CS for HB 1762

THE HOUSE OF REPRESENTATIVES
Tuesday, March 6, 2007

Committee Substitute for

House Bill No. 1762

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1762 - By: BLACKWELL of the House and LAUGHLIN of the Senate.

An Act relating to schools; amending 70 O.S. 2001, Sections 2603, as amended by Section 1, Chapter 293, O.S.L. 2002 and 2605, as amended by Section 1, Chapter 134, O.S.L. 2003 (70 O.S. Supp. 2006, Sections 2603 and 2605), which relate to the Oklahoma Higher Learning Access Act; updating statutory language; modifying eligibility requirements for certain students; allowing certain students to begin participation in the program; setting deadline for completion of agreements; and declaring an 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. 2006, 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 <u>or be enrolled in a school district located in this state that serves students who reside in both this state and an adjacent state pursuant to a contract as authorized in Section 5-117.1 of this title</u>;

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;

4. 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. 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 shall be allowed to satisfy this requirement by participating in a

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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~~. 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:

a. eighth-grade ~~year~~, ninth-grade ~~year~~ or tenth-grade year, or

b. eleventh-grade or twelfth-grade year if the student qualifies for participation in the program pursuant to subsection F of Section 2605 of this title,

according to the standards and provisions promulgated by the Oklahoma State Regents for Higher Education~~; a~~. A student who satisfies the financial need criteria upon initial participation in the Oklahoma Higher Learning Access Program ~~during the eighth,~~

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~~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.

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 <u>by a student</u>.

SECTION 2. AMENDATORY 70 O.S. 2001, Section 2605, as amended by Section 1, Chapter 134, O.S.L. 2003 (70 O.S. Supp. 2006, Section 2605), is amended to read as follows:

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Section 2605. A. Each school year, every fifth- through ninth-grade student in the public schools of this state shall be apprised, together with the ~~student's~~ parent, custodial parent, or guardian <u>of the student</u>, 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.

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 to enter into participation in the program by agreeing to, throughout the remainder of their school years:

1. Attend school regularly and do homework regularly;

2. Refrain from substance abuse;

3. Refrain from commission of crimes or delinquent acts;

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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 of the student 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 of the student and a copy forwarded to the Oklahoma State Regents for Higher Education.

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E. Agreements shall be witnessed by the ~~student's~~ parent, custodial parent, or guardian of the student, 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. Students who are enrolled in a school district located in this state that serves students who reside in both this state and an adjacent state pursuant to a contract as authorized in Section 5-117.1 of this title, are in the eleventh- and twelfth-grade during the 2006-2007 school year, and who were denied participation in the program shall be allowed to enter or reenter into participation in the program by entering into agreements as set forth in subsections C and D of this section by June 1, 2008.

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

~~G.~~ H. 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 schools, provide staff development for contact persons

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

~~H.~~ I. 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 by the student in the program to a school to which the student transfers upon the ~~school's~~ request of the school for the ~~student's~~ records of the student.

~~I.~~ J. 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. 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.

COMMITTEE REPORT BY: COMMITTEE ON EDUCATION, dated 03-05-07 - DO PASS, As Amended and Coauthored.

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