

STATE OF OKLAHOMA

1st Session of the 43rd Legislature (1991)

HOUSE BILL NO. 1447

BY: WILLIAMS (Danny) of the
HOUSE

and

MILES-LaGRANGE of the
SENATE

AS INTRODUCED

AN ACT RELATING TO SCHOOLS; PROVIDING SHORT TITLE;
ENACTING THE OKLAHOMA COLLEGE INCENTIVE PROGRAM;
CREATING THE OKLAHOMA COLLEGE INCENTIVE PROGRAM;
PROVIDING FOR PAYMENT OF GENERAL ENROLLMENT FEES AT
INSTITUTIONS IN THE OKLAHOMA STATE SYSTEM OF HIGHER
EDUCATION FOR CERTAIN STUDENTS; SETTING
QUALIFICATIONS FOR BENEFITS; REQUIRING THE OKLAHOMA
STATE REGENTS FOR HIGHER EDUCATION TO REIMBURSE
INSTITUTIONS; PERMITTING THE OKLAHOMA STATE REGENTS
FOR HIGHER EDUCATION TO SEEK AND USE FUNDS, ADOPT
RULES AND REGULATIONS AND PERFORM OTHER DUTIES
NECESSARY TO ADMINISTER ACT; REQUIRING NOTIFICATION
OF BENEFITS TO STUDENTS; PROVIDING FOR CONSTRUCTION
OF ACT; AMENDING 70 O.S. 1981, SECTION 626.8, AS
AMENDED BY SECTION 3, CHAPTER 20, O.S.L. 1982 (70
O.S. SUPP. 1990, SECTION 626.8), WHICH RELATES TO
POWERS OF THE OKLAHOMA STATE REGENTS FOR HIGHER
EDUCATION REGARDING PARTICIPATION IN CERTAIN
PROGRAMS; MODIFYING QUALIFICATIONS FOR
PARTICIPATION; PROVIDING FOR CODIFICATION;

PROVIDING AN EFFECTIVE DATE; AND DECLARING AN
EMERGENCY.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2501 of Title 70, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Oklahoma College Incentive Program Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2502 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created the Oklahoma College Incentive Program. The program shall provide for the payment by the state of the general enrollment fees required of students receiving instruction provided by institutions of The Oklahoma State System of Higher Education on behalf of any student who enrolls in such an institution to pursue an associate and/or baccalaureate degree, who makes such application and who meets the following qualifications:

1. Is a resident of the State of Oklahoma as determined by the Oklahoma State Regents for Higher Education in their policies and procedures;

2. Is enrolled in or has applied to enroll in an institution in The Oklahoma State System of Higher Education as a full-time student;

3. Holds a high school graduation diploma and satisfies eligibility requirements for all admission criteria for the appropriate institution of higher education as determined by the Oklahoma State Regents for Higher Education. Provided, an applicant seeking admission into a two-year institution shall have a minimum

cumulative grade point average of two-point-five (2.5) on a four-point-zero (4.0) scale in all academic subjects in high school as determined by the Oklahoma State Regents for Higher Education. Provided, further, no admission waivers shall be granted for students participating in this program;

4. Has no criminal convictions with the exception of any traffic offense as defined by Section 142.3 of Title 21 of the Oklahoma Statutes; and

5. Is found to be in financial need as provided in subsection B of this section.

B. An applicant shall be found to be in financial need if:

1. The family has one child less than twenty-one (21) years of age who is not emancipated and the four-year average adjusted gross income of the family is less than Twenty-five Thousand Dollars (\$25,000.00), or

2. The family has two children less than twenty-one (21) years of age who are not emancipated and the four-year average annual adjusted gross income of the family is less than Thirty Thousand Dollars (\$30,000.00), or

3. The family has three or more children less than twenty-one (21) years of age who are not emancipated and the four-year average annual adjusted gross income of the family is less than Thirty-five Thousand Dollars (\$35,000.00).

4. The four-year average annual adjusted gross income of the family shall be verified by Internal Revenue Service returns.

