

ENGROSSED HOUSE
BILL NO. 1357

By: Terrill, Nations and
Wesselhoft of the House

and

Brogdon of the Senate

(education - Oklahoma Higher Learning Access
Program - modifying eligibility requirements -
emergency)

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

SECTION 1. AMENDATORY 70 O.S. 2001, Section 2603, as amended by Section 1, Chapter 293, O.S.L. 2002 (70 O.S. Supp. 2004, 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 an award which includes payment of an amount equivalent to resident tuition or other 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. a. 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 for all work attempted in grades nine through twelve, ~~or~~

- b. Have graduated within the previous three (3) years from a high school not accredited by the State Board of Education with a minimum 2.5 cumulative grade point average on a 4.0 scale for all work attempted in grades nine through twelve and have achieved a composite score of 22 or higher on the American College Test, or
 - c. Have satisfactorily completed within the previous three (3) years an educational program that was provided through a means other than a public or private school and have achieved a composite score of 22 or higher on the American College Test;
4. ~~Have~~ a. For students who enter into participation in the program prior to the 2007-2008 school year, have completed the curricular requirements for admission to an institution within The Oklahoma State System of Higher Education and one additional unit or set of competencies in a course that meets college admission requirements; ~~provided the~~. The curriculum requirements shall include two units or sets of competencies in foreign or non-English language or technology courses that meet the college admission requirements and one unit or set of competencies of a fine arts course.
- b. For students who enter into participation in the program during the 2007-2008 school year and any school year thereafter, have completed the following curricular requirements:
 - (1) four units of English (grammar, composition, and literature),

- (2) three units of Mathematics (Algebra I, Algebra II, geometry, math analysis, trigonometry, calculus, and Advance Placement Statistics),
- (3) three units of Laboratory Science (biology, chemistry, physics, or any certified laboratory science),
- (4) three units of History and Citizenship Skills (one unit of American History and two units from the subjects of history, economics geography, government, civics, and/or non-Western culture),
- (5) two units of Foreign or non-English Language or computer technology,
- (6) two additional units in a course that meets college admission requirements, and
- (7) one unit of fine arts or speech.

c. Students shall also have attained a 2.5 grade point average in the core curriculum courses; ~~provided that students.~~ Students who attended a high school which did not offer all the core curriculum courses or students who were educated by other means and were not offered all the core curriculum courses shall be allowed to satisfy this curriculum 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 a technology center 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 eighth-grade year, ninth-grade year or tenth-grade year according to the standards and provisions promulgated by the Oklahoma State Regents for Higher Education; ~~a.~~ For a student who is educated by other means, financial need shall be established between the ages of thirteen (13) and fifteen (15). A student who satisfies the financial need criteria upon initial participation in the Oklahoma Higher Learning Access Program ~~during the eighth, ninth, or tenth grade~~ 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. Comply with codes of conduct of the institution of higher education the student is attending and refrain from substance abuse and commission of crimes or delinquent acts.

C. The Oklahoma State Regents for Higher Education and the State Board of Career and Technology Education shall promulgate rules 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 70 O.S. 2001, Section 2605, as amended by Section 1, Chapter 134, O.S.L. 2003 (70 O.S. Supp. 2004, Section 2605), is amended to read as follows:

Section 2605. A. Each school year, every fifth- through ninth-grade student in the public and private schools of this state and students who are educated by other means and are in the equivalent of the fifth- through ninth-grade 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 Oklahoma State Regents for Higher Education and 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. On a form provided by the Oklahoma State Regents for Higher Education, every public school district shall designate 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 eighth-, ninth- or tenth-grade classes are taught. When

requested by the State Regents, the State Board of Education shall assist the State Regents to ensure the designation of contact persons. For students enrolled in a private school or who are educated by other means, a parent or guardian or other person approved by the State Regents shall be designated the contact person.

C. Students who qualify on the basis of financial need according to the standards and provisions promulgated by the Oklahoma State Regents for Higher Education shall be given the opportunity throughout the eighth-, ninth-, and tenth-grade years, for students enrolled in a public or private school, or between thirteen (13) through fifteen (15) years of age, for students who are educated by other means, to enter into participation in the program by agreeing to, throughout the remainder of their school years or educational program:

1. Attend school or an educational program 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 Oklahoma State Regents for Higher Education or 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 Oklahoma State Regents for Higher Education and managed according to regulations promulgated by the Oklahoma State Regents for Higher Education, and the contact person shall monitor the student's compliance with the terms of the agreement. The Oklahoma State Regents for Higher Education are authorized to process student agreements and verify compliance with the agreements. Students failing to comply with the

terms of the agreement shall not be eligible for the awards provided in Section 2604 of this title.

