

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 SENATE BILL 1931

By: Paddack

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5
6 AS INTRODUCED

7 An Act relating to higher education; amending 70 O.S.
8 2001, Section 2605, as last amended by Section 7,
9 Chapter 355, O.S.L. 2007 (70 O.S. Supp. 2007, Section
10 2605), which relates to the Oklahoma Higher Learning
11 Access Program; providing eligibility for students
12 with a parent who is a public school teacher;
13 specifying certain income limitation; requiring
14 continuation of teaching service for duration of
15 certain benefits; and providing an effective date.

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

17 SECTION 1. AMENDATORY 70 O.S. 2001, Section 2605, as
18 last amended by Section 7, Chapter 355, O.S.L. 2007 (70 O.S. Supp.
19 2007, Section 2605), is amended to read as follows:

20 Section 2605. A. Each school year, every fifth- through ninth-
21 grade student in the public and private schools of this state and
22 students who are educated by other means and are in the equivalent
23 of the fifth through ninth grade shall be apprised, together with
24 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

1 for Higher Education and the State Board of Education shall develop,
2 promote, and coordinate a public awareness program to be utilized in
3 making students and parents aware of the Oklahoma Higher Learning
4 Access Program.

5 B. On a form provided by the Oklahoma State Regents for Higher
6 Education, every public school district shall designate at least one
7 Oklahoma Higher Learning Access Program contact person, who shall be
8 a counselor or teacher, at each public school site in this state in
9 which eighth-, ninth- or tenth-grade classes are taught. When
10 requested by the State Regents, the State Board of Education shall
11 assist the State Regents to ensure the designation of contact
12 persons. Private schools shall also designate at least one school
13 official as a contact person. For students who are educated by
14 other means, a parent or guardian or other person approved by the
15 State Regents shall be designated the contact person.

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

- 1 1. Attend school or an educational program regularly and do
2 homework regularly;
- 3 2. Refrain from substance abuse;
- 4 3. Refrain from commission of crimes or delinquent acts;
- 5 4. Have school work and school records reviewed by mentors
6 designated pursuant to the program;
- 7 5. Provide information requested by the Oklahoma State Regents
8 for Higher Education or the State Board of Education; and
- 9 6. Participate in program activities.

10 The contact person shall maintain the agreements, which shall be
11 executed on forms provided by the Oklahoma State Regents for Higher
12 Education and managed according to regulations promulgated by the
13 Oklahoma State Regents for Higher Education, and the contact person
14 shall monitor the student's compliance with the terms of the
15 agreement. The Oklahoma State Regents for Higher Education are
16 authorized to process student agreements and verify compliance with
17 the agreements. Students failing to comply with the terms of the
18 agreement shall not be eligible for the awards provided in Section
19 2604 of this title.

20 D. Except as provided for in subsection E of this section, A
21 student shall not be found to be in financial need for purposes of
22 the Oklahoma Higher Learning Access Program if:

- 23 1. At the time the student applies for participation in the
24 Program during the eighth, ninth or tenth grade for students

1 enrolled in a public or private school, or between the ages of
2 thirteen (13) and fifteen (15), for students who are educated by
3 other means, the income from taxable and nontaxable sources of the
4 student's parent(s) exceeds Fifty Thousand Dollars (\$50,000.00) per
5 year; and

6 2. At the time the student begins postsecondary education and
7 prior to receiving any Oklahoma Higher Learning Access Program
8 benefit award, the income from taxable and nontaxable sources of the
9 student's parent(s) exceeds One Hundred Thousand Dollars
10 (\$100,000.00) per year.

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

- 14 a. is determined to be independent of the student's
15 parents for federal financial aid purposes,
- 16 b. was in the permanent custody of the Department of
17 Human Services at the time the student enrolled in the
18 program, or
- 19 c. was in the court-ordered custody of a federally
20 recognized Indian tribe, as defined by the federal
21 Indian Child Welfare Act, at the time the student
22 enrolled in the program.

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

4 E. For a student with a parent who is a certified teacher with
5 a minimum of six (6) years experience employed with a public school
6 in this state, the student shall not be found to be in financial
7 need for purposes of the Oklahoma Higher Learning Access Program if
8 at the time the student applies for participation in the Program,
9 the income from taxable and nontaxable sources of the student's
10 parent(s) exceeds One Hundred Thousand Dollars (\$100,000.00) per
11 year; provided, the student's parent who is a certified teacher must
12 continue to teach in a public school in this state for the duration
13 of the award of benefits pursuant to this Program.

14 F. The financial qualification of a student as set forth in
15 ~~subsection~~ subsections D and E of this section shall be certified by
16 the contact person or by the Oklahoma State Regents for Higher
17 Education on the agreement form provided by the Oklahoma State
18 Regents for Higher Education. The form shall be retained in the
19 permanent record of the student and a copy forwarded to the Oklahoma
20 State Regents for Higher Education.

21 ~~F.~~ G. Agreements shall be witnessed by the student's parent,
22 custodial parent, or guardian, who shall further agree to:

23 1. Assist the student in achieving compliance with the
24 agreements;

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

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

5 4. Assist the student in completing forms and reports required
6 for program participation, making applications to institutions and
7 schools of higher learning, and filing applications for student
8 grants and scholarships.

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

12 ~~H.~~ I. The Oklahoma State Regents for Higher Education shall
13 designate personnel to coordinate tracking of program records for
14 the years when students participating in the program are still in
15 the schools or are being educated by other means, provide staff
16 development for contact persons in the schools, and provide liaison
17 with the State Board of Education and local organizations and
18 individuals participating in the program.

19 ~~I.~~ J. The school district where an Oklahoma Higher Learning
20 Access Program student is enrolled when the student begins
21 participation in the program and any subsequent school district
22 where the student enrolls shall forward information regarding the
23 student's participation in the program to a school to which the
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1 student transfers upon the school's request for the student's
2 records.

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

8 SECTION 2. This act shall become effective November 1, 2008.

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