ENROLLED HOUSE
BILL NO. 1201

By: Ross of the House

and

Horner of the Senate

An Act relating to schools; amending 70 O.S. 1991, Sections 2402, 2403, as amended by Section 23, Chapter 324, O.S.L. 1992, and 2404 (70 O.S. Supp. 1998, Section 2403), which relate to the Oklahoma State Regents' Academic Scholars Program; adding a statement of purpose; modifying categories of students eligible for scholarship; modifying scope of scholarship awards; deleting priority order of scholarships in the event of insufficient funds; modifying provisions for award criteria; adding certain reporting requirement for the Oklahoma State Regents for Higher Education; modifying nonresident student limitations; repealing Section 3, Chapter 343, O.S.L. 1996 (70 O.S. Supp. 1998, Section 1210.542), which relates to certain low-performance schools; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 1991, Section 2402, is amended to read as follows:

Section 2402. A. There is hereby created the Oklahoma State Regents' Academic Scholars Program. The purpose of the Oklahoma State Regents' Academic Scholars Program is to retain top-ranked students from Oklahoma in Oklahoma colleges, enable Oklahoma institutions of higher education to compete aggressively for top Oklahoma scholars, attract high-caliber out-of-state students to Oklahoma to attend colleges and universities, and enhance the academic quality in Oklahoma colleges and universities. The program shall provide participants funding for enrollment fees, tuition and other fees, room and board and required textbooks or materials for up to five (5) years of undergraduate and/or graduate study at accredited institutions of higher education in Oklahoma.

B. The Oklahoma State Regents for Higher Education shall administer the provisions of the Oklahoma State Regents' Academic Scholars Program.

SECTION 2. AMENDATORY 70 O.S. 1991, Section 2403, as amended by Section 23, Chapter 324, O.S.L. 1992 (70 O.S. Supp. 1998, Section 2403) is amended to read as follows:

Section 2403. A. No person shall be eligible to participate in the Oklahoma State Regents' Academic Scholars Program unless the person:

1. Has complied with all of the rules ~~and regulations~~ promulgated by the Oklahoma State Regents for Higher Education pursuant to the provisions of the Oklahoma State Regents' Academic Scholars Act, Section 2401 et seq. of this title, for the award, regulation, and administration of scholarships; and

2. Qualifies~~, or has qualified after July 1, 1988,~~ as one of the following:

a. ~~Category I:~~

~~(1)~~ ~~a National Merit Scholar, which shall mean a student designated as a National Merit Scholar by the National Merit Scholarship Corporation,~~

~~(2)~~ ~~a National Merit Finalist, which shall mean a student designated as a National Merit Finalist by the National Merit Scholarship Corporation,~~

~~(3)~~ ~~a National Achievement Scholar, which shall mean a student designated as a National Achievement Scholarship Program For Outstanding Negro Students Scholar by the National Merit Scholarship Corporation,~~

~~(4)~~ ~~a National Achievement Finalist, which shall mean a student designated as a National Achievement Scholarship Program for Outstanding Negro Students Finalist by the National Merit Scholarship Corporation,~~

~~(5)~~ ~~a National Hispanic Scholar, which shall mean a student designated as a National Hispanic Scholars Award Program Scholar by the College Board,~~

~~(6)~~ ~~a National Hispanic Honorable Mention Awardee, which shall mean a student designated as a National Hispanic Scholars Award Program Honorable Mention Awardee by the College Board,~~

~~(7)~~ ~~a Presidential Scholar, which shall mean a student selected by the Commission on Presidential Scholars pursuant to the Presidential Scholars Program administered by the United States Department of Education,~~

~~(8)~~ an Individual Applicant Qualified Student, which shall mean a student who is a resident of the State of Oklahoma whose American College Testing Program score or whose Scholastic Aptitude Test score falls within the 99.5 to 100.0 percentile levels as administered in the State of Oklahoma and whose grade point average and/or class rank is exceptional, as determined by the State Regents~~; provided, that the percentile levels~~

~~shall be referenced to the student population as a whole and separately for the following subdivisions of the population: Male, Female, Black non-Hispanic, Native American, Hispanic, Asian-Pacific Islander, and White non-Hispanic,~~

