

SHORT TITLE: Schools; modifying certain requirements for participation in Oklahoma Higher Learning Access Program; emergency.

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

SENATE BILL NO. 959

By: Horner

AS INTRODUCED

An Act relating to schools; amending Sections 2, 3, 4 and 5, Chapter 353, O.S.L. 1992 (70 O.S. Supp. 1993, Sections 2602, 2603, 2604 and 2605), which relate to the Oklahoma Higher Learning Access Program; modifying certain eligibility requirements for Oklahoma Higher Learning Access Program; modifying certain academic requirements for participation in certain program; clarifying eligibility of certain students enrolled in certain vocational and technical programs and courses; deleting obsolete language; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 2, Chapter 353, O.S.L. 1992 (70 O.S. Supp. 1993, Section 2602) is amended to read as follows:

Section 2602. There is hereby created the Oklahoma Higher Learning Access Program. The purpose of the program is to ensure that students who meet the criteria set forth in ~~this act~~ the Oklahoma Higher Learning Access Act, Section 2601 et seq. of this title, and who are pursuing studies in this state leading to an associate or baccalaureate degree or who are pursuing studies in a postsecondary vocational-technical program or course 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, and who are in good academic standing in the institution of higher education or vocational-technical school in which enrolled, are relieved of the burden of paying undergraduate general enrollment fees at institutions of The Oklahoma State System of Higher Education, are relieved of the burden of paying tuition for enrollment in postsecondary programs of the area vocational-technical districts, or are relieved of some portion of the burden of paying such fees or tuition, pursuant to the provisions of this act, as may be required of enrollees at private institutions of higher education which are accredited pursuant to Section 4103 of Title 70 of the Oklahoma Statutes. The further purpose of this program is to establish and maintain a variety of support services whereby a broader range of the general student population of this state will be prepared for success in postsecondary endeavors.

SECTION 2. AMENDATORY Section 3, Chapter 353, O.S.L. 1992 (70 O.S. Supp. 1993, 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 of this act~~ 2605 of this title;
3. Have graduated within the previous three (3) years 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 if the student was in the ninth grade during the 1992-93 or 1993-94 school year; or have satisfied a seventeen-unit high school core curriculum to be prescribed by the Oklahoma State Regents for Higher Education and have attained a 2.5 grade point average in the core curriculum courses if the student was in the ninth grade during the 1994-95 or later school years; 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;

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 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 3. AMENDATORY Section 4, Chapter 353, O.S.L. 1992 (70 O.S. Supp. 1993, Section 2604), is amended to read as follows:

Section 2604. A. Subject to the availability of funds, the general enrollment fees for which an eligible Oklahoma Higher Learning Access Program student is obligated at an institution of The Oklahoma State System of Higher Education shall be satisfied by allocation from the Oklahoma Higher Learning Access Trust Fund.

B. Subject to the availability of funds, for each eligible Oklahoma Higher Learning Access Program student enrolled at a private institution of higher learning located within this state and accredited pursuant to Section 4103 of Title 70 of the Oklahoma Statutes, the Oklahoma State Regents for Higher Education shall award from the Oklahoma Higher Learning Access Fund to the institution, on behalf of the student, an amount equivalent to the amount of general enrollment fee for which the student would be eligible if the student were enrolled in a comparable program at a comparable institution of The Oklahoma State System of Higher Education. Comparability shall be determined by the State Regents.

C. Subject to the availability of funds, the tuition for any eligible Oklahoma Higher Learning Access Program student enrolled in a public postsecondary vocational-technical program or course for the purpose set forth in Section ~~2 of this act~~ 2602 of this title shall be satisfied by allocation from the Oklahoma Higher Learning Access Trust Fund.

D. Satisfaction of general enrollment fees or tuition allowed by this section shall not be allowed for courses or other postsecondary units repeated, taken in excess of the requirements for completion of a baccalaureate program ~~or postsecondary vocational-technical certificate program~~, or taken more than five (5) years after the student's first semester of postsecondary enrollment. General enrollment fees and tuition for eligible Oklahoma Higher Learning Access Program students enrolled in cooperative programs pursuant to agreements between area vocational-technical schools and institutions of The Oklahoma State System of Higher Education shall be satisfied for both vocational-technical and college work in which enrolled pursuant to such cooperative program.

E. Benefits awarded under the Oklahoma Higher Learning Access Program shall be awarded to all eligible applicants without any

limitation on the number of awards in any year other than the amount of funds available for the program and the number of eligible applicants. Subject to the provisions of subsection F of this section, if funds are not sufficient to provide awards for all eligible applicants, the Oklahoma State Regents for Higher Education shall make awards on the basis of need.

F. The Oklahoma State Regents for Higher Education may, at the time an award is made on behalf of an Oklahoma Higher Learning Access student, set aside in the Oklahoma Higher Learning Access Trust Fund funds for the full commitment made to such Higher Learning Access Program student. For all academic years, students who have previously received awards under the provisions of ~~this act~~ the Oklahoma Higher Learning Access Act, Section 2601 et seq. of this title, and who have continued at all times to fulfill the requirements for eligibility to receive awards provided ~~in this act~~ pursuant to this program shall be given an absolute priority for continued financial support by the Oklahoma Higher Learning Access Program superior to any students who are applying for such benefits for the first time.

SECTION 4. AMENDATORY Section 5, Chapter 353, O.S.L. 1992 (70 O.S. Supp. 1993, Section 2605), is amended to read as follows:

Section 2605. A. Each school year, every fifth- through ninth-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-grade classes are taught.

C. Ninth-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 are in the tenth grade during the 1993-94 school year and who begin participating in the program during the 1993-94 school year shall be eligible for benefits from the Oklahoma Higher Learning Access Trust Fund as though they had begun participating during their ninth-grade year. Beginning with the 1994-95 school year, 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~~ Section 2601 et seq. of this title 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 2604 of this title, 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~~ 2604 of this title.

G. Eligibility Beginning with the 1994-95 school year, eligibility of students who begin participating in the program during their tenth-grade year shall be determined by the date of their enrollment, with priority given to students whose enrollment dates are earliest. Students who begin participating 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 of this act~~ 2604 of this title.

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

I. 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. 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 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.

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