

1 ENGROSSED SENATE AMENDMENT  
TO  
2 ENGROSSED HOUSE  
BILL NO. 1672

By: Kouplén, Nelson, Sherrer  
and Montgomery of the House

and

Thompson of the Senate

8 An Act relating to higher education; amending 70 O.S.  
2011, Sections 2603, as amended by Section 24,  
9 Chapter 11, O.S.L. 2012 and 2605, as amended by  
Section 26, Chapter 11, O.S.L. 2012 (70 O.S. Supp.  
10 2014, Sections 2603 and 2605), which relate to the  
Oklahoma Higher Learning Access Act; making certain  
11 students eligible to participate in the Oklahoma  
Higher Learning Access Program; specifying  
12 eligibility criteria; expanding participation  
agreement requirements; expanding authorization for  
13 certain students to enter into participation by  
executing certain agreement; deleting income  
14 determination for certain students; providing an  
effective date; and declaring an emergency.

17 AUTHOR: Add the following House Coauthor: Shelton

18 AMENDMENT NO. 1. Page 1, substitute the following for the title,  
enacting clause and the entire body of the bill:

20 "[ higher education - eligibility requirements for  
the Oklahoma Higher Learning Access Program - student  
21 agreements - ~~effective date~~ -  
emergency ]

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

1 SECTION 1. AMENDATORY 70 O.S. 2011, Section 2603, as  
2 amended by Section 24, Chapter 11, O.S.L. 2012 (70 O.S. Supp. 2014,  
3 Section 2603), is amended to read as follows:

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

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

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

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

- 1       4.    a.    have graduated within the previous three (3) years  
2            from a high school accredited by the State Board of  
3            Education, or the Oklahoma School of Science and  
4            Mathematics with a minimum 2.5 cumulative grade point  
5            average on a 4.0 scale for all work attempted in  
6            grades nine through twelve,
- 7            b.    have graduated within the previous three (3) years  
8            from a high school not accredited by the State Board  
9            of Education with a minimum 2.5 cumulative grade point  
10           average on a 4.0 scale for all work attempted in  
11           grades nine through twelve and have achieved a  
12           composite score of 22 or higher on the ACT test, or  
13           c.    have satisfactorily completed within the previous  
14           three (3) years an educational program that was  
15           provided through a means other than a public or  
16           private school and have achieved a composite score of  
17           22 or higher on the ACT test;

18       5.    Have completed the curricular requirements for admission to  
19    an institution within The Oklahoma State System of Higher Education  
20    and one additional unit or set of competencies in a course that  
21    meets college admission requirements. The curriculum requirements  
22    shall include two units or sets of competencies in foreign or non-  
23    English language or technology courses that meet the college  
24    admission requirements and one unit or set of competencies of a fine

1 arts course. Students shall also have attained a 2.5 grade point  
2 average in the core curriculum courses. Students who attended a  
3 high school which did not offer all the core curriculum courses ~~or,~~  
4 students who were educated by other means and were not offered all  
5 the core curriculum courses or students who were in the permanent  
6 custody of the Oklahoma Department of Human Services and were unable  
7 to complete all the core curriculum courses shall be allowed to  
8 satisfy this curriculum requirement by participating in a program  
9 approved by the State Regents for remediation of high school  
10 curricular deficiencies;

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

18 7. Have secured admission to, and enrolled in, an institution  
19 which is a member of The Oklahoma State System of Higher Education,  
20 a postsecondary vocational-technical program offered pursuant to a  
21 duly approved cooperative agreement between a technology center  
22 school and an institution of The Oklahoma State System of Higher  
23 Education, or a private institution of higher learning located  
24

1 within this state and accredited pursuant to Section 4103 of this  
2 title; and

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

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

17 c. if the student was adopted between thirteen (13) and  
18 seventeen (17) years of age while in the permanent  
19 custody of the Department of Human Services, in the  
20 court-ordered custody of a licensed private nonprofit  
21 child-placing agency, or federally recognized Indian  
22 tribe, as defined by the federal Indian Child Welfare  
23 Act, have established financial need according to the  
24 provisions of paragraph 2 of subsection E of Section

1           2605 of this title and standards and provisions  
2           promulgated by the Oklahoma State Regents for Higher  
3           Education.

