

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 SUBCOMMITTEE RECOMMENDATION  
4 FOR

5 HOUSE BILL NO. 1421

6 By: Casey

7 SUBCOMMITTEE RECOMMENDATION

8 An Act relating to higher education; amending 70 O.S.  
9 2001, Section 2604, as last amended by Section 2,  
10 Chapter 437, O.S.L. 2009 (70 O.S. Supp. 2010, Section  
11 2604), which relates to Oklahoma Higher Learning  
12 Access Program awards; limiting payment of awards for  
13 courses or units dropped or failed by a student;  
14 providing for repayment or an adjustment in the award  
15 of a certain amount; specifying application;  
16 clarifying language; providing an effective date; and  
17 declaring an emergency.

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

19 SECTION 1. AMENDATORY 70 O.S. 2001, Section 2604, as  
20 last amended by Section 2, Chapter 437, O.S.L. 2009 (70 O.S. Supp.  
21 2010, Section 2604), is amended to read as follows:

22 Section 2604. A. Subject to the availability of funds, an  
23 amount equivalent to the nonguaranteed resident tuition for which an  
24 eligible Oklahoma Higher Learning Access Program student is  
obligated at an institution of The Oklahoma State System of Higher

1 Education shall be awarded by allocation from the Oklahoma Higher  
2 Learning Access Trust Fund.

3 B. Subject to the availability of funds, for each eligible  
4 Oklahoma Higher Learning Access Program student enrolled at a  
5 private institution of higher learning located within this state and  
6 accredited pursuant to Section 4103 of this title, the Oklahoma  
7 State Regents for Higher Education shall award from the Oklahoma  
8 Higher Learning Access Trust Fund an amount equivalent to the amount  
9 of resident tuition for which the student would be eligible if the  
10 student were enrolled in a comparable program at a comparable  
11 institution of The Oklahoma State System of Higher Education.  
12 Comparability shall be determined by the State Regents.

13 C. Subject to the availability of funds, an amount equivalent  
14 to the tuition for any eligible Oklahoma Higher Learning Access  
15 Program student enrolled in a public postsecondary vocational-  
16 technical program or course for the purpose set forth in Section  
17 2602 of this title shall be awarded by allocation from the Oklahoma  
18 Higher Learning Access Trust Fund. Provided, such allocation shall  
19 not exceed the amount a student would have received for comparable  
20 enrollment at a two-year institution within The Oklahoma State  
21 System of Higher Education.

22 D. An award allowed by this section shall not include an amount  
23 equivalent to tuition for courses or units taken by an eligible  
24 Oklahoma Higher Learning Access Program student if the student

1 withdraws from the course or unit after the add/drop deadline  
2 established by the institution or if the student receives a failing  
3 grade in the course or unit. If funds have been allocated to an  
4 institution prior to the student dropping or failing a course or  
5 unit, the student shall be required to repay to the Program an  
6 amount equivalent to tuition paid for the course or unit or the next  
7 payment made on behalf of the student shall be adjusted by  
8 subtracting an amount equivalent to tuition paid for the course or  
9 unit. The provisions of this subsection shall not apply to any  
10 student who has received an Oklahoma Higher Learning Access Program  
11 benefit award prior to the 2011-2012 school year.

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

23 2. The Oklahoma State Regents for Higher Education may award  
24 the Oklahoma Higher Learning Access Program benefits for a student's

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

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

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

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

22 SECTION 2. This act shall become effective July 1, 2011.

23 SECTION 3. It being immediately necessary for the preservation  
24 of the public peace, health and safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and  
2 be in full force from and after its passage and approval.

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