

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

SENATE BILL 663

By: Dahm

AS INTRODUCED

An Act relating to the Oklahoma Higher Learning Access Program; amending 62 O.S. 2011, Section 34.87, as amended by Section 404, Chapter 304, O.S.L. 2012 (62 O.S. Supp. 2020, Section 34.87), which relates to transfer of funds to the Higher Learning Access Trust Fund; modifying references; amending 70 O.S. 2011, Section 2602, as amended by Section 1, Chapter 289, O.S.L. 2017 (70 O.S. Supp. 2020, Section 2602), which relates to creation of the Oklahoma Higher Learning Access Program; modifying references; amending 70 O.S. 2011, Section 2603, as last amended by Section 2, Chapter 289, O.S.L. 2017 (70 O.S. Supp. 2020, Section 2603), which relates to eligibility requirements; establishing eligibility requirements for certain forgivable loan beginning with students entering program in certain year; amending 70 O.S. 2011, Section 2604, as amended by Section 3, Chapter 289, O.S.L. 2017 (70 O.S. Supp. 2020, Section 2604), which relates to Oklahoma Higher Learning Access Program awards; directing certain benefit to be provided in the form of a forgivable loan beginning in certain year; allowing certain loan to be provided for certain number of years; providing for exceptions due to certain circumstances; allowing certain loan to be provided one year after certain graduation or completion; providing for exceptions due to certain circumstances; providing eligibility for loan forgiveness; requiring loan to be repaid under certain circumstances; providing for loan repayment agreements; providing for deposit of loan repayments; amending 70 O.S. 2011, Section 2605, as last amended by Section 4, Chapter 289, O.S.L. 2017 (70 O.S. Supp. 2020, Section 2605), which relates to student

1 agreements; modifying references; requiring student
2 agreements to include certain acknowledgment
3 beginning in certain school year; providing for
4 effective dates; and declaring an emergency.

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

5 SECTION 1. AMENDATORY 62 O.S. 2011, Section 34.87, as
6 amended by Section 404, Chapter 304, O.S.L. 2012 (62 O.S. Supp.
7 2020, Section 34.87), is amended to read as follows:

8 Section 34.87. In order to ensure that the Oklahoma Higher
9 Learning Access Program will be fully funded and all eligible and
10 qualifying students receive ~~scholarships~~ forgivable loans, the
11 following procedures shall be observed:

12 1. Not later than November 1, 2007, and November 1 of each
13 subsequent year, the Oklahoma State Regents for Higher Education
14 shall estimate the amount of revenue they deem necessary to fund
15 ~~awards~~ forgivable loans allowed pursuant to the Oklahoma Higher
16 Learning Access Act, for the fiscal year which begins the following
17 July 1 and provide such estimate to the State Board of Equalization;

18 2. At its meeting in December 2007, and December of each
19 subsequent year, held pursuant to the provisions of paragraph 1 of
20 Section 23 of Article X of the Oklahoma Constitution, the State
21 Board of Equalization shall determine the total amount of revenue
22 necessary to fund ~~awards~~ forgivable loans allowed pursuant to the
23 Oklahoma Higher Learning Access Act for the fiscal year which begins
24 the following July 1 and subtract such amount from the amount it

1 certifies as available for appropriation from the General Revenue
2 Fund by the Legislature for such fiscal year; and

3 3. Notwithstanding any other provisions of law directing the
4 apportionment of revenues, beginning with the fiscal year ending
5 June 30, 2009, and for each subsequent fiscal year, the Director of
6 the Office of Management and Enterprise Services shall transfer on a
7 periodic basis as needed the amount of revenue subtracted pursuant
8 to the provisions of paragraph 2 of this section to be deposited to
9 the Oklahoma Higher Learning Access Trust Fund, in lieu of being
10 deposited to the General Revenue Fund.

