

STATE OF OKLAHOMA

1st Session of the 44th Legislature (1993)

HOUSE BILL NO. 1270

By: Williams

AS INTRODUCED

An Act relating to schools; amending Sections 3 and 5, Chapter 353, O.S.L. 1992 (70 O.S. Supp. 1992, Sections 2603 and 2605), which relate to the Oklahoma Higher Learning Access Program; modifying eligibility for participation in the Oklahoma Higher Learning Access Program; requiring the Oklahoma State Regents for Higher Education to establish a certain policy; eliminating certain legislative intent; modifying priority for eligibility for benefits; modifying State Board of Education duties; modifying use of certain trust fund; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 3, Chapter 353, O.S.L. 1992 (70 O.S. Supp. 1992, Section 2603), is amended to read as follows:

Section 2603. A. To be eligible to participate in the Oklahoma Higher Learning Access Program and to qualify for payment of general enrollment fees or tuition pursuant to Section ~~4 of this act~~ 2604 of

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

1. Be a resident of this state;
2. Have a record of satisfactory compliance with agreements executed pursuant to Section ~~5~~ 2605 of this ~~act~~ title;
3. Have graduated within the previous ~~three (3) years~~ year from a high school accredited by the State Board of Education with a minimum 2.5 cumulative grade point average on a 4.0 scale, irrespective of honor points, for all work attempted in grades nine through twelve;
4. Have satisfied a fifteen-unit high school core curriculum as adopted by the Oklahoma State Regents for Higher Education, and have attained a 2.5 grade point average in the core curriculum courses; provided that students who attended a high school which did not offer all the core curriculum courses shall be allowed to satisfy this requirement by participating in a program approved by the State Regents for remediation of high school curricular deficiencies. The Oklahoma State Regents for Higher Education shall establish a policy for waiving on an individual basis the academic requirement provided in this paragraph for satisfaction of a high school core curriculum for students seeking to participate in the Oklahoma Higher Learning Access Program who graduate from high school prior to or during the 1994-95 school year;
5. Have satisfied admission standards as determined by the Oklahoma State Regents for Higher Education for first-time-entering students for the appropriate type of institution, or, if attending a private institution, have satisfied admission standards as determined by the private institution; provided, no student participating in the Oklahoma Higher Learning Access Program shall be admitted into an institution of higher education by special admission standards;

6. Have secured admission to, and enrolled in, an institution which is a member of The Oklahoma State System of Higher Education, a postsecondary vocational-technical program offered pursuant to a duly approved cooperative agreement between an area vocational-technical school and an institution of The Oklahoma State System of Higher Education, or a private institution of higher learning located within this state and accredited pursuant to Section 4103 of Title 70 of the Oklahoma Statutes; and

7. Have established financial need ~~during the ninth-grade year or tenth-grade year if enrolled during the tenth grade~~ prior to completion of the twelfth grade according to the standards and provisions promulgated by the State Board of Education; a student who satisfies the financial need criteria during the ninth- or tenth-grade when he or she begins participating in the Oklahoma Higher Learning Access Program shall not later be denied participation in the Oklahoma Higher Learning Access Program on grounds that the student does not meet the financial need criteria.

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

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

2. Comply with the standards related to maintenance of eligibility as promulgated by the Oklahoma State Regents for Higher Education.

C. The Oklahoma State Regents for Higher Education and the State Board of Vocational and Technical Education shall promulgate regulations relating to maintenance of eligibility under this act by a student.

~~D. It is the intent of the Legislature that students in the ninth grade for the 1992-93 school year who are determined to be eligible Oklahoma Higher Learning Access students pursuant to this~~

~~act shall be the first students eligible for benefits from the Oklahoma Higher Learning Access Trust Fund.~~

SECTION 2. AMENDATORY Section 5, Chapter 353, O.S.L. 1992 (70 O.S. Supp. 1992, Section 2605), is amended to read as follows:

Section 2605. A. Each school year, every fifth- through ~~ninth~~ twelfth-grade student in the public schools of this state shall be apprised, together with the student's parent, custodial parent, or guardian, of the student's opportunity for access to higher learning under the Oklahoma Higher Learning Access Program. The State Board of Education shall develop, promote, and coordinate a public awareness program to be utilized in making students and parents aware of the Oklahoma Higher Learning Access Program.

