

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   1st Session of the 56th Legislature (2017)

4 COMMITTEE SUBSTITUTE  
5 FOR ENGROSSED  
6 SENATE BILL NO. 529

By: Smalley of the Senate

and

Henke of the House

7  
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9  
10                                   COMMITTEE SUBSTITUTE

11                   An Act relating to schools; amending 70 O.S. 2011,  
12                   Sections 2602, 2603, as amended by Section 24,  
13                   Chapter 11, O.S.L. 2012, 2604 and 2605, as last  
14                   amended by Section 1, Chapter 63, O.S.L. 2015 (70  
15                   O.S. Supp. 2016, Sections 2603 and 2605), which  
16                   relate to the Oklahoma Higher Learning Access Act;  
17                   updating reference to postsecondary vocational-  
18                   technical program; specifying program to meet  
19                   eligibility requirements for federal student aid;  
20                   modifying eligibility for enrolled students;  
21                   directing the Oklahoma State Regents for Higher  
22                   Education to establish maximum limit on courses;  
23                   deleting award for cooperative programs; prohibiting  
24                   award for remedial noncredit-earning courses after  
                    specified date; modifying income qualification  
                    eligibility for certain students; requiring income  
                    qualification to be verified beginning in specified  
                    academic year; updating references; providing an  
                    effective date; and declaring an emergency.

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

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

3 Section 2602. There is hereby created the Oklahoma Higher  
4 Learning Access Program. The program shall also be known as  
5 "Oklahoma's Promise". The purpose of the program is to provide an  
6 award to students who meet the criteria set forth in the Oklahoma  
7 Higher Learning Access Act, ~~Section 2601 et seq. of this title, and~~  
8 who are pursuing studies in this state leading to an associate or  
9 baccalaureate degree or who are pursuing studies in a postsecondary  
10 ~~vocational-technical~~ career technology program ~~or course that would~~  
11 meet the requirements to be eligible for federal student financial  
12 aid and is offered pursuant to a duly approved cooperative agreement  
13 between by a technology center school and an institution of The  
14 Oklahoma State System of Higher Education supervised by the State  
15 Board of Career and Technology Education, and who are in good  
16 academic standing in the institution ~~of higher education~~ or  
17 ~~technology center~~ school in which the student is enrolled, ~~to that~~  
18 will relieve ~~them~~ the student of the burden of paying nonguaranteed  
19 resident tuition at institutions of The Oklahoma State System of  
20 Higher Education, ~~to relieve them of the burden of~~ paying tuition  
21 for enrollment in postsecondary programs of the technology center  
22 districts, or ~~to relieve them of some portion of the burden of~~  
23 paying some portion of such fees or tuition, pursuant to the  
24 provisions of ~~this act~~ the Oklahoma Higher Learning Access Act, as

1 may be required of enrollees at private institutions of higher  
2 education which are accredited pursuant to Section 4103 of this  
3 title. The further purpose of this program is to establish and  
4 maintain a variety of support services whereby a broader range of  
5 the general student population of this state will be prepared for  
6 success in postsecondary endeavors.

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

10 Section 2603. A. Except as otherwise provided for in  
11 subsection B of this section and elsewhere in this section, to be  
12 eligible to participate in the Oklahoma Higher Learning Access  
13 Program and to qualify for an award which includes payment of an  
14 amount equivalent to resident tuition or other tuition pursuant to  
15 Section 2604 of this title for the first semester or other academic  
16 unit of postsecondary enrollment, a student shall:

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

21 2. Be a United States citizen or lawfully present in the United  
22 States. A student who is not a United States citizen or lawfully  
23 present in the United States shall not be eligible to participate in  
24 the Oklahoma Higher Learning Access Program and to qualify for an

1 award notwithstanding the provisions of Section 3242 of this title.  
2 The provisions of this paragraph shall not apply to any student who  
3 was enrolled in the Oklahoma Higher Learning Access Program prior to  
4 the end of the 2006-2007 school year;

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

7 4. a. have graduated within the previous three (3) years  
8 from a high school accredited by the State Board of  
9 Education, or the Oklahoma School of Science and  
10 Mathematics with a minimum 2.5 cumulative grade point  
11 average on a 4.0 scale for all work attempted in  
12 grades nine through twelve,

13 b. have graduated within the previous three (3) years  
14 from a high school not accredited by the State Board  
15 of Education with a minimum 2.5 cumulative grade point  
16 average on a 4.0 scale for all work attempted in  
17 grades nine through twelve and have achieved a