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

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

19           b. is a resident of this state or is enrolled in a school  
20           district located in this state that serves students  
21           who reside in both this state and an adjacent state  
22           pursuant to a contract as authorized in Section 5-  
23           117.1 of this title,

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

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

13 e. has secured admission to, and enrolled in, an  
14 institution which is a member of The Oklahoma State  
15 System of Higher Education, a postsecondary  
16 vocational-technical program offered pursuant to a  
17 duly approved cooperative agreement between a  
18 technology center school and an institution of The  
19 Oklahoma State System of Higher Education, or a  
20 private institution of higher learning located within  
21 this state and accredited pursuant to Section 4103 of  
22 this title, and

23 f. executes an agreement pursuant to subsection C of  
24 Section 2605 of this title.

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

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

6           1. Achieve a minimum cumulative grade point average of 2.0 on a  
7 4.0 scale or its equivalent for courses taken through the student's  
8 sophomore year and achieve a minimum grade point average of 2.5 on a  
9 4.0 scale or its equivalent for courses taken during the student's  
10 junior year and thereafter. The provisions of this paragraph shall  
11 not apply to any student who has received an Oklahoma Higher  
12 Learning Access Program benefit award prior to the 2012-2013 school  
13 year;

14           2. Maintain good academic standing and satisfactory academic  
15 progress according to standards of the Oklahoma State Regents for  
16 Higher Education;

17           3. Maintain satisfactory academic progress as required for  
18 eligibility for federal Title IV student financial aid programs.  
19 The provisions of this paragraph shall become effective for the  
20 2012-2013 school year;

21           4. Comply with the standards related to maintenance of  
22 eligibility as promulgated by the Oklahoma State Regents for Higher  
23 Education; and  
24



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

6           D. The Oklahoma State Regents for Higher Education and the  
7 State Board of Career and Technology Education shall promulgate  
8 rules relating to maintenance of eligibility under the Oklahoma  
9 Higher Learning Access Act by a student.

10           E. It is the intent of the Legislature that students in the  
11 ninth grade for the 1992-93 school year who are determined to be  
12 eligible Oklahoma Higher Learning Access students pursuant to the  
13 Oklahoma Higher Learning Access Act shall be the first students  
14 eligible for benefits from the Oklahoma Higher Learning Access Trust  
15 Fund.

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

20           SECTION 2.           AMENDATORY           70 O.S. 2011, Section 2605, as  
21 amended by Section 26, Chapter 11, O.S.L. 2012 (70 O.S. Supp. 2014,  
22 Section 2605), is amended to read as follows:

23           Section 2605. A. Each school year, every fifth- through ninth-  
24 grade student in the public and private schools of this state and

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

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

21 C. 1. Students who qualify on the basis of financial need  
22 according to subsection D or E of this section or who meet the  
23 eligibility qualification set forth in subparagraph a or b of  
24 paragraph 1 of subsection B of Section 2603 of this title prior to

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

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

20 2. Students who meet the eligibility qualification set forth in  
21 subparagraph a of paragraph 1 of subsection B of Section 2603 of  
22 this title or who are in the permanent custody of the Oklahoma  
23 Department of Human Services after completing the tenth grade or  
24 after reaching the age of sixteen (16) shall be given the

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

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

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

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

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

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

8 The determination of financial qualification as set forth in  
9 this paragraph shall be based on the income of the student, not the  
10 income of the parent(s), if a 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 the 2012-2013 school year.

23 E. 1. A student who was adopted between birth and twelve (12)  
24 years of age while in the permanent custody of the Department of

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

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

1 Oklahoma Higher Learning Access Program benefit award prior to the  
2 2012-2013 school year.

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

15 F. The financial qualification of a student as set forth in  
16 subsections D and E of this section shall be certified by the  
17 contact person or by the Oklahoma State Regents for Higher Education  
18 on the agreement form provided by the Oklahoma State Regents for  
19 Higher Education. The form shall be retained in the permanent  
20 record of the student and a copy forwarded to the Oklahoma State  
21 Regents for Higher Education.

22 G. Agreements shall be witnessed by the parent, custodial  
23 parent, or guardian of the student, who shall further agree to:  
24

- 1        1. Assist the student in achieving compliance with the  
2 agreements;
- 3        2. Confer, when requested to do so, with the school contact  
4 person, other school personnel, and program mentors;
- 5        3. Provide information requested by the Oklahoma State Regents  
6 for Higher Education or the State Board of Education; and
- 7        4. Assist the student in completing forms and reports required  
8 for program participation, making applications to institutions and  
9 schools of higher learning, and filing applications for student  
10 grants and scholarships.