~~b. Category II:~~

~~(1) a National Merit Semi-finalist, which shall mean a student designated as a National Merit Semi-finalist by the National Merit Scholarship Corporation,~~

~~(2) a National Achievement Semi-finalist, which shall mean a student designated as a National Achievement Scholarship Program for Outstanding Negro Students Scholar Semi-finalist by the National Merit Scholarship Corporation,~~

~~(3) a National Hispanic Semi-finalist, which shall mean a student designated as a National Hispanic Scholar Award Program Semi-finalist Scholar by the College Board,~~

~~(4) an Individual Applicant Qualified Student, which shall mean a student who is a resident of the State of Oklahoma whose American College Testing Program score or whose Scholastic Aptitude Test score falls within the 99.0 to 99.49 percentile levels as administered in the State of Oklahoma and whose grade point average and/or class rank is exceptional, as determined by the State Regents; provided, that the percentile levels shall be referenced to the student population as a whole and separately for the following subdivisions of the population: Male, Female, Black non-Hispanic, Native American, Hispanic, Asian-Pacific Islander, and White non-Hispanic, and~~

~~c. Category III:~~

~~(1) a National Merit Commended Student, which shall mean a student designated as a National Merit Commended Student by the National Merit Scholarship Corporation,~~

~~(2) a National Achievement Commended Student, which shall mean a student designated as a National Achievement Scholarship Program for Outstanding Negro Students Commended Student by the National Merit Scholarship Corporation,~~

~~(3) an Individual Applicant Qualified Student, which shall mean a student who is a resident of the State of Oklahoma whose American College Testing Program score or whose Scholastic Aptitude Test score falls within the 98.0 to 98.99 percentile levels as administered in the State of Oklahoma and whose grade point average and/or class rank~~

~~is exceptional, as determined by the State Regents; provided, that the percentile levels shall be referenced to the student population as a whole and separately for the following subdivisions of the population: Male, Female, Black non-Hispanic, Native American, Hispanic, Asian-Pacific Islander, and White non-Hispanic~~,

b. a Presidential Scholar, which shall mean a student selected by the Commission on Presidential Scholars administered by the United States Department of Education,

c. a National Merit Scholar, which shall mean a student designated as a National Merit Scholar by the National Merit Scholarship Corporation,

d. a National Merit Finalist, which shall mean a student designated as a National Merit Finalist by the National Merit Scholarship Corporation, or

e. after October 1, 1999, an Institutional Nominee, which shall mean a student nominated by an institution in The Oklahoma State System of Higher Education:

(1) whose American College Testing Program or Scholastic Aptitude Test score falls within the 95.0 to 99.49 percentile levels, or

(2) who shows exceptional academic achievement as evidenced by factors, including, but not limited to, grade point average, class rank, national awards, scholastic achievements, honors, and who shows exceptional promise based on documentation that may include, but not be limited to, teacher recommendations, extracurricular activities, and evidence of overcoming economic and social obstacles as determined by the State Regents. The State Regents shall approve each nomination to ensure that standards of high academic ability are documented. Scholarship awards to Institutional Nominees shall become effective when approved by the State Regents.

B. No person shall be eligible to receive a scholarship pursuant to the provisions of the Oklahoma State Regents' Academic Scholars Program unless the person is enrolled as a full-time student at a public or private accredited institution of higher education in Oklahoma.

C. The Oklahoma State Regents' Academic Scholars Program shall provide ~~three levels of scholarship awards, based on the following criteria:~~

~~1. If the student qualifies in one of the categories listed in subparagraph a of paragraph 2 of subsection A of this section, the student shall receive~~ a scholarship in an amount equivalent to the ~~full amount of~~ average costs of all enrollment fees, tuition and other fees, room and board, and all required textbooks or materials for up to five (5) years of undergraduate and/or graduate study at

an accredited public or private institution of higher education in Oklahoma as provided in subsection E of this section.