18 composite score of 22 or higher on the ACT test, or

19 c. have satisfactorily completed within the previous  
20 three (3) years an educational program that was  
21 provided through a means other than a public or  
22 private school and have achieved a composite score of  
23 22 or higher on the ACT test;

24

1           5. Have completed the curricular requirements for admission to  
2 an institution within The Oklahoma State System of Higher Education  
3 and one additional unit or set of competencies in a course that  
4 meets college admission requirements. The curriculum requirements  
5 shall include two units or sets of competencies in foreign or non-  
6 English language or technology courses that meet the college  
7 admission requirements and one unit or set of competencies of a fine  
8 arts course. Students shall also have attained a 2.5 grade point  
9 average in the core curriculum courses. Students who attended a  
10 high school which did not offer all the core curriculum courses or  
11 students who were educated by other means and were not offered all  
12 the core curriculum courses shall be allowed to satisfy this  
13 curriculum requirement by participating in a program approved by the  
14 State Regents for remediation of high school curricular  
15 deficiencies;

16           6. Have satisfied admission standards as determined by the  
17 Oklahoma State Regents for Higher Education for first-time-entering  
18 students for the appropriate type of institution, or, if attending a  
19 private institution, have satisfied admission standards as  
20 determined by the private institution. No student participating in  
21 the Oklahoma Higher Learning Access Program shall be admitted into  
22 an institution of higher education by special admission standards;

23           7. Have secured admission to, and enrolled in, an institution  
24 which is a member of The Oklahoma State System of Higher Education,

1 a postsecondary vocational-technical program offered ~~pursuant to a~~  
2 ~~duly approved cooperative agreement between~~ by a technology center  
3 school ~~and an institution of The Oklahoma State System of Higher~~  
4 ~~Education~~ that meets the requirements to be eligible for federal  
5 student financial aid, or a private institution of higher learning  
6 located within this state and accredited pursuant to Section 4103 of  
7 this title; and

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

12 b. if the student was adopted between birth and twelve  
13 (12) years of age while in the permanent custody of  
14 the Department of Human Services, in the court-ordered  
15 custody of a licensed private nonprofit child-placing  
16 agency, or federally recognized Indian tribe, as  
17 defined by the federal Indian Child Welfare Act, have  
18 established financial need according to the provisions  
19 of paragraph 1 of subsection E of Section 2605 of this  
20 title and standards and provisions promulgated by the  
21 Oklahoma State Regents for Higher Education, or

22 c. if the student was adopted between thirteen (13) and  
23 seventeen (17) years of age while in the permanent  
24 custody of the Department of Human Services, in the

1 court-ordered custody of a licensed private nonprofit  
2 child-placing agency, or federally recognized Indian  
3 tribe, as defined by the federal Indian Child Welfare  
4 Act, have established financial need according to the  
5 provisions of paragraph 2 of subsection E of Section  
6 2605 of this title and standards and provisions  
7 promulgated by the Oklahoma State Regents for Higher  
8 Education.

9 B. 1. A student shall be eligible to participate in the  
10 Oklahoma Higher Learning Access Program and to qualify for an award  
11 which includes payment of an amount equivalent to resident tuition  
12 or other tuition pursuant to Section 2604 of this title for the  
13 first semester or other academic unit of postsecondary enrollment if  
14 the student meets all of the following criteria:

15 a. is a child of any person killed after January 1, 2000,  
16 in the line of duty in any branch of the United States  
17 Armed Forces or who died after January 1, 2000, as a  
18 result of an injury sustained while in the line of  
19 duty in any branch of the United States Armed Forces  
20 and the person who was killed or died filed an  
21 individual or joint Oklahoma income tax return for the  
22 tax year prior to the year during which the person was  
23 killed or died,  
24

- 1           b.    is a resident of this state or is enrolled in a school  
2                district located in this state that serves students  
3                who reside in both this state and an adjacent state  
4                pursuant to a contract as authorized in Section 5-  
5                117.1 of this title,
- 6           c.    enrolls in an institution within The Oklahoma State  
7                System of Higher Education prior to reaching the age  
8                of twenty-one (21),
- 9           d.    has satisfied admission standards as determined by the  
10               Oklahoma State Regents for Higher Education for first-  
11               time-entering students for the appropriate type of  
12               institution, or, if attending a private institution,  
13               has satisfied admission standards as determined by the  
14               private institution. No student participating in the  
15               Oklahoma Higher Learning Access Program shall be  
16               admitted into an institution of higher education by  
17               special admission standards,
- 18           e.    has secured admission to, and enrolled in, an  
19               institution which is a member of The Oklahoma State  
20               System of Higher Education, a postsecondary  
21               vocational-technical program offered ~~pursuant to a~~  
22               ~~duly approved cooperative agreement between~~ by a  
23               technology center school ~~and an institution of The~~  
24               ~~Oklahoma State System of Higher Education~~ that meets