11 SECTION 2. AMENDATORY 70 O.S. 2011, Section 2602, as
12 amended by Section 1, Chapter 289, O.S.L. 2017 (70 O.S. Supp. 2020,
13 Section 2602), is amended to read as follows:

14 Section 2602. There is hereby created the Oklahoma Higher
15 Learning Access Program. The program shall also be known as
16 "Oklahoma's Promise". The purpose of the program is to provide ~~an~~
17 ~~award~~ a forgivable loan to students who meet the criteria set forth
18 in the Oklahoma Higher Learning Access Act who are pursuing studies
19 in this state leading to an associate or baccalaureate degree or who
20 are pursuing studies in a postsecondary career technology program
21 that would meet the requirements to be eligible for federal student
22 financial aid and is offered by a technology center school
23 supervised by the State Board of Career and Technology Education,
24 and who are in good academic standing in the institution or school

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

13 SECTION 3. AMENDATORY 70 O.S. 2011, Section 2603, as
14 last amended by Section 2, Chapter 289, O.S.L. 2017 (70 O.S. Supp.
15 2020, Section 2603), is amended to read as follows:

16 Section 2603. A. Except as otherwise provided for in
17 subsection B of this section and elsewhere in this section, to be
18 eligible to ~~participate~~:

19 1. Participate in the Oklahoma Higher Learning Access Program
20 and to qualify for an award which includes payment of an amount
21 equivalent to resident tuition or other tuition pursuant to Section
22 2604 of this title for the first semester or other academic unit of
23 postsecondary enrollment; or

1 2. Beginning with eighth-, ninth- or tenth-grade students who
2 are enrolled in a public or private school or students between the
3 ages of thirteen (13) and fifteen (15) who are educated by other
4 means who apply for participation in the program in the 2021-2022
5 school year, participate in the Oklahoma Higher Learning Access
6 Program and to qualify for a forgivable loan which includes payment
7 of an amount equivalent to resident tuition or other tuition
8 pursuant to Section 2604 of this title for the first semester or
9 other academic unit of postsecondary enrollment in which a student
10 shall:

11 ~~1. Be~~

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

17 ~~2. Be~~

18 b. be a United States citizen or lawfully present in the
19 United States. A student who is not a United States
20 citizen or lawfully present in the United States shall
21 not be eligible to participate in the Oklahoma Higher
22 Learning Access Program and to qualify for ~~an award~~ a
23 benefit notwithstanding the provisions of Section 3242
24 of this title. The provisions of this paragraph shall

1 not apply to any student who was enrolled in the
2 Oklahoma Higher Learning Access Program prior to the
3 end of the 2006-2007 school year~~†~~1

4 ~~3.~~ Have

5 c. have a record of satisfactory compliance with
6 agreements executed pursuant to Section 2605 of this
7 title~~†~~1

8 ~~4.~~ a.

9 d. (1) have graduated within the previous three (3)
10 years from a high school accredited by the State
11 Board of Education, or the Oklahoma School of
12 Science and Mathematics with a minimum 2.5
13 cumulative grade point average on a 4.0 scale for
14 all work attempted in grades nine through twelve,

15 ~~b.~~ (2) have graduated within the previous three (3)
16 years from a high school not accredited by the
17 State Board of Education with a minimum 2.5
18 cumulative grade point average on a 4.0 scale for
19 all work attempted in grades nine through twelve
20 and have achieved a composite score of 22 or
21 higher on the ACT test, or

22 ~~e.~~ (3) have satisfactorily completed within the previous
23 three (3) years an educational program that was
24 provided through a means other than a public or
25

1 private school and have achieved a composite
2 score of 22 or higher on the ACT test~~7~~1

3 ~~5. Have~~

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

22 ~~6. Have~~

23 f. have satisfied admission standards as determined by
24 the Oklahoma State Regents for Higher Education for
25

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

8 ~~7.~~ Have

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

18 ~~8.~~ a.

19 h. (1) have established financial need according to the
20 provisions of subsection D of Section 2605 of
21 this title and standards and provisions
22 promulgated by the Oklahoma State Regents for
23 Higher Education,

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

6 2. Beginning with eighth-, ninth- or tenth-grade students who
7 are enrolled in a public or private school or students between the
8 ages of thirteen (13) and fifteen (15) who are educated by other
9 means who apply for participation in the program in the 2021-2022
10 school year, a student shall be eligible to participate in the
11 Oklahoma Higher Learning Access Program and to qualify for a
12 forgivable loan which includes payment of an amount equivalent to
13 resident tuition or other tuition pursuant to Section 2604 of this
14 title for the first semester or other academic unit of postsecondary
15 enrollment,

16 if the student meets all of the following criteria:

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

1 tax year prior to the year during which the person was
2 killed or died,

3 b. is a resident of this state or is enrolled in a school
4 district located in this state that serves students
5 who reside in both this state and an adjacent state
6 pursuant to a contract as authorized in Section 5-
7 117.1 of this title,

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

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

20 e. has secured admission to, and enrolled in, an
21 institution which is a member of The Oklahoma State
22 System of Higher Education, a postsecondary
23 vocational-technical program offered by a technology
24 center school that meets the requirements to be

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

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

7 ~~2.~~ 3. 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. Meet the requirements for retention and degree completion as
13 established by the institution in which the student is enrolled;

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

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 semesters of
19 high school coursework by a student.

