

1 ENGROSSED SENATE
2 BILL NO. 1988

By: Laughlin, Garrison, Bass
and Corn of the Senate

3 and

4 Blackwell of the House

5
6
7 [higher education - Oklahoma Higher Learning Access
8 Program - military service - effective date -
9 emergency]

10

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

12 SECTION 1. AMENDATORY 70 O.S. 2001, Section 2604, is
13 amended to read as follows:

14 Section 2604. A. Subject to the availability of funds, an
15 amount equivalent to the resident tuition for which an eligible
16 Oklahoma Higher Learning Access Program student is obligated at an
17 institution of The Oklahoma State System of Higher Education shall
18 be awarded by allocation from the Oklahoma Higher Learning Access
19 Trust Fund.

20 B. Subject to the availability of funds, for each eligible
21 Oklahoma Higher Learning Access Program student enrolled at a
22 private institution of higher learning located within this state and
23 accredited pursuant to Section 4103 of this title, the Oklahoma
24 State Regents for Higher Education shall award from the Oklahoma

1 Higher Learning Access Trust Fund an amount equivalent to the amount
2 of resident tuition for which the student would be eligible if the
3 student were enrolled in a comparable program at a comparable
4 institution of The Oklahoma State System of Higher Education.
5 Comparability shall be determined by the State Regents.

6 C. Subject to the availability of funds, an amount equivalent
7 to the tuition for any eligible Oklahoma Higher Learning Access
8 Program student enrolled in a public postsecondary vocational-
9 technical program or course for the purpose set forth in Section
10 2602 of this title shall be awarded by allocation from the Oklahoma
11 Higher Learning Access Trust Fund. Provided, such allocation shall
12 not exceed the amount a student would have received for comparable
13 enrollment at a two-year institution within The Oklahoma State
14 System of Higher Education.

15 D. 1. An award allowed by this section shall not be allowed
16 for courses or other postsecondary units taken in excess of the
17 requirements for completion of a baccalaureate program or taken more
18 than five (5) years after the student's first semester of
19 postsecondary enrollment. The Oklahoma State Regents for Higher
20 Education may award the Oklahoma Higher Learning Access Program
21 benefits for courses of postsecondary units taken more than five (5)
22 years after the student's first semester of postsecondary enrollment
23 only in hardship circumstances; provided, however, no Oklahoma
24

1 Higher Learning Access Program participant may receive benefits
2 beyond a cumulative time period of five (5) years.

3 2. The Oklahoma State Regents for Higher Education may award
4 the Oklahoma Higher Learning Access Program benefits for a student's
5 first semester or other academic unit of postsecondary enrollment
6 taken more than three (3) years after the student graduates from
7 high school or completes an educational program equivalent to high
8 school graduation as authorized in Section 2603 if the student is a
9 member of the Armed Forces of the United States, the Reserve Corps
10 of the Armed Forces of the United States, or the Oklahoma National
11 Guard, and is ordered to active duty or active duty for special work
12 or training and due to the duty commitment the student is unable to
13 enroll prior to the end of the three-year period. Such three-year
14 period shall be extended by the length of the term of duty.

15 3. The Oklahoma State Regents for Higher Education may
16 establish a maximum limit on the number of courses or other
17 postsecondary units to which Oklahoma Higher Learning Access Program
18 benefits will apply.

19 4. An award for eligible Oklahoma Higher Learning Access
20 Program students enrolled in cooperative programs pursuant to
21 agreements between technology center schools and institutions of The
22 Oklahoma State System of Higher Education shall be satisfied for
23 both vocational-technical and college work in which enrolled
24 pursuant to such cooperative program.

