

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 529 By: Smalley of the Senate
3 and
4 Henke of the House
5
6

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

10
11 AUTHOR: Add the following Senate Coauthor: Pittman

12 AMENDMENT NO. 1. Replace the stricken title, enacting clause and
13 entire bill and insert

14 "An Act relating to schools; amending 70 O.S. 2011,
15 Sections 2602, 2603, as amended by Section 24,
16 Chapter 11, O.S.L. 2012, 2604 and 2605, as last
17 amended by Section 1, Chapter 63, O.S.L. 2015 (70
18 O.S. Supp. 2016, Sections 2603 and 2605), which
19 relate to the Oklahoma Higher Learning Access Act;
20 updating reference to postsecondary vocational-
21 technical program; specifying program to meet
22 eligibility requirements for federal student aid;
23 modifying eligibility for enrolled students;
24 directing the Oklahoma State Regents for Higher
Education to establish maximum limit on courses;
deleting award for cooperative programs; prohibiting
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.

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

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

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

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

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

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

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

22 2. Be a United States citizen or lawfully present in the United
23 States. A student who is not a United States citizen or lawfully
24 present in the United States shall not be eligible to participate in

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

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

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

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

20 c. have satisfactorily completed within the previous
21 three (3) years an educational program that was
22 provided through a means other than a public or
23 private school and have achieved a composite score of
24 22 or higher on the ACT test;

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~~ 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~~
23 parent(s) for federal financial aid purposes. A determination of
24 financial qualification shall not be required for the student who

1 meets the criteria set forth in this subsection at the time the
2 student applies for participation in the program. The provisions of
3 this 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."

11 Passed the House of Representatives the 25th day of April, 2017.

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Presiding Officer of the House of
Representatives

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16 Passed the Senate the ____ day of _____, 2017.

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Presiding Officer of the Senate

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1 ENGROSSED SENATE
2 BILL NO. 529

By: Smalley of the Senate

and

Henke of the House

3
4
5
6 [Oklahoma Higher Learning Access Program - modifying
7 income qualification - modifying references -
8 ~~effective date -~~ emergency]

9
10 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

11 SECTION 7. AMENDATORY 70 O.S. 2011, Section 2602, is
12 amended to read as follows:

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

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

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

20 Section 2603. A. Except as otherwise provided for in
21 subsection B of this section and elsewhere in this section, to be
22 eligible to participate in the Oklahoma Higher Learning Access
23 Program and to qualify for an award which includes payment of an
24 amount equivalent to resident tuition or other tuition pursuant to

1 Section 2604 of this title for the first semester or other academic
2 unit of postsecondary enrollment, a student shall:

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

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

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

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

23 b. have graduated within the previous three (3) years
24 from a high school not accredited by the State Board

1 of Education with a minimum 2.5 cumulative grade point
2 average on a 4.0 scale for all work attempted in
3 grades nine through twelve and have achieved a
4 composite score of 22 or higher on the ACT test, or
5 c. have satisfactorily completed within the previous
6 three (3) years an educational program that was
7 provided through a means other than a public or
8 private school and have achieved a composite score of
9 22 or higher on the ACT test;

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

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

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

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

21 b. if the student was adopted between birth and twelve
22 (12) years of age while in the permanent custody of
23 the Department of Human Services, in the court-ordered
24 custody of a licensed private nonprofit child-placing

1 agency, or federally recognized Indian tribe, as
2 defined by the federal Indian Child Welfare Act, have
3 established financial need according to the provisions
4 of paragraph 1 of subsection E of Section 2605 of this
5 title and standards and provisions promulgated by the
6 Oklahoma State Regents for Higher Education, or

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

18 B. 1. A student shall be eligible to participate in the
19 Oklahoma Higher Learning Access Program and to qualify for an award
20 which includes payment of an amount equivalent to resident tuition
21 or other tuition pursuant to Section 2604 of this title for the
22 first semester or other academic unit of postsecondary enrollment if
23 the student meets all of the following criteria:
24

- 1 a. is a child of any person killed after January 1, 2000,
2 in the line of duty in any branch of the United States
3 Armed Forces or who died after January 1, 2000, as a
4 result of an injury sustained while in the line of
5 duty in any branch of the United States Armed Forces
6 and the person who was killed or died filed an
7 individual or joint Oklahoma income tax return for the
8 tax year prior to the year during which the person was
9 killed or died,
- 10 b. is a resident of this state or is enrolled in a school
11 district located in this state that serves students
12 who reside in both this state and an adjacent state
13 pursuant to a contract as authorized in Section 5-
14 117.1 of this title,
- 15 c. enrolls in an institution within The Oklahoma State
16 System of Higher Education prior to reaching the age
17 of twenty-one (21),
- 18 d. has satisfied admission standards as determined by the
19 Oklahoma State Regents for Higher Education for first-
20 time-entering students for the appropriate type of
21 institution, or, if attending a private institution,
22 has satisfied admission standards as determined by the
23 private institution. No student participating in the
24 Oklahoma Higher Learning Access Program shall be

1 admitted into an institution of higher education by
2 special admission standards,

- 3 e. has secured admission to, and enrolled in, an
4 institution which is a member of The Oklahoma State
5 System of Higher Education, a postsecondary
6 vocational-technical program offered ~~pursuant to a~~
7 ~~duly approved cooperative agreement between~~ by a
8 technology center school ~~and an institution of The~~
9 ~~Oklahoma State System of Higher Education~~ that meets
10 the requirements to be eligible for federal student
11 financial aid, or a private institution of higher
12 learning located within this state and accredited
13 pursuant to Section 4103 of this title, and
14 f. executes an agreement pursuant to subsection C of
15 Section 2605 of this title.