B. The State Board of Education shall ensure that every public school district designates at least one Oklahoma Higher Learning Access Program contact person, who shall be a counselor or teacher, at each public school site in this state in which ~~ninth- or tenth-~~ eleventh- or twelfth- grade classes are taught.

C. ~~Ninth-, tenth-, eleventh- and twelfth-~~ ninth-, tenth-, eleventh- and twelfth- grade students who qualify on the basis of financial need according to the standards and provisions promulgated by the State Board of Education shall be given the opportunity ~~throughout the ninth-grade year~~ to enter into participation in the program by agreeing to, throughout the remainder of their school years:

1. Attend school regularly and do homework regularly;
2. Refrain from substance abuse;
3. Refrain from commission of crimes or delinquent acts;
4. Have school work and school records reviewed by mentors designated pursuant to the program;
5. Provide information requested by the State Board of Education; and
6. Participate in program activities.

The contact person at the school shall maintain the agreements, which shall be executed on forms provided by the State Board of Education and managed according to regulations promulgated by the State Board of Education, and the contact person shall monitor the student's compliance with the terms of the agreement.

D. A student shall not be found to be in financial need for purposes of this act if the student's family income from taxable and nontaxable sources exceeds Twenty-four Thousand Dollars (\$24,000.00) per year. The student's financial qualification shall be certified by the contact person at the school on a form provided by the State Board of Education; the certification form shall be retained in the student's permanent record and forwarded to the Oklahoma State Regents for Higher Education upon the student's enrollment in a postsecondary program.

E. Agreements shall be witnessed by the student's parent, custodial parent, or guardian, who shall further agree to:

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

~~F. Tenth-grade students who failed to enter into participation in the program during their ninth-grade year shall be allowed to enter into participation in the program by entering into agreements as set forth in subsections C and D of this section. Students who begin participating in the program during their tenth-grade year shall be eligible for benefits from the Oklahoma Higher Learning~~

~~Access Trust Fund as provided in this act only under the following conditions:~~

~~1. An Oklahoma Higher Learning Access Program student who began participation during the ninth-grade year becomes ineligible for benefits from the trust fund; and~~

~~2. The trust fund balance, excluding any amounts set aside for full commitments to Higher Learning Access Program students pursuant to Section 4 of this act, exceeds the amount necessary to satisfy awards due on behalf of Higher Learning Access Program students who began participation during the ninth-grade year or who have priority as provided in Section 4 of this act.~~

~~G.~~ Eligibility of students ~~who begin~~ participating in the program ~~during their tenth-grade year~~ shall be determined by the date of their ~~enrollment~~ high school graduation, with priority given to students whose enrollment dates are earliest. Students who ~~begin participating~~ participate in the program ~~during their tenth-grade year~~ and who receive trust fund benefits pursuant to subsection E of this section shall be given priority for continued financial support as provided in Section 4 2604 of this ~~act~~ title.

~~H.~~ G. The State Board of Education shall promulgate regulations for the determination of student compliance with agreements made pursuant to this section.

~~I.~~ H. The State Board of Education shall designate personnel of the State Department of Education to coordinate tracking of program records for the years when students participating in the program are still in the public schools, provide staff development for contact persons in the public schools, and provide liaison with the Oklahoma State Regents for Higher Education and local organizations and individuals participating in the program.

~~J.~~ I. The local school district where an Oklahoma Higher Learning Access Program student is attending when the student begins participation in the program and any subsequent school district

where the student attends shall forward information regarding the student's participation in the program to a school to which the student transfers upon the school's request for the student's records.

SECTION 3. 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.

44-1-5010

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