1 E. Benefits awarded under the Oklahoma Higher Learning Access
2 Program shall be awarded to all eligible applicants without any
3 limitation on the number of awards in any year other than the amount
4 of funds available for the program and the number of eligible
5 applicants. Subject to the provisions of subsection F of this
6 section, if funds are not sufficient to provide awards for all
7 eligible applicants, the Oklahoma State Regents for Higher Education
8 shall make awards on the basis of need. Provided, the Oklahoma
9 State Regents for Higher Education shall take into consideration
10 other grants and scholarships received by an eligible applicant when
11 making awards.

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

1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 2606 of Title 70, unless there
3 is created a duplication in numbering, reads as follows:

4 This act shall be known and may be cited as the "Second Century
5 Promise Act".

6 SECTION 3. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 2607 of Title 70, unless there
8 is created a duplication in numbering, reads as follows:

9 There is hereby created the Second Century Promise program,
10 which shall be considered an integral part of the Oklahoma Higher
11 Learning Access Act and Program. The purpose of the Second Century
12 Promise program is to provide an award to students who meet the
13 criteria set forth in the Second Century Promise Act, and who are
14 pursuing studies in this state leading to an associate or
15 baccalaureate degree or who are pursuing studies in a postsecondary
16 vocational-technical program or course offered pursuant to a duly
17 approved cooperative agreement between a technology center school
18 and an institution of The Oklahoma State System of Higher Education,
19 and who are in good academic standing in the institution of higher
20 education or technology center school in which enrolled, to relieve
21 them of the burden of paying resident tuition and fees at two-year
22 institutions of The Oklahoma State System of Higher Education, to
23 relieve them of the burden of paying tuition and fees for enrollment
24 in postsecondary programs of the technology center districts, or to

1 relieve them of some portion of the burden of paying resident
2 tuition and fees at four-year institutions of The Oklahoma State
3 System of Higher Education.

4 SECTION 4. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 2608 of Title 70, unless there
6 is created a duplication in numbering, reads as follows:

7 A. To be eligible to participate in the Second Century Promise
8 program and qualify for an award pursuant to Section 5 of this act,
9 a student shall:

- 10 1. Be a resident of this state;
- 11 2. a. have graduated from a high school accredited by the
12 State Board of Education or the Oklahoma School of
13 Science and Mathematics with a minimum 2.0 cumulative
14 grade point average on a 4.0 scale for all work
15 attempted in grades nine through twelve,
- 16 b. have graduated from a high school not accredited by
17 the State Board of Education with a minimum 2.0
18 cumulative grade point average on a 4.0 scale for all
19 work attempted in grades nine through twelve and have
20 achieved a composite score of 19 or higher on the ACT
21 test,
- 22 c. have satisfactorily completed an educational program
23 that was provided through a means other than a public
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1 or private school and have achieved a composite score
2 of 19 or higher on the ACT test, or

3 d. have been awarded a General Educational Development
4 State Diploma by the State Department of Education and
5 have achieved a composite score of 19 or higher on the
6 ACT test;

7 3. Not have been adjudicated as a delinquent for an offense
8 defined in Section 571 of Title 57 of the Oklahoma Statutes as an
9 exception to a nonviolent offense or convicted as an adult of an
10 offense defined in Section 571 of Title 57 of the Oklahoma Statutes
11 as an exception to a nonviolent offense;

12 4. Agree to participate in community service activities during
13 the time period of receipt of an award pursuant to this act. The
14 community service requirement shall be determined by each individual
15 postsecondary institution;

16 5. Begin the first semester of postsecondary enrollment no
17 later than the Fall semester immediately following high school
18 graduation, or no later than two (2) years after the student's
19 cohort high school class graduates if the student has been awarded a
20 General Educational Development State Diploma. Exceptions to this
21 requirement may be granted for individuals entering the military or,
22 in the case of an individual's sincerely held religious beliefs, to
23 be determined on a case-by-case basis by the State Regents;

24 6. Have submitted an application for federal financial aid; and

1 7. Meet the income eligibility requirement, for which the
2 student's parent(s) income from taxable sources shall not exceed
3 Fifty Thousand Dollars (\$50,000.00) per year. The determination of
4 eligibility as set forth in this paragraph shall be based on the
5 income of the student, not the income of the parent(s), if a
6 student:

