

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

HOUSE BILL NO. 2788

By: Coleman

AS INTRODUCED

An Act relating to education; amending Section 3, Chapter 353, O.S.L. 1992, as last amended by Section 1, Chapter 119, O.S.L. 1996 and Section 4, Chapter 353, O.S.L. 1992, as last amended by Section 1, Chapter 74, O.S.L. 1997 (70 O.S. Supp. 1997, Sections 2603 and 2604), which relate to the Oklahoma Higher Learning Access Program; modifying financial need eligibility requirements; prohibiting payment of certain fees for remedial courses; requiring student payment of a portion of tuition in certain circumstance; providing an effective date; 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, as last amended by Section 1, Chapter 119, O.S.L. 1996 (70 O.S. Supp. 1997, 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 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 2605 of this title;
3. Have graduated within the previous three (3) years from a high school accredited by the State Board of Education, or the Oklahoma School of Science and Mathematics 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 the high school curricular requirements adopted by the Oklahoma State Regents for Higher Education and required for students participating in the Oklahoma Higher Learning Access Program. Students shall also have attained a 2.5 grade point average in the core curriculum courses, irrespective of honor points; 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 this title; 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 Oklahoma State Regents for Higher 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; ~~and~~

3. Be reevaluated, prior to enrolling in a program of higher learning and each year that the student is enrolled in a higher learning program and is participating in the Oklahoma Higher Learning Access Program, to determine if the student still satisfies the financial need criteria.

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.

E. The Oklahoma State Regents for Higher Education are authorized to study, develop and propose criteria for determining students' award eligibility based upon the completion of seven (7) semesters of high school coursework.

SECTION 2. AMENDATORY Section 4, Chapter 353, O.S.L. 1992, as last amended by Section 1, Chapter 74, O.S.L. 1997 (70 O.S. Supp. 1997, 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 this title, 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 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 taken in excess of the requirements for completion of a baccalaureate program, or taken more than five (5) years after the student's first semester of postsecondary enrollment. Also, satisfaction of general enrollment fees or tuition shall not be allowed for remedial courses or units. The Oklahoma State Regents for Higher Education may award the Oklahoma Higher Learning Access Program benefits for courses of postsecondary units taken more than five (5) years after the student's first semester of postsecondary enrollment only in hardship circumstances ~~provided, however, no~~ and only if the student pays fifty percent (50%) of the enrollment fees or tuition. No Oklahoma Higher Learning Access Program participant may receive benefits beyond a cumulative time period of five (5) years. The Oklahoma State Regents for Higher Education may establish a maximum limit on the number of courses or other postsecondary units to which Oklahoma Higher Learning Access Program benefits will apply. 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. Provided, the Oklahoma

State Regents for Higher Education shall take into consideration other grants and scholarships received by an eligible applicant when making awards.

F. The Oklahoma State Regents for Higher Education may, at the time an award is made on behalf of an Oklahoma Higher Learning Access Program 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 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 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 3. This act shall become effective July 1, 1998.

SECTION 4. 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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