20 SECTION 4. AMENDATORY 70 O.S. 2011, Section 2604, as
21 amended by Section 3, Chapter 289, O.S.L. 2017 (70 O.S. Supp. 2020,
22 Section 2604), is amended to read as follows:

23 Section 2604. A. 1. Subject to the availability of funds, an
24 amount equivalent to the nonguaranteed resident tuition for which an
25

1 eligible Oklahoma Higher Learning Access Program student is
2 obligated at an institution of The Oklahoma State System of Higher
3 Education shall be awarded by allocation from the Oklahoma Higher
4 Learning Access Trust Fund.

5 2. Beginning with the 2026-2027 academic year, the amount
6 calculated pursuant to paragraph 1 of this subsection shall be in
7 the form of a forgivable loan and shall be subject to the provisions
8 of subsection H of this section.

9 B. 1. Subject to the availability of funds, for each eligible
10 Oklahoma Higher Learning Access Program student enrolled at a
11 private institution of higher learning located within this state and
12 accredited pursuant to Section 4103 of this title, the Oklahoma
13 State Regents for Higher Education shall award from the Oklahoma
14 Higher Learning Access Trust Fund an amount equivalent to the amount
15 of resident tuition for which the student would be eligible if the
16 student were enrolled in a comparable program at a comparable
17 institution of The Oklahoma State System of Higher Education.
18 Comparability shall be determined by the State Regents.

19 2. Beginning with the 2026-2027 academic year, the amount
20 calculated pursuant to paragraph 1 of this subsection shall be in
21 the form of a forgivable loan and shall be subject to the provisions
22 of subsection H of this section.

23 C. 1. Subject to the availability of funds, an amount
24 equivalent to the tuition for any eligible Oklahoma Higher Learning

1 Access Program student enrolled in a public postsecondary
2 vocational-technical program or course for the purpose set forth in
3 Section 2602 of this title shall be awarded by allocation from the
4 Oklahoma Higher Learning Access Trust Fund. Provided, such
5 allocation shall not exceed the amount a student would have received
6 for comparable enrollment at a two-year institution within The
7 Oklahoma State System of Higher Education.

8 2. Beginning with the 2026-2027 academic year, the amount
9 calculated pursuant to paragraph 1 of this subsection shall be in
10 the form of a forgivable loan and shall be subject to the provisions
11 of subsection H of this section.

12 D. 1. An award, or beginning with the 2026-2027 academic year
13 a forgivable loan, allowed by this section shall not be allowed for
14 courses or other postsecondary units taken in excess of the
15 requirements for completion of a baccalaureate program or taken more
16 than five (5) years after the student's first semester of
17 postsecondary enrollment. The Oklahoma State Regents for Higher
18 Education may award the Oklahoma Higher Learning Access Program
19 benefits for courses of postsecondary units taken more than five (5)
20 years after the student's first semester of postsecondary enrollment
21 only in hardship circumstances; provided, however, no Oklahoma
22 Higher Learning Access Program participant may receive benefits
23 beyond a cumulative time period of five (5) years.

1 2. Beginning with the 2026-2027 academic year, the Oklahoma
2 State Regents for Higher Education may award an Oklahoma Higher
3 Learning Access Program forgivable loan for courses of postsecondary
4 units taken more than five (5) years after the student's first
5 semester of postsecondary enrollment in hardship circumstances
6 including but not limited to the death of a relative who is within
7 the first degree of consanguinity or the prolonged illness of the
8 student.

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

1 the end of the three-year period or before the student
2 reaches twenty-one (21) years of age. The period
3 shall be extended by the length of the term of duty.

4 b. Beginning with the 2026-2027 academic year, the
5 Oklahoma State Regents for Higher Education may award
6 an Oklahoma Higher Learning Access Program forgivable
7 loan for a student's first semester taken more than
8 one (1) year after the student graduates from high
9 school or completes an educational program equivalent
10 to the high school graduation as authorized in
11 subsection A of Section 2603 of this title. A
12 forgivable loan may be awarded more than one (1) year
13 after the student graduates from high school or
14 completes an educational program equivalent to high
15 school graduation if the student is a member of the
16 Armed Forces of the United States, the Reserve Corps
17 of the Armed Forces of the United States or the
18 Oklahoma National Guard, and is ordered to active duty
19 or active duty for special work or training and due to
20 the duty commitment the student is unable to enroll
21 prior to the end of the one-year period or before the
22 student reaches twenty-one (21) years of age. The
23 period shall be extended by the length of the term of
24 duty.