- 7 a. is determined to be independent of the student's
8 parent(s) for federal financial aid purposes,
- 9 b. was in the permanent custody of the Department of
10 Human Services at the time the student reached
11 eighteen (18) years of age, or
- 12 c. was in the court-ordered custody of a federally
13 recognized Indian tribe, as defined by the federal
14 Indian Child Welfare Act, 21 U.S.C. Section 1901 et
15 seq. (1978), at the time the student reached eighteen
16 (18) years of age.

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

- 19 a. be continuously enrolled on at least a half-time
20 basis, and be making progress toward a degree or
21 vocational-technical program certificate,
- 22 b. maintain good academic standing and satisfactory
23 academic progress according to standards of the State

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1 Regents or the State Board of Career and Technology
2 Education, and

3 c. refrain from substance abuse, commission of crimes or
4 delinquent acts, and conduct that leads to expulsion
5 or suspension of more than one semester.

6 SECTION 5. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 2609 of Title 70, unless there
8 is created a duplication in numbering, reads as follows:

9 A. Payment of awards as provided in this section shall begin
10 for students who meet the eligibility requirements as set forth in
11 Section 4 of this act and are enrolling in a higher learning
12 program, who graduate from high school during the 2008-2009 school
13 year, and shall continue for eligible students graduating from high
14 school through the 2012-2013 school year.

15 B. Beginning with students graduating from high school during
16 the 2013-2014 school year, students who complete all requirements
17 for eligibility for the Oklahoma Higher Learning Access Program
18 pursuant to Section 2603 of Title 70 of the Oklahoma Statutes,
19 except did not attain the 2.5 grade point average, but did attain at
20 least a 2.0 grade point average, shall be eligible for payment of
21 awards as provided in this section.

22 C. Subject to the availability of funds, an amount equivalent
23 to the:
24

1 1. Resident tuition and fees for which an eligible student is
2 obligated at a two-year institution of The Oklahoma State System of
3 Higher Education shall be awarded by allocation from the Oklahoma
4 Higher Learning Access Trust Fund. Such awards shall be limited to
5 a total of sixty-four (64) credit hours;

6 2. Average resident tuition and fees charged at all two-year
7 institutions in The Oklahoma State System of Higher Education for
8 which an eligible student is obligated at a four-year institution of
9 The Oklahoma State System of Higher Education shall be awarded by
10 allocation from the Oklahoma Higher Learning Access Trust Fund.
11 Such awards shall be limited to a total of sixty-four (64) credit
12 hours; or

13 3. Tuition and fees for any eligible student enrolled in a
14 public postsecondary vocational-technical program or course for the
15 purpose set forth in Section 3 of this act shall be awarded by
16 allocation from the Oklahoma Higher Learning Access Trust Fund.
17 Provided, such allocation shall not exceed the amount a student
18 would have received for comparable enrollment at a two-year
19 institution within The Oklahoma State System of Higher Education.
20 Such awards shall be limited to the lesser of a two-year time period
21 or completion of the vocational-technical program in which the
22 student is enrolled.

23 D. At anytime after completion of thirty (30) credit hours at a
24 two-year or four-year institution in The Oklahoma State System of

1 Higher Education and attainment of a 2.5 cumulative grade point
2 average, a student who received an award as set forth in Subsection
3 A or B of this section shall qualify for full Oklahoma Higher
4 Learning Access Program benefits as provided in Section 2604 of
5 Title 70 of the Oklahoma Statutes, subject to the family income
6 limitations specified in Section 2605 of Title 70 of the Oklahoma
7 Statutes.

