

1 **SENATE FLOOR VERSION**

2 February 27, 2019

3 **AS AMENDED**

4 SENATE BILL NO. 80

5 By: Thompson

6 **[ Oklahoma Higher Learning Access Program -**  
7 **eligibility for the program - proficiency level on**  
8 **certain assessments - ~~effective date~~ -**  
9 **emergency ]**

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

11 SECTION 1. AMENDATORY 70 O.S. 2011, Section 2603, as  
12 last amended by Section 2, Chapter 289, O.S.L. 2017 (70 O.S. Supp.  
13 2018, Section 2603), is amended to read as follows:

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

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

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

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

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

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

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

23           c. have satisfactorily completed within the previous  
24 three (3) years an educational program that was

1 provided through a means other than a public or  
2 private school and have achieved a composite score of  
3 22 or higher on the ACT test, or

4 d. have satisfactorily completed within the previous  
5 three (3) years an educational program that was  
6 provided through a means other than a public or  
7 private school and have performed at a proficiency  
8 level on the assessments required by Section 1210.508  
9 of this title for grades nine through twelve. The  
10 State Department of Education shall designate sites  
11 for administration of assessments to carry out the  
12 provision of this subparagraph;

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

1 curriculum requirement by participating in a program approved by the  
2 State Regents for remediation of high school curricular  
3 deficiencies;

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

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

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

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

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

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

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

- 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 by a technology  
7 center school that meets the requirements to be  
8 eligible for federal student financial aid, or a  
9 private institution of higher learning located within  
10 this state and accredited pursuant to Section 4103 of  
11 this title, and

12 f. executes an agreement pursuant to subsection C of  
13 Section 2605 of this title.

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

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

19 1. 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;

24

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 semesters of  
2 high school coursework by a student.

3 ~~SECTION 2. This act shall become effective July 1, 2019.~~

4 ~~SECTION 3. It being immediately necessary for the preservation~~  
5 ~~of the public peace, health or safety, an emergency is hereby~~  
6 ~~declared to exist, by reason whereof this act shall take effect and~~  
7 ~~be in full force from and after its passage and approval.~~

8 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS  
9 February 27, 2019 - DO PASS AS AMENDED

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