1           the requirements to be eligible for federal student  
2           financial aid, or a private institution of higher  
3           learning located within this state and accredited  
4           pursuant to Section 4103 of this title, and

5           f.    executes an agreement pursuant to subsection C of  
6           Section 2605 of this title.

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

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

12          1.    ~~Achieve a minimum cumulative grade point average of 2.0 on a~~  
13          ~~4.0 scale or its equivalent for courses taken through the student's~~  
14          ~~sophomore year and achieve a minimum grade point average of 2.5 on a~~  
15          ~~4.0 scale or its equivalent for courses taken during the student's~~  
16          ~~junior year and thereafter. The provisions of this paragraph shall~~  
17          ~~not apply to any student who has received an Oklahoma Higher~~  
18          ~~Learning Access Program benefit award prior to the 2012-2013 school~~  
19          ~~year~~ Meet the requirements for retention and degree completion as  
20          established by the institution in which the student is enrolled;

21          2.    Maintain good academic standing and satisfactory academic  
22          progress according to standards of the Oklahoma State Regents for  
23          Higher Education;

1           3. Maintain satisfactory academic progress as required for  
2 eligibility for federal Title IV student financial aid programs.  
3 The provisions of this paragraph shall become effective for the  
4 2012-2013 school year;

5           4. Comply with the standards related to maintenance of  
6 eligibility as promulgated by the Oklahoma State Regents for Higher  
7 Education; and

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

13           D. The Oklahoma State Regents for Higher Education and the  
14 State Board of Career and Technology Education shall promulgate  
15 rules relating to maintenance of eligibility under the Oklahoma  
16 Higher Learning Access Act by a student.

17           E. It is the intent of the Legislature that students in the  
18 ninth grade for the 1992-93 school year who are determined to be  
19 eligible Oklahoma Higher Learning Access students pursuant to the  
20 Oklahoma Higher Learning Access Act shall be the first students  
21 eligible for benefits from the Oklahoma Higher Learning Access Trust  
22 Fund.

23           F. The Oklahoma State Regents for Higher Education are  
24 authorized to study, develop and propose criteria for determining

1 award eligibility based upon the completion of seven (7) semesters  
2 of high school coursework by a student.

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

5 Section 2604. A. Subject to the availability of funds, an  
6 amount equivalent to the nonguaranteed resident tuition for which an  
7 eligible Oklahoma Higher Learning Access Program student is  
8 obligated at an institution of The Oklahoma State System of Higher  
9 Education shall be awarded by allocation from the Oklahoma Higher  
10 Learning Access Trust Fund.

11 B. Subject to the availability of funds, for each eligible  
12 Oklahoma Higher Learning Access Program student enrolled at a  
13 private institution of higher learning located within this state and  
14 accredited pursuant to Section 4103 of this title, the Oklahoma  
15 State Regents for Higher Education shall award from the Oklahoma  
16 Higher Learning Access Trust Fund an amount equivalent to the amount  
17 of resident tuition for which the student would be eligible if the  
18 student were enrolled in a comparable program at a comparable  
19 institution of The Oklahoma State System of Higher Education.  
20 Comparability shall be determined by the State Regents.

21 C. Subject to the availability of funds, an amount equivalent  
22 to the tuition for any eligible Oklahoma Higher Learning Access  
23 Program student enrolled in a public postsecondary vocational-  
24 technical program or course for the purpose set forth in Section

1 2602 of this title shall be awarded by allocation from the Oklahoma  
2 Higher Learning Access Trust Fund. Provided, such allocation shall  
3 not exceed the amount a student would have received for comparable  
4 enrollment at a two-year institution within The Oklahoma State  
5 System of Higher Education.