8 E. An award allowed by this section shall not be allowed for
9 remedial courses, courses or other postsecondary units taken in
10 excess of the requirements for completion of a baccalaureate
11 program, or courses taken more than five (5) years after the
12 student's first semester of postsecondary enrollment. The Oklahoma
13 State Regents for Higher Education may award benefits for courses of
14 postsecondary units taken more than five (5) years after the
15 student's first semester of postsecondary enrollment only in
16 hardship circumstances; provided, however, no participant may
17 receive benefits beyond a cumulative time period of five (5) years.
18 An award for eligible students enrolled in cooperative programs
19 pursuant to agreements between technology center schools and
20 institutions of The Oklahoma State System of Higher Education shall
21 be satisfied for both vocational-technical and college work in which
22 enrolled pursuant to such cooperative program.

23 F. Benefits shall be awarded to all eligible applicants without
24 any limitation on the number of awards in any year other than the

1 amount of funds available for the program and the number of eligible
2 applicants. Subject to the provisions of subsection G of this
3 section, if funds are not sufficient to provide awards for all
4 eligible applicants, the Oklahoma State Regents for Higher Education
5 shall make awards on the basis of need. Provided, the Oklahoma
6 State Regents for Higher Education shall take into consideration
7 other grants and scholarships received by an eligible applicant when
8 making awards.

9 G. The Oklahoma State Regents for Higher Education may, at the
10 time an award is made on behalf of an eligible student, set aside in
11 the Oklahoma Higher Learning Access Trust Fund funds for the full
12 commitment made to such student. For all academic years, students
13 who have previously received awards under the provisions of this
14 act, and who have continued at all times to fulfill the requirements
15 for eligibility to receive awards provided pursuant to this program,
16 shall be given an absolute priority for continued financial support
17 superior to any students who are applying for such benefits for the
18 first time.

19 SECTION 6. AMENDATORY 70 O.S. 2001, Section 2603, as
20 last amended by Section 6, Chapter 355, O.S.L. 2007 (70 O.S. Supp.
21 2007, Section 2603), is amended to read as follows:

22 Section 2603. A. To be eligible to participate in the Oklahoma
23 Higher Learning Access Program and to qualify for an award which
24 includes payment of an amount equivalent to resident tuition or

1 other tuition pursuant to Section 2604 of this title for the first
2 semester or other academic unit of postsecondary enrollment, a
3 student shall:

4 1. Be a resident of this state;

5 2. Be a United States citizen or lawfully present in the United
6 States. A student who is not a United States citizen or lawfully
7 present in the United States shall not be eligible to participate in
8 the Oklahoma Higher Learning Access Program and to qualify for an
9 award notwithstanding the provisions of Section 3242 of this title.

10 The provisions of this paragraph shall not apply to any student who
11 was enrolled in the Oklahoma Higher Learning Access Program prior to
12 the end of the 2006-2007 school year;

13 3. Have a record of satisfactory compliance with agreements
14 executed pursuant to Section 2605 of this title;

15 4. a. have graduated within the previous three (3) years
16 from a high school accredited by the State Board of
17 Education, or the Oklahoma School of Science and
18 Mathematics with a minimum 2.5 cumulative grade point
19 average on a 4.0 scale for all work attempted in
20 grades nine through twelve,

21 b. have graduated within the previous three (3) years
22 from a high school not accredited by the State Board
23 of Education with a minimum 2.5 cumulative grade point
24 average on a 4.0 scale for all work attempted in

1 grades nine through twelve and have achieved a
2 composite score of 22 or higher on the ACT test, or
3 c. have satisfactorily completed within the previous
4 three (3) years an educational program that was
5 provided through a means other than a public or
6 private school and have achieved a composite score of
7 22 or higher on the ACT test;