1 ~~3.~~ 4. The Oklahoma State Regents for Higher Education shall
2 establish a maximum limit on the number of courses or other
3 postsecondary units to which Oklahoma Higher Learning Access Program
4 benefits will apply.

5 E. Benefits awarded under the Oklahoma Higher Learning Access
6 Program shall be awarded to all eligible applicants without any
7 limitation on the number of awards, or beginning with the 2026-2027
8 academic year the number of forgivable loans, in any year other than
9 the amount of funds available for the program and the number of
10 eligible applicants. Subject to the provisions of subsection F of
11 this section, if funds are not sufficient to provide awards, or
12 beginning with the 2026-2027 academic year to provide forgivable
13 loans, for all eligible applicants, the Oklahoma State Regents for
14 Higher Education shall make awards or forgivable loans on the basis
15 of need. Provided, the Oklahoma State Regents for Higher Education
16 shall take into consideration other grants and scholarships received
17 by an eligible applicant when making awards.

18 F. The Oklahoma State Regents for Higher Education may, at the
19 time an award, or beginning with the 2026-2027 academic year at the
20 time a forgivable loan, is made on behalf of an Oklahoma Higher
21 Learning Access Program student, set aside in the Oklahoma Higher
22 Learning Access Trust Fund funds for the full commitment made to
23 such Higher Learning Access Program student. For all academic
24 years, students who have previously received awards or forgivable

1 loans under the provisions of the Oklahoma Higher Learning Access
2 Act, Section 2601 et seq. of this title, and who have continued at
3 all times to fulfill the requirements for eligibility to receive
4 awards or forgivable loans provided pursuant to this program shall
5 be given an absolute priority for continued financial support by the
6 Oklahoma Higher Learning Access Program superior to any students who
7 are applying for such benefits for the first time.

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

12 H. Beginning with the 2026-2027 academic year, Oklahoma Higher
13 Learning Access Program benefits shall be provided to eligible
14 students in the form of a forgivable loan.

15 1. If a student graduates within five (5) years of beginning
16 postsecondary education, subject to the exceptions provided by
17 subsection D of this section, and remains a resident within this
18 state for five (5) years following completion of postsecondary
19 education, the student's Oklahoma Higher Learning Access Program
20 loan shall be forgiven.

21 2. If a student does not graduate within five (5) years of
22 beginning postsecondary education, subject to the exceptions
23 provided by subsection D of this section, drops out of the
24 postsecondary education program or fails to remain a resident of the

1 state for five (5) years following completion of postsecondary
2 education, the student shall be required to repay the full amount of
3 the loan provided pursuant to the Oklahoma Higher Learning Access
4 Program Act. The Oklahoma State Regents for Higher Education shall
5 enter into a loan repayment agreement with the student. Loan
6 repayments shall be deposited into the Oklahoma Higher Learning
7 Access Trust Fund.

8 SECTION 5. AMENDATORY 70 O.S. 2011, Section 2605, as
9 last amended by Section 4, Chapter 289, O.S.L. 2017 (70 O.S. Supp.
10 2020, Section 2605), is amended to read as follows:

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

22 B. On a form provided by the Oklahoma State Regents for Higher
23 Education, every public school district shall designate at least one
24 Oklahoma Higher Learning Access Program contact person, who shall be

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

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

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

- d. have school work and school records reviewed by mentors designated pursuant to the program,
- e. provide information requested by the Oklahoma State Regents for Higher Education or the State Board of Education, and
- f. participate in program activities.

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

3. The contact person shall maintain the agreements, which shall be executed on forms provided by the Oklahoma State Regents for Higher Education and managed according to regulations promulgated by the Oklahoma State Regents for Higher Education, and the contact person shall monitor compliance of the student with the terms of the agreement. The Oklahoma State Regents for Higher Education are authorized to process student agreements and verify compliance with the agreements. Students failing to comply with the terms of the agreement shall not be eligible for the awards, or beginning with the 2026-2027 academic year the forgivable loans, provided in Section 2604 of this title.