6 D. 1. An award allowed by this section shall not be allowed  
7 for courses or other postsecondary units taken in excess of the  
8 requirements for completion of a baccalaureate program or taken more  
9 than five (5) years after the student's first semester of  
10 postsecondary enrollment. The Oklahoma State Regents for Higher  
11 Education may award the Oklahoma Higher Learning Access Program  
12 benefits for courses of postsecondary units taken more than five (5)  
13 years after the student's first semester of postsecondary enrollment  
14 only in hardship circumstances; provided, however, no Oklahoma  
15 Higher Learning Access Program participant may receive benefits  
16 beyond a cumulative time period of five (5) years.

17 2. The Oklahoma State Regents for Higher Education may award  
18 the Oklahoma Higher Learning Access Program benefits for a student's  
19 first semester or other academic unit of postsecondary enrollment  
20 taken more than three (3) years after the student graduates from  
21 high school or completes an educational program equivalent to high  
22 school graduation as authorized in subsection A of Section 2603 of  
23 this title or after the student turns twenty-one (21) years of age  
24 as authorized in subsection B of Section 2603 of this title if the

1 student is a member of the Armed Forces of the United States, the  
2 Reserve Corps of the Armed Forces of the United States, or the  
3 Oklahoma National Guard, and is ordered to active duty or active  
4 duty for special work or training and due to the duty commitment the  
5 student is unable to enroll prior to the end of the three-year  
6 period or before the student reaches twenty-one (21) years of age.  
7 The period shall be extended by the length of the term of duty.

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

12 ~~4. An award for eligible Oklahoma Higher Learning Access~~  
13 ~~Program students enrolled in cooperative programs pursuant to~~  
14 ~~agreements between technology center schools and institutions of The~~  
15 ~~Oklahoma State System of Higher Education shall be satisfied for~~  
16 ~~both vocational-technical and college work in which enrolled~~  
17 ~~pursuant to such cooperative program.~~

18 E. Benefits awarded under the Oklahoma Higher Learning Access  
19 Program shall be awarded to all eligible applicants without any  
20 limitation on the number of awards in any year other than the amount  
21 of funds available for the program and the number of eligible  
22 applicants. Subject to the provisions of subsection F of this  
23 section, if funds are not sufficient to provide awards for all  
24 eligible applicants, the Oklahoma State Regents for Higher Education

1 shall make awards on the basis of need. Provided, the Oklahoma  
2 State Regents for Higher Education shall take into consideration  
3 other grants and scholarships received by an eligible applicant when  
4 making awards.

5 F. The Oklahoma State Regents for Higher Education may, at the  
6 time an award is made on behalf of an Oklahoma Higher Learning  
7 Access Program student, set aside in the Oklahoma Higher Learning  
8 Access Trust Fund funds for the full commitment made to such Higher  
9 Learning Access Program student. For all academic years, students  
10 who have previously received awards under the provisions of the  
11 Oklahoma Higher Learning Access Act, Section 2601 et seq. of this  
12 title, and who have continued at all times to fulfill the  
13 requirements for eligibility to receive awards provided pursuant to  
14 this program shall be given an absolute priority for continued  
15 financial support by the Oklahoma Higher Learning Access Program  
16 superior to any students who are applying for such benefits for the  
17 first time.

18 G. Beginning with the 2018-2019 academic year, an award allowed  
19 by this section shall not include an amount for payment of remedial  
20 noncredit-earning courses taken by an eligible Oklahoma Higher  
21 Learning Access Program student.

22 SECTION 4. AMENDATORY 70 O.S. 2011, Section 2605, as  
23 last amended by Section 1, Chapter 63, O.S.L. 2015 (70 O.S. Supp.  
24 2016, Section 2605), is amended to read as follows:

1 Section 2605. A. Each school year, every fifth- through ninth-  
2 grade student in the public and private schools of this state and  
3 students who are educated by other means and are in the equivalent  
4 of the fifth through ninth grade shall be apprised, together with  
5 the parent, custodial parent, or guardian of the student, of the  
6 opportunity for access to higher learning under the Oklahoma Higher  
7 Learning Access Program. The Oklahoma State Regents for Higher  
8 Education and the State Board of Education shall develop, promote,  
9 and coordinate a public awareness program to be utilized in making  
10 students and parents aware of the Oklahoma Higher Learning Access  
11 Program.

12 B. On a form provided by the Oklahoma State Regents for Higher  
13 Education, every public school district shall designate at least one  
14 Oklahoma Higher Learning Access Program contact person, who shall be  
15 a counselor or teacher, at each public school site in this state in  
16 which eighth-, ninth- or tenth-grade classes are taught. When  
17 requested by the State Regents, the State Board of Education shall  
18 assist the State Regents to ensure the designation of contact  
19 persons. Private schools shall also designate at least one school  
20 official as a contact person. For students who are educated by  
21 other means, a parent or guardian or other person approved by the  
22 State Regents shall be designated the contact person.