8 5. Have completed the curricular requirements for admission to
9 an institution within The Oklahoma State System of Higher Education
10 and one additional unit or set of competencies in a course that
11 meets college admission requirements. The curriculum requirements
12 shall include two units or sets of competencies in foreign or non-
13 English language or technology courses that meet the college
14 admission requirements and one unit or set of competencies of a fine
15 arts course. Students shall also have attained a 2.5 grade point
16 average in the core curriculum courses. Students who attended a
17 high school which did not offer all the core curriculum courses or
18 students who were educated by other means and were not offered all
19 the core curriculum courses shall be allowed to satisfy this
20 curriculum requirement by participating in a program approved by the
21 State Regents for remediation of high school curricular
22 deficiencies;

23 6. Have satisfied admission standards as determined by the
24 Oklahoma State Regents for Higher Education for first-time-entering

1 students for the appropriate type of institution, or, if attending a
2 private institution, have satisfied admission standards as
3 determined by the private institution; provided, no student
4 participating in the Oklahoma Higher Learning Access Program shall
5 be admitted into an institution of higher education by special
6 admission standards;

7 7. Have secured admission to, and enrolled in, an institution
8 which is a member of The Oklahoma State System of Higher Education,
9 a postsecondary vocational-technical program offered pursuant to a
10 duly approved cooperative agreement between a technology center
11 school and an institution of The Oklahoma State System of Higher
12 Education, or a private institution of higher learning located
13 within this state and accredited pursuant to Section 4103 of this
14 title; ~~and~~

15 8. Have established financial need according to the provisions
16 of Section 2605 of this title and standards and provisions
17 promulgated by the Oklahoma State Regents for Higher Education; and

18 9. Have submitted an application for federal financial aid.

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

21 1. Achieve a minimum grade point average of 2.0 on a 4.0 scale
22 or its equivalent for courses taken during the student's sophomore
23 year and achieve a minimum grade point average of 2.5 on a 4.0 scale
24 or its equivalent for courses taken during the student's junior year

1 and thereafter. The provisions of this paragraph shall not apply to
2 any student who has received an Oklahoma Higher Learning Access
3 Program benefit award prior to the 2009-2010 school year;

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

7 3. Comply with the standards related to maintenance of
8 eligibility as promulgated by the Oklahoma State Regents for Higher
9 Education; ~~and~~

10 4. Refrain from conduct that leads to expulsion or suspension
11 of more than one semester from an institution of higher education.

12 A student who violates the provisions of this paragraph shall
13 permanently lose eligibility for program benefits. The provisions
14 of this paragraph shall become effective January 1, 2008; and

15 5. Have submitted an application for federal financial aid.

16 C. The Oklahoma State Regents for Higher Education and the
17 State Board of Career and Technology Education shall promulgate
18 rules relating to maintenance of eligibility under this act by a
19 student.

20 D. It is the intent of the Legislature that students in the
21 ninth grade for the 1992-93 school year who are determined to be
22 eligible Oklahoma Higher Learning Access students pursuant to this
23 act shall be the first students eligible for benefits from the
24 Oklahoma Higher Learning Access Trust Fund.

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

5 SECTION 7. AMENDATORY 70 O.S. 2001, Section 2605, as
6 last amended by Section 7, Chapter 355, O.S.L. 2007 (70 O.S. Supp.
7 2007, Section 2605), is amended to read as follows:

8 Section 2605. A. Each school year, every fifth- through ninth-
9 grade student in the public and private schools of this state and
10 students who are educated by other means and are in the equivalent
11 of the fifth through ninth grade shall be apprised, together with
12 the student's parent, custodial parent, or guardian, of the
13 student's opportunity for access to higher learning under the
14 Oklahoma Higher Learning Access Program. The Oklahoma State Regents
15 for Higher Education and the State Board of Education shall develop,
16 promote, and coordinate a public awareness program to be utilized in
17 making students and parents aware of the Oklahoma Higher Learning
18 Access Program.