1 4. Beginning with the 2021-2022 school year, student agreements
2 executed pursuant to this subsection shall include an
3 acknowledgement that if the student does not graduate within five
4 (5) years of beginning postsecondary education, subject to the
5 exceptions provided by subsection D of Section 2604 of this title,
6 drops out of the postsecondary education program or fails to remain
7 a resident of the state for five (5) years following completion of
8 postsecondary education, the student shall be required to repay the
9 full amount of the loan provided pursuant to the Oklahoma Higher
10 Learning Access Program Act.

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;

23 2. Beginning with eighth-, ninth- or tenth-grade students who
24 are enrolled in a public or private school or students between the

1 ages of thirteen (13) and fifteen (15) who are educated by other
2 means who apply for participation in the program in the 2017-2018
3 school year, the federal adjusted gross income of the student's
4 parent(s) exceeds Fifty-five Thousand Dollars (\$55,000.00) per year;

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

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

16 5. Beginning with the 2018-2019 academic year, prior to
17 receiving any Oklahoma Higher Learning Access Program benefit award,
18 or beginning with the 2026-2027 academic year prior to receiving any
19 Oklahoma Higher Learning Access Program forgivable loan, for any
20 year during which the student is enrolled in an institution which is
21 a member of The Oklahoma State System of Higher Education, a
22 postsecondary vocational-technical program offered by a technology
23 center school that meets the requirements to be eligible for federal
24 student financial aid or a private institution of higher learning

1 located within this state and accredited pursuant to Section 4103 of
2 this title, the federal adjusted gross income of the student's
3 parent(s) exceeds One Hundred Thousand Dollars (\$100,000.00) per
4 year.

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

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

17 The provisions of this paragraph shall apply to any student who
18 has received an Oklahoma Higher Learning Access Program benefit
19 ~~award~~ after the 2017-2018 school year;

20 6. The Oklahoma State Regents for Higher Education shall review
21 the determination of financial qualification as set forth in
22 paragraphs 1, 2 and 3 of this subsection if the income from taxable
23 and nontaxable sources of the student's parent(s) includes income
24 received from nontaxable military benefits or income received from

1 the federal Social Security Administration due to the death or
2 disability of the student's parent(s). If the income from taxable
3 and nontaxable sources of the student's parent(s), excluding income
4 received from nontaxable military benefits or income received from
5 the federal Social Security Administration due to the death or
6 disability of the student's parent(s), does not exceed the
7 limitations set forth by paragraphs 1, 2 and 3 of this subsection,
8 the student shall be determined to have met the financial
9 qualification set forth in paragraphs 1, 2 and 3 of this subsection.

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

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

15 3. Except for students who qualify pursuant to subsection B of
16 Section 2603 of this title, the determination of financial
17 qualification as set forth in this subsection shall be based on the
18 income of the student, not the income of the parent(s), if the
19 student is determined to be independent of the student's parent(s)
20 for federal financial aid purposes. A determination of financial
21 qualification shall not be required for the student who meets the
22 criteria set forth in this subsection at the time the student
23 applies for participation in the program. 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 2008-2009 school year.

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

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

- 12 1. Assist the student in achieving compliance with the
13 agreements;
- 14 2. Confer, when requested to do so, with the school contact
15 person, other school personnel, and program mentors;
- 16 3. Provide information requested by the Oklahoma State Regents
17 for Higher Education or the State Board of Education; and
- 18 4. Assist the student in completing forms and reports required
19 for program participation, making applications to institutions and
20 schools of higher learning, and filing applications for student
21 grants and scholarships.

22 H. Students who are enrolled in a school district located in
23 this state that serves students who reside in both this state and an
24 adjacent state pursuant to a contract as authorized in Section 5-

1 117.1 of this title, are in the eleventh and twelfth grades during
2 the 2006-2007 school year, and who were denied participation in the
3 program shall be allowed to enter or reenter into participation in
4 the program by entering into agreements as set forth in subsections
5 C and D of this section by June 1, 2008.

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

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

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

22 L. Students participating in the Oklahoma Higher Learning
23 Access Program shall provide their Social Security number or their
24 student identification number used by their school to the Oklahoma

1 State Regents for Higher Education. The Regents shall keep the
2 numbers confidential and use them only for administrative purposes.

3 SECTION 6. Sections 1 and 2 of this act shall become effective
4 November 1, 2025.

5 SECTION 7. Sections 3, 4 and 5 of this act shall become
6 effective July 1, 2021.

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

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