23 C. 1. Students who qualify on the basis of financial need  
24 according to subsection D or E of this section or who meet the

1 eligibility qualification set forth in subparagraph a of paragraph 1  
2 of subsection B of Section 2603 of this title prior to entering the  
3 tenth grade or prior to reaching the age of fifteen (15) and the  
4 standards and provisions promulgated by the Oklahoma State Regents  
5 for Higher Education shall be given the opportunity throughout the  
6 eighth-, ninth-, and tenth-grade years, for students enrolled in a  
7 public or private school, or between the ages of thirteen (13) and  
8 fifteen (15), for students who are educated by other means, to enter  
9 into participation in the program by agreeing to, throughout the  
10 remainder of their school years or educational program:

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

21 2. Students who meet the eligibility qualification set forth in  
22 subparagraph a of paragraph 1 of subsection B of Section 2603 of  
23 this title after completing the tenth grade or after reaching the  
24 age of sixteen (16) shall be given the opportunity prior to reaching



1 the age of twenty-one (21) to enter into participation in the  
2 program and shall execute an agreement with provisions as determined  
3 by the Oklahoma State Regents for Higher Education.

4 3. The contact person shall maintain the agreements, which  
5 shall be executed on forms provided by the Oklahoma State Regents  
6 for Higher Education and managed according to regulations  
7 promulgated by the Oklahoma State Regents for Higher Education, and  
8 the contact person shall monitor compliance of the student with the  
9 terms of the agreement. The Oklahoma State Regents for Higher  
10 Education are authorized to process student agreements and verify  
11 compliance with the agreements. Students failing to comply with the  
12 terms of the agreement shall not be eligible for the awards provided  
13 in Section 2604 of this title.

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

19 1. At the time the student applies for participation in the  
20 Program during the eighth, ninth or tenth grade for students  
21 enrolled in a public or private school, or between the ages of  
22 thirteen (13) and fifteen (15), for students who are educated by  
23 other means, the income from taxable and nontaxable sources of the  
24

1 student's parent(s) exceeds Fifty Thousand Dollars (\$50,000.00) per  
2 year; and

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

9 3. Beginning with eighth-, ninth- or tenth-grade students who  
10 are enrolled in a public or private school or students between the  
11 ages of thirteen (13) and fifteen (15) who are educated by other  
12 means who apply for participation in the Program in the 2021-2022  
13 school year, the federal adjusted gross income of the student's  
14 parent(s) exceeds Sixty Thousand Dollars (\$60,000.00) per year;

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

20 5. Beginning with the 2018-2019 academic year, prior to  
21 receiving any Oklahoma Higher Learning Access Program benefit award  
22 for any year during which the student is enrolled in an institution  
23 which is a member of The Oklahoma State System of Higher Education,  
24 a postsecondary vocational-technical program offered by a technology

1 center school that meets the requirements to be eligible for federal  
2 student financial aid or a private institution of higher learning  
3 located within this state and accredited pursuant to Section 4103 of  
4 this title, the federal adjusted gross income of the student's  
5 parent(s) exceeds One Hundred Thousand Dollars (\$100,000.00) per  
6 year.

7 The determination of financial qualification as set forth in  
8 ~~this paragraph~~ paragraphs 4 and 5 of this subsection shall be based  
9 on the income of the student, not the income of the parent(s), if a  
10 student:

- 11 a. is determined to be independent of the student's  
12 parents for federal financial aid purposes,
- 13 b. was in the permanent custody of the Department of  
14 Human Services at the time the student enrolled in the  
15 program, or
- 16 c. was in the court-ordered custody of a federally  
17 recognized Indian tribe, as defined by the federal  
18 Indian Child Welfare Act, at the time the student  
19 enrolled in the program.