D. A student shall not be found to be in financial need for purposes of the Oklahoma Higher Learning Access Program if the income from taxable and nontaxable sources of the student's parent(s) exceeds Fifty Thousand Dollars (\$50,000.00) per year. The student's financial qualification shall be certified by the contact person ~~at the school~~ or by the Oklahoma State Regents for Higher Education on the agreement form provided by the Oklahoma State Regents for Higher Education; ~~the~~ the form shall be retained in the student's permanent record and a copy forwarded to the Oklahoma State Regents for Higher Education.

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 Oklahoma State Regents for Higher Education or 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. The Oklahoma State Regents for Higher Education shall promulgate rules for the determination of student compliance with agreements made pursuant to this section.

G. The Oklahoma State Regents for Higher Education shall designate personnel to coordinate tracking of program records for the years when students participating in the program are still in the ~~public~~ public schools or are being educated by other means, provide staff development for contact persons in the public schools, and

provide liaison with the State Board of Education and local organizations and individuals participating in the program.

H. The school district where an Oklahoma Higher Learning Access Program student is enrolled when the student begins participation in the program and any subsequent school district where the student enrolls 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.

I. Students participating in the Oklahoma Higher Learning Access Program shall provide their social security number or their student identification number used by their school to the Oklahoma State Regents for Higher Education. The Regents shall keep the numbers confidential and use them only for administrative purposes.

SECTION 3. AMENDATORY Section 3, Chapter 207, O.S.L. 2003 (70 O.S. Supp. 2004, Section 2632), is amended to read as follows:

Section 2632. A. To be eligible for an Oklahoma Tuition Equalization Grant, a student shall:

1. Be an Oklahoma resident as defined by the Oklahoma State Regents for Higher Education;
2. Have enrolled as a full-time undergraduate student in an eligible institution of higher education as prescribed in subsection D of this section;
3. Meet the income eligibility level, which is the student's parents' income from taxable and nontaxable sources which shall not be more than Fifty Thousand Dollars (\$50,000.00) per year or the student's income if the student is independent and self-supporting as determined by the State Regents consistent with federal financial aid regulations;
4. Pay more tuition than is required at a comparable public institution of higher education and pay no less than the regular

tuition required of all students enrolled at the institution where the student is enrolled; and

5. Maintain at least minimum standards of academic performance as required by the enrolling institution.

B. The enrolling institution shall forward a completed student application, documentation of full-time enrollment status, and certification of resident status to the State Regents no later than October 15 for the fall semester and March 15 for the spring semester of each academic year.

C. Subject to the availability of funds in the Oklahoma Tuition Equalization Grant Trust Fund, an Oklahoma Tuition Equalization Grant in the amount of Two Thousand Dollars (\$2,000.00) per academic year, or One Thousand Dollars (\$1,000.00) per academic semester shall be awarded by the State Regents by allocation from the Oklahoma Tuition Equalization Grant Trust Fund, beginning with eligible students enrolled in the 2003-2004 school year. No grants pursuant to this act shall be provided to students for attending summer terms or intersessions.

D. The State Regents shall implement policies and procedures for the administration of this act. The State Regents shall approve as eligible institutions of higher education only those private or independent, not-for-profit colleges or universities that are domiciled within this state, meet approved program and accreditation standards as determined by the State Regents, and are fully accredited by ~~the Higher Learning Commission of the North Central Association on Colleges and Schools~~ a national accrediting body recognized by the United States Department of Education.

E. If funds are not sufficient in the Oklahoma Tuition Equalization Grant Trust Fund to provide grants for all eligible applicants, the State Regents shall award grants on the basis of need and take into consideration other grants and scholarships received by an eligible applicant when awarding grants. Students

who have previously received a tuition equalization grant and who continue to meet the requirements for eligibility shall have absolute priority for continued financial support superior to any student who is applying for a grant for the first time.

F. Students enrolling as first-time freshmen for the 2003-2004 school year shall be the first class of students eligible to apply for Oklahoma Tuition Equalization Grants. In subsequent years, all previously eligible students and the first-time enrolling freshmen students shall be entitled to apply for a grant pursuant to this section. Beginning in the 2007-2008 school year, all eligible students shall be entitled to apply for a grant pursuant to this section.

G. A grant provided 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. The State Regents may award an Oklahoma Tuition Equalization Grant 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 Oklahoma Tuition Equalization Grant recipient may receive benefits beyond a cumulative time period of five (5) years.

H. On or before February 1st after the first semester in which grants are awarded pursuant to this act and every year thereafter, the State Regents shall provide a report to the Governor, President Pro Tempore of the Senate, and the Speaker of the House of Representatives to include, but not be limited to the number of students awarded grants, grade point average, persistence rates, degree completion rates, demographic data, and any other indicators the State Regents deem appropriate.

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.

Passed the House of Representatives the 15th day of March, 2005.

Presiding Officer of the House of
Representatives

Passed the Senate the ____ day of _____, 2005.

Presiding Officer of the Senate