11        H. Students who are enrolled in a school district located in  
12 this state that serves students who reside in both this state and an  
13 adjacent state pursuant to a contract as authorized in Section 5-  
14 117.1 of this title, are in the eleventh and twelfth grades during  
15 the 2006-2007 school year, and who were denied participation in the  
16 program shall be allowed to enter or reenter into participation in  
17 the program by entering into agreements as set forth in subsections  
18 C and D of this section by June 1, 2008.

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

22        J. The Oklahoma State Regents for Higher Education shall  
23 designate personnel to coordinate tracking of program records for  
24 the years when students participating in the program are still in



1 the schools or are being educated by other means, provide staff  
2 development for contact persons in the schools, and provide liaison  
3 with the State Board of Education and local organizations and  
4 individuals participating in the program.

5 K. The school district where an Oklahoma Higher Learning Access  
6 Program student is enrolled when the student begins participation in  
7 the program and any subsequent school district where the student  
8 enrolls shall forward information regarding participation by the  
9 student in the program to a school to which the student transfers  
10 upon the request of the school for the records of the student.

11 L. Students participating in the Oklahoma Higher Learning  
12 Access Program shall provide their social security number or their  
13 student identification number used by their school to the Oklahoma  
14 State Regents for Higher Education. The Regents shall keep the  
15 numbers confidential and use them only for administrative purposes.

16 ~~SECTION 3. This act shall become effective July 1, 2015.~~

17 ~~SECTION 4. It being immediately necessary for the preservation~~  
18 ~~of the public peace, health and safety, an emergency is hereby~~  
19 ~~declared to exist, by reason whereof this act shall take effect and~~  
20 ~~be in full force from and after its passage and approval."~~

21

22 and when the title is restored, amend the title to  
23 conform

24

25

1 Passed the Senate the 22nd day of April, 2015.

2  
3 \_\_\_\_\_  
4 Presiding Officer of the Senate

5 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
6 2015.

7  
8 \_\_\_\_\_  
9 Presiding Officer of the House  
10 of Representatives

1 ENGROSSED HOUSE  
2 BILL NO. 1672

By: Kouplén, Nelson, Sherrer  
and Montgomery of the House

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4 Thompson of the Senate  
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6  
7 An Act relating to higher education; amending 70 O.S.  
8 2011, Sections 2603, as amended by Section 24,  
9 Chapter 11, O.S.L. 2012 and 2605, as amended by  
10 Section 26, Chapter 11, O.S.L. 2012 (70 O.S. Supp.  
11 2014, Sections 2603 and 2605), which relate to the  
12 Oklahoma Higher Learning Access Act; making certain  
13 students eligible to participate in the Oklahoma  
14 Higher Learning Access Program; specifying  
15 eligibility criteria; expanding participation  
16 agreement requirements; expanding authorization for  
17 certain students to enter into participation by  
18 executing certain agreement; deleting income  
19 determination for certain students; providing an  
20 effective date; and declaring an emergency.

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

22 SECTION 5. AMENDATORY 70 O.S. 2011, Section 2603, as  
23 amended by Section 24, Chapter 11, O.S.L. 2012 (70 O.S. Supp. 2014,  
24 Section 2603), is amended to read as follows:

Section 2603. A. Except as otherwise provided for in  
subsection B of this section and elsewhere in this section, to be  
eligible to participate in the Oklahoma Higher Learning Access  
Program and to qualify for an award which includes payment of an  
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 a technology center  
12 school and an institution of The Oklahoma State System of Higher  
13 Education, or a private institution of higher learning located  
14 within this state and accredited pursuant to Section 4103 of this  
15 title; and

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

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

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

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

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

23 a. ~~is~~ a child of any person killed after January 1, 2000,  
24 in the line of duty in any branch of the United States

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

- 8 b. in the permanent custody of the Department of Human  
9 Services at the time the student enrolls in the  
10 program or in the permanent custody of the Department  
11 of Human Services after completing the tenth grade or  
12 in the permanent custody of the Department of Human  
13 Services after reaching the age of sixteen (16).

