or a private institution of higher learning
16 located within this state and accredited pursuant to Section 4103 of
17 this title, the federal adjusted gross income of the student's
18 parent(s) exceeds One Hundred Thousand Dollars (\$100,000.00) per
19 year.

20 The determination of financial qualification as set forth in
21 ~~this paragraph~~ paragraphs 4 and 5 of this subsection shall be based
22 on the income of the student, not the income of the parent(s), if a
23 student:
24

- 1 a. is determined to be independent of the student's
2 parents for federal financial aid purposes,
3 b. was in the permanent custody of the Department of
4 Human Services at the time the student enrolled in the
5 program, or
6 c. was in the court-ordered custody of a federally
7 recognized Indian tribe, as defined by the federal
8 Indian Child Welfare Act, at the time the student
9 enrolled in the program.

10 The provisions of this paragraph shall ~~not~~ apply to any student
11 who has received an Oklahoma Higher Learning Access Program benefit
12 award ~~prior to~~ after the ~~2012-2013~~ 2017-2018 school year;

13 ~~3.~~ 6. The Oklahoma State Regents for Higher Education shall
14 review the determination of financial qualification as set forth in
15 ~~paragraph~~ paragraphs 1, 2 and 3 of this subsection if the income
16 from taxable and nontaxable sources of the student's parent(s)
17 includes income received from nontaxable military benefits or income
18 received from the federal Social Security Administration due to the
19 death or disability of the student's parent(s). If the income from
20 taxable and nontaxable sources of the student's parent(s), excluding
21 income received from nontaxable military benefits or income received
22 from the federal Social Security Administration due to the death or
23 disability of the student's parent(s), does not exceed ~~Fifty~~
24 ~~Thousand Dollars (\$50,000.00) per year~~ the limitations set forth by

1 paragraphs 1, 2 and 3 of this subsection, the student shall be
2 determined to have met the financial qualification set forth in
3 ~~paragraph~~ paragraphs 1, 2 and 3 of this subsection.

4 E. 1. A student who was adopted between birth and twelve (12)
5 years of age while in the permanent custody of the Department of
6 Human Services, in the court-ordered custody of a licensed private
7 nonprofit child-placing agency, or federally recognized Indian
8 tribe, as defined by the federal Indian Child Welfare Act, shall not
9 be found to be in financial need for purposes of the Oklahoma Higher
10 Learning Access Program if at the time the student begins
11 postsecondary education and prior to receiving any Oklahoma Higher
12 Learning Access Program benefit award, the federal adjusted gross
13 income of the student's parent(s) exceeds One Hundred Fifty Thousand
14 Dollars (\$150,000.00) per year. The provisions of this paragraph
15 shall not apply to any student who has received an Oklahoma Higher
16 Learning Access Program benefit award prior to the 2012-2013 school
17 year.

18 2. A student who was adopted between thirteen (13) and
19 seventeen (17) years of age while in the permanent custody of the
20 Department of Human Services, in the court-ordered custody of a
21 licensed private nonprofit child-placing agency, or federally
22 recognized Indian tribe, as defined by the federal Indian Child
23 Welfare Act, shall not be found to be in financial need for purposes
24 of the Oklahoma Higher Learning Access Program if at the time the

1 student begins postsecondary education and prior to receiving any
2 Oklahoma Higher Learning Access Program benefit award, the federal
3 adjusted gross income of the student's parent(s) exceeds Two Hundred
4 Thousand Dollars (\$200,000.00) per year. The provisions of this
5 paragraph shall not apply to any student who has received an
6 Oklahoma Higher Learning Access Program benefit award prior to the
7 2012-2013 school year.

8 3. Except for students who qualify pursuant to subsection B of
9 Section 2603 of this title, the determination of financial
10 qualification as set forth in this subsection shall be based on the
11 income of the student, not the income of the parent(s), if the
12 student is determined to be independent of the student's parents for
13 federal financial aid purposes. A determination of financial
14 qualification shall not be required for the student who meets the
15 criteria set forth in this subsection at the time the student
16 applies for participation in the program. The provisions of this
17 paragraph shall not apply to any student who has received an
18 Oklahoma Higher Learning Access Program benefit award prior to the
19 2008-2009 school year.

20 F. The financial qualification of a student as set forth in
21 subsections D and E of this section shall be certified by the
22 contact person or by the Oklahoma State Regents for Higher Education
23 on the agreement form provided by the Oklahoma State Regents for
24 Higher Education. The form shall be retained in the permanent

1 record of the student and a copy forwarded to the Oklahoma State
2 Regents for Higher Education.

3 G. Agreements shall be witnessed by the parent, custodial
4 parent, or guardian of the student, who shall further agree to:

5 1. Assist the student in achieving compliance with the
6 agreements;

7 2. Confer, when requested to do so, with the school contact
8 person, other school personnel, and program mentors;

9 3. Provide information requested by the Oklahoma State Regents
10 for Higher Education or the State Board of Education; and

11 4. Assist the student in completing forms and reports required
12 for program participation, making applications to institutions and
13 schools of higher learning, and filing applications for student
14 grants and scholarships.

15 H. Students who are enrolled in a school district located in
16 this state that serves students who reside in both this state and an
17 adjacent state pursuant to a contract as authorized in Section 5-
18 117.1 of this title, are in the eleventh and twelfth grades during
19 the 2006-2007 school year, and who were denied participation in the
20 program shall be allowed to enter or reenter into participation in
21 the program by entering into agreements as set forth in subsections
22 C and D of this section by June 1, 2008.

23

24

1 I. The Oklahoma State Regents for Higher Education shall
2 promulgate rules for the determination of student compliance with
3 agreements made pursuant to this section.

4 J. The Oklahoma State Regents for Higher Education shall
5 designate personnel to coordinate tracking of program records for
6 the years when students participating in the program are still in
7 the schools or are being educated by other means, provide staff
8 development for contact persons in the schools, and provide liaison
9 with the State Board of Education and local organizations and
10 individuals participating in the program.

11 K. The school district where an Oklahoma Higher Learning Access
12 Program student is enrolled when the student begins participation in
13 the program and any subsequent school district where the student
14 enrolls shall forward information regarding participation by the
15 student in the program to a school to which the student transfers
16 upon the request of the school for the records of the student.

17 L. Students participating in the Oklahoma Higher Learning
18 Access Program shall provide their social security number or their
19 student identification number used by their school to the Oklahoma
20 State Regents for Higher Education. The Regents shall keep the
21 numbers confidential and use them only for administrative purposes.

22 ~~SECTION 5. This act shall become effective July 1, 2017.~~

23 ~~SECTION 6. It being immediately necessary for the preservation~~
24 ~~of the public peace, health or safety, an emergency is hereby~~

1 ~~declared to exist, by reason whereof this act shall take effect and~~
2 ~~be in full force from and after its passage and approval.~~

3 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
4 March 1, 2017 - DO PASS AS AMENDED
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