~~2. If the student qualifies in one of the categories listed in subparagraph b of paragraph 2 of subsection A of this section, the student shall receive a scholarship in an amount equivalent to one-half (1/2) of the amount of the costs of all enrollment fees, tuition and other fees, room and board, and all required textbooks or materials for up to five (5) years of undergraduate and/or graduate study at an accredited public or private institution of higher education in Oklahoma as provided in subsection E of this section.~~

~~3. If the student qualifies in one of the categories listed in subparagraph c of paragraph 2 of subsection A of this section, the student shall receive a scholarship in an amount equivalent to one-fourth (1/4) of the amount of the costs of all enrollment fees, tuition and other fees, room and board, and all required textbooks or materials for up to five (5) years of undergraduate and/or graduate study at an accredited public or private institution of higher education in Oklahoma as provided in subsection E of this section.~~

D. If a person identifies himself or herself as a student with a disability and requests consideration for a scholarship under the Academic Scholars Program by means other than standard testing procedures, the State Regents shall determine what means of assessment are appropriate and upon the basis of said assessment results, determine what level of award, if any, shall be made.

E. 1. If the student is attending an institution of The Oklahoma State System of Higher Education, the total funding for the scholarship provided in this section, exclusive of any internships, shall not exceed the costs for items specified in subsection C of this section at the institution attended as determined annually by the Oklahoma State Regents for Higher Education.

2. If the student is attending a private institution of higher education, the total funding for the scholarship provided in this section, exclusive of any internships, shall not exceed the costs for items specified in subsection C of this section at an institution of The Oklahoma State System of Higher Education of comparable type which has the highest general enrollment fees of its type institution in The Oklahoma State System of Higher Education as determined annually by the Oklahoma State Regents for Higher Education.

SECTION 3. AMENDATORY 70 O.S. 1991, Section 2404, is amended to read as follows:

Section 2404. A. Scholarships awarded under the Oklahoma State Regents' Academic Scholars Program shall be awarded to all eligible applicants without any limitation on the number of scholarships to be awarded in any year other than the amount of funds available for the scholarship program and the number of eligible applicants. ~~If funds are not sufficient to provide scholarships for all eligible applicants, the Oklahoma State Regents for Higher Education shall award scholarships in the following order:~~

~~1. Students who meet the criteria provided in subparagraph a of paragraph 2 of subsection A of Section 6 of this act;~~

~~2. Students who meet the criteria provided in subparagraph b of paragraph 2 of subsection A of Section 6 of this act;~~

~~3. Students who meet the criteria provided in subparagraph c of paragraph 2 of subsection A of Section 6 of this act.~~

B. The Oklahoma State Regents for Higher Education may, at the time a scholarship is awarded to a student, set aside in the Oklahoma State Regents' Academic Scholars Trust Fund funds for the full five-year commitment made to such eligible scholar. For all academic years, students who have previously received academic scholarships under the provisions of this act and who have continued at all times to fulfill the requirements for eligibility to receive academic scholarships provided in this act shall be given an absolute priority for continued financial support by the Oklahoma State Regents' Academic Scholars Program superior to any students who are applying for such academic scholarships for the first time.

C. In addition to the qualifications specified in Section ~~6~~ 2403 of this ~~act~~ title, the Oklahoma State Regents for Higher Education may adopt additional criteria for selection and allocation of awards which may include, but are not ~~necessarily~~ limited to, consideration of high school academic performance and personal interviews. The Oklahoma State Regents for Higher Education shall annually report on the number of former Academic Scholars Program participants who stay in state as compared to those who leave Oklahoma within five (5) years of leaving the Program. In addition, the Oklahoma State Regents for Higher Education are hereby authorized to determine a maximum number of awards or a maximum amount of funding which may go to nonresident students. Such maximum limitations shall not exceed ~~twenty~~ twenty-five percent ~~(20%)~~ (25%) of the awards or amount of funding in any category provided in paragraph 2 of subsection A of Section ~~6~~ 2403 of this ~~act~~ title.

SECTION 4. REPEALER Section 3, Chapter 343, O.S.L. 1996 (70 O.S. Supp. 1998, Section 1210.542), is hereby repealed.

SECTION 5. This act shall become effective June 1, 1999.

SECTION 6. 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.

Passed the House of Representatives the 24th day of May, 1999.

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Speaker of the House of Representatives

Passed the Senate the 24th day of May, 1999.

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President of the Senate