19 B. 1. On a form provided by the Oklahoma State Regents for
20 Higher Education, every public school district shall designate at
21 least one Oklahoma Higher Learning Access Program contact person,
22 who shall be a counselor or teacher, at each public school site in
23 this state in which eighth-, ninth- or tenth-grade classes are
24 taught. When requested by the State Regents, the State Board of

1 Education shall assist the State Regents to ensure the designation
2 of contact persons. Private schools shall also designate at least
3 one school official as a contact person. For students who are
4 educated by other means, a parent or guardian or other person
5 approved by the State Regents shall be designated the contact
6 person.

7 2. School districts and private schools shall ensure that all
8 students enrolling in the ninth, tenth, and eleventh grades have
9 made application or the student's parent or guardian has determined
10 the student is ineligible for the Oklahoma Higher Learning Access
11 Program at the time of enrollment.

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

- 21 1. Attend school or an educational program regularly and do
22 homework regularly;
- 23 2. Refrain from substance abuse;
- 24 3. Refrain from commission of crimes or delinquent acts;

1 4. Have school work and school records reviewed by mentors
2 designated pursuant to the program;

3 5. Provide information requested by the Oklahoma State Regents
4 for Higher Education or the State Board of Education; and

5 6. Participate in program activities.

6 The contact person shall maintain the agreements, which shall be
7 executed on forms provided by the Oklahoma State Regents for Higher
8 Education and managed according to regulations promulgated by the
9 Oklahoma State Regents for Higher Education, and the contact person
10 shall monitor the student's compliance with the terms of the
11 agreement. The Oklahoma State Regents for Higher Education are
12 authorized to process student agreements and verify compliance with
13 the agreements. Students failing to comply with the terms of the
14 agreement shall not be eligible for the awards provided in Section
15 2604 of this title.

16 D. A student shall not be found to be in financial need for
17 purposes of the Oklahoma Higher Learning Access Program if:

18 1. At the time the student applies for participation in the
19 Program during the eighth, ninth or tenth grade for students
20 enrolled in a public or private school, or between the ages of
21 thirteen (13) and fifteen (15), for students who are educated by
22 other means, the income from taxable ~~and nontaxable~~ sources of the
23 student's parent(s) exceeds Fifty Thousand Dollars (\$50,000.00) per
24 year; and

1 2. At the time the student begins postsecondary education and
2 prior to receiving any Oklahoma Higher Learning Access Program
3 benefit award, the income from taxable ~~and nontaxable~~ sources of the
4 student's parent(s) exceeds One Hundred Thousand Dollars
5 (\$100,000.00) per year.

6 The determination of financial qualification as set forth in
7 this paragraph shall be based on the income of the student, not the
8 income of the parent(s), if a student:

- 9 a. is determined to be independent of the student's
10 parents for federal financial aid purposes,
- 11 b. was in the permanent custody of the Department of
12 Human Services at the time the student enrolled in the
13 program, or
- 14 c. was in the court-ordered custody of a federally
15 recognized Indian tribe, as defined by the federal
16 Indian Child Welfare Act, 21 U.S.C. Section 1901 et
17 seq. (1978), at the time the student enrolled in the
18 program.

19 The provisions of this paragraph shall not apply to any student
20 who has received an Oklahoma Higher Learning Access Program benefit
21 award prior to the 2009-2010 school year.

22 E. The financial qualification of a student as set forth in
23 subsection D of this section shall be certified by the contact
24 person or by the Oklahoma State Regents for Higher Education on the

1 agreement form provided by the Oklahoma State Regents for Higher
2 Education. The form shall be retained in the permanent record of
3 the student and a copy forwarded to the Oklahoma State Regents for
4 Higher Education.

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

7 1. Assist the student in achieving compliance with the
8 agreements;

9 2. Confer, when requested to do so, with the school contact
10 person, other school personnel, and program mentors;

11 3. Provide information requested by the Oklahoma State Regents
12 for Higher Education or the State Board of Education; and

13 4. Assist the student in completing forms and reports required
14 for program participation, making applications to institutions and
15 schools of higher learning, and filing applications for student
16 grants and scholarships.