14 2. A student who is eligible to participate in the program  
15 pursuant to paragraph 1 of this subsection shall also be required to  
16 meet all of the following criteria:

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

- 22 ~~e.~~ b. enrolls in an institution within The Oklahoma State  
23 System of Higher Education prior to reaching the age  
24 of twenty-one (21),



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

10       ~~e.~~ d.    has secured admission to, and enrolled in, an  
11                   institution which is a member of The Oklahoma State  
12                   System of Higher Education, a postsecondary  
13                   vocational-technical program offered pursuant to a  
14                   duly approved cooperative agreement between a  
15                   technology center school and an institution of The  
16                   Oklahoma State System of Higher Education, or a  
17                   private institution of higher learning located within  
18                   this state and accredited pursuant to Section 4103 of  
19                   this title, and

20       ~~f.~~ e.    executes an agreement pursuant to subsection C of  
21                   Section 2605 of this title.

22       ~~2.~~ 3.    A student who is eligible to participate in the program  
23                   pursuant to this subsection shall not be required to meet the  
24                   eligibility requirements set forth in subsection A of this section.

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

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

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

14 3. Maintain satisfactory academic progress as required for  
15 eligibility for federal Title IV student financial aid programs.  
16 The provisions of this paragraph shall become effective for the  
17 2012-2013 school year;

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

21 5. Refrain from conduct that leads to expulsion or suspension  
22 of more than one semester from an institution of higher education.  
23 A student who violates the provisions of this paragraph shall  
24

1 permanently lose eligibility for program benefits. The provisions  
2 of this paragraph shall become effective January 1, 2008.

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

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

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

17 SECTION 6. AMENDATORY 70 O.S. 2011, Section 2605, as  
18 amended by Section 26, Chapter 11, O.S.L. 2012 (70 O.S. Supp. 2014,  
19 Section 2605), is amended to read as follows:

20 Section 2605. A. Each school year, every fifth- through ninth-  
21 grade student in the public and private schools of this state and  
22 students who are educated by other means and are in the equivalent  
23 of the fifth through ninth grade shall be apprised, together with  
24 the parent, custodial parent, or guardian of the student, of the

1 opportunity for access to higher learning under the Oklahoma Higher  
2 Learning Access Program. The Oklahoma State Regents for Higher  
3 Education and the State Board of Education shall develop, promote,  
4 and coordinate a public awareness program to be utilized in making  
5 students and parents aware of the Oklahoma Higher Learning Access  
6 Program.

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

18 C. 1. Students who qualify on the basis of financial need  
19 according to subsection D or E of this section or who meet the  
20 eligibility qualification set forth in subparagraph a or b of  
21 paragraph 1 of subsection B of Section 2603 of this title prior to  
22 entering the tenth grade or prior to reaching the age of fifteen  
23 (15) and the standards and provisions promulgated by the Oklahoma  
24 State Regents for Higher Education shall be given the opportunity

1 throughout the eighth-, ninth-, and tenth-grade years, for students  
2 enrolled in a public or private school, or between the ages of  
3 thirteen (13) and fifteen (15), for students who are educated by  
4 other means, to enter into participation in the program by agreeing  
5 to, throughout the remainder of their school years or educational  
6 program:

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

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

24

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

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

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

23           2. At the time the student begins postsecondary education and  
24 prior to receiving any Oklahoma Higher Learning Access Program

1 benefit award, the federal adjusted gross income of the student's  
2 parent(s) exceeds One Hundred Thousand Dollars (\$100,000.00) per  
3 year.

4 The determination of financial qualification as set forth in  
5 this paragraph shall be based on the income of the student, not the  
6 income of the parent(s), if a student:

7 a. is determined to be independent of the student's  
8 parents for federal financial aid purposes, or

9 ~~b. was in the permanent custody of the Department of~~  
10 ~~Human Services at the time the student enrolled in the~~  
11 ~~program, or~~

12 ~~e.~~ was in the court-ordered custody of a federally  
13 recognized Indian tribe, as defined by the federal  
14 Indian Child Welfare Act, at the time the student  
15 enrolled in the program.

16 The provisions of this paragraph shall not apply to any student  
17 who has received an Oklahoma Higher Learning Access Program benefit  
18 award prior to the 2012-2013 school year.