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

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

21 1. ~~Achieve a minimum cumulative grade point average of 2.0 on a~~
22 ~~4.0 scale or its equivalent for courses taken through the student's~~
23 ~~sophomore year and achieve a minimum grade point average of 2.5 on a~~
24 ~~4.0 scale or its equivalent for courses taken during the student's~~

1 ~~junior year and thereafter. The provisions of this paragraph shall~~
2 ~~not apply to any student who has received an Oklahoma Higher~~
3 ~~Learning Access Program benefit award prior to the 2012-2013 school~~
4 ~~year~~ Meet the requirements for retention and degree completion as
5 established by the institution in which the student is enrolled;

6 2. Maintain good academic standing and satisfactory academic
7 progress according to standards of the Oklahoma State Regents for
8 Higher Education;

9 3. Maintain satisfactory academic progress as required for
10 eligibility for federal Title IV student financial aid programs.
11 The provisions of this paragraph shall become effective for the
12 2012-2013 school year;

13 4. Comply with the standards related to maintenance of
14 eligibility as promulgated by the Oklahoma State Regents for Higher
15 Education; and

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

21 D. The Oklahoma State Regents for Higher Education and the
22 State Board of Career and Technology Education shall promulgate
23 rules relating to maintenance of eligibility under the Oklahoma
24 Higher Learning Access Act by a student.

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

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

11 SECTION 9. AMENDATORY 70 O.S. 2011, Section 2604, is
12 amended to read as follows:

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

19 B. Subject to the availability of funds, for each eligible
20 Oklahoma Higher Learning Access Program student enrolled at a
21 private institution of higher learning located within this state and
22 accredited pursuant to Section 4103 of this title, the Oklahoma
23 State Regents for Higher Education shall award from the Oklahoma
24 Higher Learning Access Trust Fund an amount equivalent to the amount

1 of resident tuition for which the student would be eligible if the
2 student were enrolled in a comparable program at a comparable
3 institution of The Oklahoma State System of Higher Education.
4 Comparability shall be determined by the State Regents.

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

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

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

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

20 ~~4. An award for eligible Oklahoma Higher Learning Access~~
21 ~~Program students enrolled in cooperative programs pursuant to~~
22 ~~agreements between technology center schools and institutions of The~~
23 ~~Oklahoma State System of Higher Education shall be satisfied for~~

24

1 ~~both vocational-technical and college work in which enrolled~~
2 ~~pursuant to such cooperative program.~~

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

14 F. The Oklahoma State Regents for Higher Education may, at the
15 time an award is made on behalf of an Oklahoma Higher Learning
16 Access Program student, set aside in the Oklahoma Higher Learning
17 Access Trust Fund funds for the full commitment made to such Higher
18 Learning Access Program student. For all academic years, students
19 who have previously received awards under the provisions of the
20 Oklahoma Higher Learning Access Act, Section 2601 et seq. of this
21 title, and who have continued at all times to fulfill the
22 requirements for eligibility to receive awards provided pursuant to
23 this program shall be given an absolute priority for continued
24 financial support by the Oklahoma Higher Learning Access Program

1 superior to any students who are applying for such benefits for the
2 first time.

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

7 SECTION 10. AMENDATORY 70 O.S. 2011, Section 2605, as
8 last amended by Section 1, Chapter 63, O.S.L. 2015 (70 O.S. Supp.
9 2016, Section 2605), is amended to read as follows:

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

21 B. On a form provided by the Oklahoma State Regents for Higher
22 Education, every public school district shall designate at least one
23 Oklahoma Higher Learning Access Program contact person, who shall be
24 a counselor or teacher, at each public school site in this state in

1 which eighth-, ninth- or tenth-grade classes are taught. When
2 requested by the State Regents, the State Board of Education shall
3 assist the State Regents to ensure the designation of contact
4 persons. Private schools shall also designate at least one school
5 official as a contact person. For students who are educated by
6 other means, a parent or guardian or other person approved by the
7 State Regents shall be designated the contact person.

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

- 20 a. attend school or an educational program regularly and
- 21 do homework regularly,
- 22 b. refrain from substance abuse,
- 23 c. refrain from commission of crimes or delinquent acts,

24

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

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

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

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

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

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

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

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

- 21 a. is determined to be independent of the student's
22 parents for federal financial aid purposes,

1 b. was in the permanent custody of the Department of
2 Human Services at the time the student enrolled in the
3 program, or

4 c. was in the court-ordered custody of a federally
5 recognized Indian tribe, as defined by the federal
6 Indian Child Welfare Act, at the time the student
7 enrolled in the program.

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

11 ~~3.~~ 6. The Oklahoma State Regents for Higher Education shall
12 review the determination of financial qualification as set forth in
13 ~~paragraph~~ paragraphs 1, 2 and 3 of this subsection if the income
14 from taxable and nontaxable sources of the student's parent(s)
15 includes income received from nontaxable military benefits or income
16 received from the federal Social Security Administration due to the
17 death or disability of the student's parent(s). If the income from
18 taxable and nontaxable sources of the student's parent(s), excluding
19 income received from nontaxable military benefits or income received
20 from the federal Social Security Administration due to the death or
21 disability of the student's parent(s), does not exceed ~~Fifty~~
22 ~~Thousand Dollars (\$50,000.00) per year~~ the limitations set forth by
23 paragraphs 1, 2 and 3 of this subsection, the student shall be
24

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

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

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

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

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

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

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 11. This act shall become effective July 1, 2017.~~

23 ~~SECTION 12. 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 Passed the Senate the 22nd day of March, 2017.

4

5

Presiding Officer of the Senate

6

7 Passed the House of Representatives the ____ day of _____,
8 2017.

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Presiding Officer of the House
of Representatives

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