C. Initial qualification for the payment of the general enrollment fees of the student shall be limited to first-time entering freshmen. Thereafter, a student shall be eligible for participation in this program for up to a total of five (5) years of undergraduate study at an institution in The Oklahoma State System of Higher Education on a semester by semester basis provided the student meets the following requirements:

1. Is enrolled as a full-time student;

2. Has earned a two-point-five (2.5) cumulative grade point average on a four-point-zero (4.0) scale at the end of the first two (2) semesters of enrollment in all courses taken, and thereafter maintains continuing and satisfactory progress as determined by the Oklahoma State Regents for Higher Education, toward an associate degree, if enrolled at a two-year institution, and a baccalaureate degree, if enrolled at a four-year or comprehensive institution; and

3. Has no criminal convictions with the exception of any traffic offense as defined by Section 142.3 of Title 21 of the Oklahoma Statutes.

D. The Oklahoma State Regents for Higher Education shall reimburse institutions for the cost of the general enrollment fees for eligible students following verification of enrollment.

E. The Oklahoma State Regents for Higher Education may seek, accept and expend funds received from any source, including private business, industry, foundations and other groups as well as any federal or other governmental funding available for the purposes of the Oklahoma College Incentive Program.

F. The Oklahoma State Regents for Higher Education may adopt rules and regulations, prescribe and provide appropriate forms for application, and employ such persons, contract for services and make additional expenditures as may be necessary or appropriate for implementing the provisions of the Oklahoma College Incentive Program. Provided, as part of the regulations adopted for administration of the provisions of this program, the Oklahoma State Regents for Higher Education shall require that upon enrollment each semester, the student participating in the program make application for any available financial aid and work study. Provided, the Oklahoma State Regents for Higher Education may determine that work study may cause a hardship on a student, if the student can so prove, and may exempt such student from the requirement to apply for

work study. Such regulations shall also provide for revoking or rescinding assistance to any student who fails to meet required standards. Such regulations shall also provide that the funds made available to students as part of the purposes of this program shall be allocated directly to the institution of the student's enrollment on behalf of the student, and shall contain appropriate restrictions and conditions that the monies are expended only for the purposes authorized by this program. Funds allocated for students participating in this program who subsequently withdraw from a class or classes shall be returned to the Oklahoma State Regents for Higher Education in accordance with the institution's general enrollment fee refund policy.

G. The Oklahoma State Regents for Higher Education and the State Board of Education shall cooperate to ensure that, beginning in the ninth (9th) grade, all low-income and middle-income secondary students in the public schools are notified of the benefit to them of the Oklahoma College Incentive Program pending academic qualification. In addition to the Oklahoma State Regents for Higher Education providing such information in writing, the State Board of Education shall require teachers, administrators and counselors in the secondary schools to make oral explanation of this program to students. As part of the criteria for approval of participation in this program, the Oklahoma State Regents for Higher Education shall consider a requirement of the student which will serve as a positive motivational tool, such as two letters of recommendation which verify their commitment from teachers, counselors, pastors or leaders of community or civic organizations.

H. The provisions of this act shall not be construed as granting any authority to control or influence the policies of any educational institution because it accepts students who receive the benefits provided in this act, or to require any such institution to

admit any student, or to continue to admit any student in such institution.

SECTION 3. AMENDATORY 70 O.S. 1981, Section 626.8, as amended by Section 3, Chapter 20, O.S.L. 1982 (70 O.S. Supp. 1990, Section 626.8), is amended to read as follows:

Section 626.8 A. The Oklahoma State Regents for Higher Education may adopt rules and regulations, prescribe and provide appropriate forms for application and employ such persons, contract for such services and make such additional expenditures as may be necessary or appropriate for effectuating the provisions of this act.

B. The Oklahoma State Regents for Higher Education are hereby authorized to determine priorities for participation in this tuition aid program by full-time, part-time, undergraduate and graduate students based on available state funding.

C. Persons qualifying for participation in the Oklahoma College Incentive Program shall be given first priority for the state tuition grants provided in Section 628.1 et seq. of this title after funds designated for the Oklahoma College Incentive Program for the applicable fiscal year have been exhausted. Provided, qualification by a student for participation in the Oklahoma College Incentive Program shall satisfy requirements for awarding the state tuition grant to the student.

SECTION 4. This act shall become effective July 1, 1991.

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

43-1-5039

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