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

23 ~~3.~~ 6. The Oklahoma State Regents for Higher Education shall  
24 review the determination of financial qualification as set forth in

1 ~~paragraph~~ paragraphs 1, 2 and 3 of this subsection if the income  
2 from taxable and nontaxable sources of the student's parent(s)  
3 includes income received from nontaxable military benefits or income  
4 received from the federal Social Security Administration due to the  
5 death or disability of the student's parent(s). If the income from  
6 taxable and nontaxable sources of the student's parent(s), excluding  
7 income received from nontaxable military benefits or income received  
8 from the federal Social Security Administration due to the death or  
9 disability of the student's parent(s), does not exceed ~~Fifty~~  
10 ~~Thousand Dollars (\$50,000.00) per year~~ the limitations set forth by  
11 paragraphs 1, 2 and 3 of this subsection, the student shall be  
12 determined to have met the financial qualification set forth in  
13 ~~paragraph~~ paragraphs 1, 2 and 3 of this subsection.

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

1 shall not apply to any student who has received an Oklahoma Higher  
2 Learning Access Program benefit award prior to the 2012-2013 school  
3 year.

4 2. A student who was adopted between thirteen (13) and  
5 seventeen (17) years of age while in the permanent custody of the  
6 Department of Human Services, in the court-ordered custody of a  
7 licensed private nonprofit child-placing agency, or federally  
8 recognized Indian tribe, as defined by the federal Indian Child  
9 Welfare Act, shall not be found to be in financial need for purposes  
10 of the Oklahoma Higher Learning Access Program if at the time the  
11 student begins postsecondary education and prior to receiving any  
12 Oklahoma Higher Learning Access Program benefit award, the federal  
13 adjusted gross income of the student's parent(s) exceeds Two Hundred  
14 Thousand Dollars (\$200,000.00) per year. The provisions of this  
15 paragraph shall not apply to any student who has received an  
16 Oklahoma Higher Learning Access Program benefit award prior to the  
17 2012-2013 school year.

18 3. Except for students who qualify pursuant to subsection B of  
19 Section 2603 of this title, the determination of financial  
20 qualification as set forth in this subsection shall be based on the  
21 income of the student, not the income of the parent(s), if the  
22 student is determined to be independent of the student's parents for  
23 federal financial aid purposes. A determination of financial  
24 qualification shall not be required for the student who meets the

1 criteria set forth in this subsection at the time the student  
2 applies for participation in the program. The provisions of this  
3 paragraph shall not apply to any student who has received an  
4 Oklahoma Higher Learning Access Program benefit award prior to the  
5 2008-2009 school year.

6 F. The financial qualification of a student as set forth in  
7 subsections D and E of this section shall be certified by the  
8 contact person or by the Oklahoma State Regents for Higher Education  
9 on the agreement form provided by the Oklahoma State Regents for  
10 Higher Education. The form shall be retained in the permanent  
11 record of the student and a copy forwarded to the Oklahoma State  
12 Regents for Higher Education.

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

15 1. Assist the student in achieving compliance with the  
16 agreements;

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

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

21 4. Assist the student in completing forms and reports required  
22 for program participation, making applications to institutions and  
23 schools of higher learning, and filing applications for student  
24 grants and scholarships.

1 H. Students who are enrolled in a school district located in  
2 this state that serves students who reside in both this state and an  
3 adjacent state pursuant to a contract as authorized in Section 5-  
4 117.1 of this title, are in the eleventh and twelfth grades during  
5 the 2006-2007 school year, and who were denied participation in the  
6 program shall be allowed to enter or reenter into participation in  
7 the program by entering into agreements as set forth in subsections  
8 C and D of this section by June 1, 2008.

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

12 J. The Oklahoma State Regents for Higher Education shall  
13 designate personnel to coordinate tracking of program records for  
14 the years when students participating in the program are still in  
15 the schools or are being educated by other means, provide staff  
16 development for contact persons in the schools, and provide liaison  
17 with the State Board of Education and local organizations and  
18 individuals participating in the program.

19 K. The school district where an Oklahoma Higher Learning Access  
20 Program student is enrolled when the student begins participation in  
21 the program and any subsequent school district where the student  
22 enrolls shall forward information regarding participation by the  
23 student in the program to a school to which the student transfers  
24 upon the request of the school for the records of the student.

1 L. Students participating in the Oklahoma Higher Learning  
2 Access Program shall provide their social security number or their  
3 student identification number used by their school to the Oklahoma  
4 State Regents for Higher Education. The Regents shall keep the  
5 numbers confidential and use them only for administrative purposes.

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

7 SECTION 6. It being immediately necessary for the preservation  
8 of the public peace, health or safety, an emergency is hereby  
9 declared to exist, by reason whereof this act shall take effect and  
10 be in full force from and after its passage and approval.

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13 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated  
14 04/18/2017 - DO PASS, As Amended and Coauthored.

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