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

20 H. The Oklahoma State Regents for Higher Education shall
21 designate personnel to coordinate tracking of program records for
22 the years when students participating in the program are still in
23 the schools or are being educated by other means, provide staff
24 development for contact persons in the schools, and provide liaison

1 with the State Board of Education and local organizations and
2 individuals participating in the program.

3 I. The school district where an Oklahoma Higher Learning Access
4 Program student is enrolled when the student begins participation in
5 the program and any subsequent school district where the student
6 enrolls shall forward information regarding the student's
7 participation in the program to a school to which the student
8 transfers upon the school's request for the student's records.

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

14 SECTION 8. AMENDATORY 70 O.S. 2001, Section 3951.1, as
15 amended by Section 8, Chapter 355, O.S.L. 2007 (70 O.S. Supp. 2007,
16 Section 3953.1), is amended to read as follows:

17 Section 3953.1 A. There is hereby created a trust fund to be
18 known as the "Oklahoma Higher Learning Access Trust Fund". The
19 Oklahoma State Regents for Higher Education shall be the trustees of
20 ~~said Trust Fund~~ the fund.

21 B. The State Regents shall utilize ~~said~~ the Oklahoma Higher
22 Learning Access Trust Fund to implement the provisions of Sections
23 2601 through 2604 of this title and Sections 2-5 of this act.

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1 C. The Oklahoma Higher Learning Access Trust Fund principal
2 shall consist of monies the Legislature appropriates or transfers to
3 the Oklahoma State Regents for Higher Education for the ~~Trust Fund~~
4 fund and any monies or assets contributed to the ~~Trust Fund~~ fund
5 from any other source, public or private. All monies accruing to
6 the credit of ~~said~~ the fund are hereby appropriated and may be
7 budgeted and expended by the State Regents. Expenditures from ~~said~~
8 the fund shall be made upon warrants issued by the State Treasurer
9 against claims filed as prescribed by law with the Director of State
10 Finance for approval and payment.

11 D. Notwithstanding other provisions of law, income and
12 investment return on Oklahoma Higher Learning Access Trust Fund
13 principal shall accrue to the ~~Trust Fund~~ fund for use as provided by
14 authorization of the trustees for the purposes provided in Sections
15 2601 through 2604 of this title and Sections 2-5 of this act. The
16 State Regents may also utilize the ~~Trust Fund~~ fund principal for the
17 purposes provided in Sections 2601 through 2604 of this title and
18 Sections 2-5 of this act. Except as otherwise provided by law, no
19 such income or investment return or principal shall be used for
20 administrative expenses; expenses incurred by the State Regents in
21 the administration of the ~~Trust Fund~~ fund and of the Oklahoma Higher
22 Learning Access Program established by the Oklahoma Higher Learning
23 Access Act shall be paid from monies appropriated to the State
24 Regents coordinating board for their general operating budget.

1 E. The Regents shall adopt rules for accomplishing transfer of
2 funds from the Oklahoma Higher Learning Access Trust Fund to the
3 appropriate institutional Educational and General Operations
4 Revolving Funds, as provided in Section 3901 of this title, to
5 private institutions, and to the appropriate technology center
6 school district to cover general enrollment fees or tuition for
7 eligible students pursuant to the Oklahoma Higher Learning Access
8 Act. Allocations from the Oklahoma Higher Learning Access Trust
9 Fund may be made only for the purpose of covering the general
10 enrollment fees or tuition of eligible students. No portion of the
11 Oklahoma Higher Learning Access Trust Fund may be used or allocated
12 for administrative or operating expenses of any higher education
13 institution or technology center school.

14 SECTION 9. This act shall become effective July 1, 2008.

15 SECTION 10. It being immediately necessary for the preservation
16 of the public peace, health and safety, an emergency is hereby
17 declared to exist, by reason whereof this act shall take effect and
18 be in full force from and after its passage and approval.

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