19 E. 1. A student who was adopted between birth and twelve (12)  
20 years of age while in the permanent custody of the Department of  
21 Human Services, in the court-ordered custody of a licensed private  
22 nonprofit child-placing agency, or federally recognized Indian  
23 tribe, as defined by the federal Indian Child Welfare Act, shall not  
24 be found to be in financial need for purposes of the Oklahoma Higher

1 Learning Access Program if at the time the student begins  
2 postsecondary education and prior to receiving any Oklahoma Higher  
3 Learning Access Program benefit award, the federal adjusted gross  
4 income of the student's parent(s) exceeds One Hundred Fifty Thousand  
5 Dollars (\$150,000.00) per year. The provisions of this paragraph  
6 shall not apply to any student who has received an Oklahoma Higher  
7 Learning Access Program benefit award prior to the 2012-2013 school  
8 year.

9 2. A student who was adopted between thirteen (13) and  
10 seventeen (17) years of age while in the permanent custody of the  
11 Department of Human Services, in the court-ordered custody of a  
12 licensed private nonprofit child-placing agency, or federally  
13 recognized Indian tribe, as defined by the federal Indian Child  
14 Welfare Act, shall not be found to be in financial need for purposes  
15 of the Oklahoma Higher Learning Access Program if at the time the  
16 student begins postsecondary education and prior to receiving any  
17 Oklahoma Higher Learning Access Program benefit award, the federal  
18 adjusted gross income of the student's parent(s) exceeds Two Hundred  
19 Thousand Dollars (\$200,000.00) per year. The provisions of this  
20 paragraph shall not apply to any student who has received an  
21 Oklahoma Higher Learning Access Program benefit award prior to the  
22 2012-2013 school year.

23 3. Except for students who qualify pursuant to subsection B of  
24 Section 2603 of this title, the determination of financial



1 qualification as set forth in this subsection shall be based on the  
2 income of the student, not the income of the parent(s), if the  
3 student is determined to be independent of the student's parents for  
4 federal financial aid purposes. A determination of financial  
5 qualification shall not be required for the student who meets the  
6 criteria set forth in this subsection at the time the student  
7 applies for participation in the program. The provisions of this  
8 paragraph shall not apply to any student who has received an  
9 Oklahoma Higher Learning Access Program benefit award prior to the  
10 2008-2009 school year.

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

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

20 1. Assist the student in achieving compliance with the  
21 agreements;

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

24

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

3           4. Assist the student in completing forms and reports required  
4 for program participation, making applications to institutions and  
5 schools of higher learning, and filing applications for student  
6 grants and scholarships.

7           H. Students who are enrolled in a school district located in  
8 this state that serves students who reside in both this state and an  
9 adjacent state pursuant to a contract as authorized in Section 5-  
10 117.1 of this title, are in the eleventh and twelfth grades during  
11 the 2006-2007 school year, and who were denied participation in the  
12 program shall be allowed to enter or reenter into participation in  
13 the program by entering into agreements as set forth in subsections  
14 C and D of this section by June 1, 2008.

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

18           J. The Oklahoma State Regents for Higher Education shall  
19 designate personnel to coordinate tracking of program records for  
20 the years when students participating in the program are still in  
21 the schools or are being educated by other means, provide staff  
22 development for contact persons in the schools, and provide liaison  
23 with the State Board of Education and local organizations and  
24 individuals participating in the program.

1 K. The school district where an Oklahoma Higher Learning Access  
2 Program student is enrolled when the student begins participation in  
3 the program and any subsequent school district where the student  
4 enrolls shall forward information regarding participation by the  
5 student in the program to a school to which the student transfers  
6 upon the request of the school for the records of the student.

7 L. Students participating in the Oklahoma Higher Learning  
8 Access Program shall provide their social security number or their  
9 student identification number used by their school to the Oklahoma  
10 State Regents for Higher Education. The Regents shall keep the  
11 numbers confidential and use them only for administrative purposes.

12 SECTION 7. This act shall become effective July 1, 2015.

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

17  
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1 Passed the House of Representatives the 2nd day of March, 2015.

2  
3 \_\_\_\_\_  
4 Presiding Officer of the House  
of Representatives

5 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2015.

6  
7  
8 \_\_\_\_\_  
9 Presiding Officer of the Senate