

SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION BY SENATE

FLOOR AMENDMENT

No. _____

(Date)

Mr./Madame President:

I move to amend the amendment to House Bill No. 2446 submitted by Senator Paddock on April 9, 2008 (HB2446 (4-09-08) (Paddock) FA1) as follows:

Page 7, Line 7, by deleting the period "." and inserting the language "; and"

Page 7, Line 7 ½, by inserting "9. Have submitted an application for federal financial aid."

Page 7, Line 23, by deleting the period "." and inserting the language "; and"

Page 7, Line 23 ½, by inserting "5. Have submitted an application for federal financial aid."

Page 8, Line 20, by inserting after the period "." and before the word "On" the language "1."

Page 9, Line 3 ½, by inserting the language:

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

Page 10, Line 7, by deleting all language after the word "taxable"

Page 10, Line 10, by deleting all language after the word "taxable" and before the word "sources"

By inserting new SECTIONS 4 - 8 to read as per attached, by renumbering subsequent sections, and by amending the title to conform.

Submitted by:

Senator Corn

Corn-KM-FA-HB2446
4/10/2008 9:37 AM

1 SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as
2 Section 2606 of Title 70, unless there is created a duplication in numbering, reads as follows:

3 This act shall be known and may be cited as the “Second Century Promise Act”.

4 SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as
5 Section 2607 of Title 70, unless there is created a duplication in numbering, reads as follows:

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

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

21 A. To be eligible to participate in the Second Century Promise program and qualify for an award
22 pursuant to Section 6 of this act, a student shall:

23 1. Be a resident of this state;

24

1 case of an individual's sincerely held religious beliefs, to be determined on a case-by-case basis by the
2 State Regents;

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

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

8 a. is determined to be independent of the student's parent(s) for federal financial aid
9 purposes,

10 b. was in the permanent custody of the Department of Human Services at the time
11 the student reached eighteen (18) years of age, or

12 c. was in the court-ordered custody of a federally recognized Indian tribe, as defined
13 by the federal Indian Child Welfare Act, 21 U.S.C. Section 1901 et seq. (1978), at
14 the time the student reached eighteen (18) years of age.

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

17 a. be continuously enrolled on at least a half-time basis, and be making progress
18 toward a degree or vocational-technical program certificate,

19 b. maintain good academic standing and satisfactory academic progress according to
20 standards of the State Regents or the State Board of Career and Technology
21 Education, and

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

24

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

3 A. Payment of awards as provided in this section shall begin for students who meet the
4 eligibility requirements as set forth in Section 6 of this act and are enrolling in a higher learning
5 program, who graduate from high school during the 2008-2009 school year, and shall continue for
6 eligible students graduating from high school through the 2012-2013 school year.

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

12 C. Subject to the availability of funds, an amount equivalent to the:

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

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

22 3. Tuition and fees for any eligible student enrolled in a public postsecondary vocational-
23 technical program or course for the purpose set forth in Section 5 of this act shall be awarded by
24 allocation from the Oklahoma Higher Learning Access Trust Fund. Provided, such allocation shall not

1 exceed the amount a student would have received for comparable enrollment at a two-year institution
2 within The Oklahoma State System of Higher Education. Such awards shall be limited to the lesser of
3 a two-year time period or completion of the vocational-technical program in which the student is
4 enrolled.

5 D. At anytime after completion of thirty (30) credit hours at a two-year or four-year institution
6 in The Oklahoma State System of Higher Education and attainment of a 2.5 cumulative grade point
7 average, a student who received an award as set forth in Subsection A or B of this section shall qualify
8 for full Oklahoma Higher Learning Access Program benefits as provided in Section 2604 of Title 70 of
9 the Oklahoma Statutes, subject to the family income limitations specified in Section 2605 of Title 70
10 of the Oklahoma Statutes.

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

21 F. Benefits shall be awarded to all eligible applicants without any limitation on the number of
22 awards in any year other than the amount of funds available for the program and the number of eligible
23 applicants. Subject to the provisions of subsection G of this section, if funds are not sufficient to
24 provide awards for all eligible applicants, the Oklahoma State Regents for Higher Education shall

1 make awards on the basis of need. Provided, the Oklahoma State Regents for Higher Education shall
2 take into consideration other grants and scholarships received by an eligible applicant when making
3 awards.

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

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

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

16 B. The State Regents shall utilize ~~said the Oklahoma Higher Learning Access~~ Trust Fund to
17 implement the provisions of Sections 2601 through 2604 of this title and Sections 4-7 of this act.

18 C. The Oklahoma Higher Learning Access Trust Fund principal shall consist of monies the
19 Legislature appropriates or transfers to the Oklahoma State Regents for Higher Education for the ~~Trust~~
20 ~~Fund~~ fund and any monies or assets contributed to the ~~Trust Fund~~ fund from any other source, public
21 or private. All monies accruing to the credit of ~~said the~~ the fund are hereby appropriated and may be
22 budgeted and expended by the State Regents. Expenditures from ~~said the~~ the fund shall be made upon
23 warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of
24 State Finance for approval and payment.

1 D. Notwithstanding other provisions of law, income and investment return on Oklahoma Higher
2 Learning Access Trust Fund principal shall accrue to the ~~Trust Fund~~ fund for use as provided by
3 authorization of the trustees for the purposes provided in Sections 2601 through 2604 of this title and
4 Sections 4-7 of this act. The State Regents may also utilize the ~~Trust Fund~~ fund principal for the
5 purposes provided in Sections 2601 through 2604 of this title and Sections 4-7 of this act. Except as
6 otherwise provided by law, no such income or investment return or principal shall be used for
7 administrative expenses; expenses incurred by the State Regents in the administration of the ~~Trust~~
8 ~~Fund~~ fund and of the Oklahoma Higher Learning Access Program established by the Oklahoma Higher
9 Learning Access Act shall be paid from monies appropriated to the State Regents coordinating board
10 for their general operating budget.

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

20
21
22
23
24