

1 ENGROSSED HOUSE
2 BILL NO. 3112

By: Hickman of the House

3 and

4 Brecheen of the Senate

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6
7 An Act relating to higher education; amending 70 O.S.
8 2011, Section 2604, which relates to Oklahoma Higher
9 Learning Access Program awards; limiting payment of
10 awards for remedial non-credit-earning courses or
11 units; specifying application; requiring certain
12 institutions to provide students in need of
13 remediation with certain enrollment options; and
14 providing for codification.

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

16 SECTION 1. AMENDATORY 70 O.S. 2011, Section 2604, is
17 amended to read as follows:

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

24 B. Subject to the availability of funds, for each eligible
Oklahoma Higher Learning Access Program student enrolled at a
private institution of higher learning located within this state and

1 accredited pursuant to Section 4103 of this title, the Oklahoma
2 State Regents for Higher Education shall award from the Oklahoma
3 Higher Learning Access Trust Fund an amount equivalent to the amount
4 of resident tuition for which the student would be eligible if the
5 student were enrolled in a comparable program at a comparable
6 institution of The Oklahoma State System of Higher Education.
7 Comparability shall be determined by the State Regents.

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

17 D. An award allowed by this section shall not include an amount
18 equivalent to tuition or fees for remedial non-credit-earning
19 courses or units taken by an eligible Oklahoma Higher Learning
20 Access Program student. The provisions of this subsection shall not
21 apply to any student who has received an Oklahoma Higher Learning
22 Access Program benefit award prior to the 2013-2014 school year.

23 E. 1. An award allowed by this section shall not be allowed
24 for courses or other postsecondary units taken in excess of the

1 requirements for completion of a baccalaureate program or taken more
2 than five (5) years after the student's first semester of
3 postsecondary enrollment. The Oklahoma State Regents for Higher
4 Education may award the Oklahoma Higher Learning Access Program
5 benefits for courses of postsecondary units taken more than five (5)
6 years after the student's first semester of postsecondary enrollment
7 only in hardship circumstances; provided, however, no Oklahoma
8 Higher Learning Access Program participant may receive benefits
9 beyond a cumulative time period of five (5) years.

10 2. The Oklahoma State Regents for Higher Education may award
11 the Oklahoma Higher Learning Access Program benefits for a student's
12 first semester or other academic unit of postsecondary enrollment
13 taken more than three (3) years after the student graduates from
14 high school or completes an educational program equivalent to high
15 school graduation as authorized in subsection A of Section 2603 of
16 this title or after the student turns twenty-one (21) years of age
17 as authorized in subsection B of Section 2603 of this title if the
18 student is a member of the Armed Forces of the United States, the
19 Reserve Corps of the Armed Forces of the United States, or the
20 Oklahoma National Guard, and is ordered to active duty or active
21 duty for special work or training and due to the duty commitment the
22 student is unable to enroll prior to the end of the three-year
23 period or before the student reaches twenty-one (21) years of age.
24 The period shall be extended by the length of the term of duty.

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

5 4. An award for eligible Oklahoma Higher Learning Access
6 Program students enrolled in cooperative programs pursuant to
7 agreements between technology center schools and institutions of The
8 Oklahoma State System of Higher Education shall be satisfied for
9 both vocational-technical and college work in which enrolled
10 pursuant to such cooperative program.

11 ~~F.~~ F. Benefits awarded under the Oklahoma Higher Learning
12 Access Program shall be awarded to all eligible applicants without
13 any limitation on the number of awards in any year other than the
14 amount of funds available for the program and the number of eligible
15 applicants. Subject to the provisions of subsection ~~F~~ G of this
16 section, if funds are not sufficient to provide awards for all
17 eligible applicants, the Oklahoma State Regents for Higher Education
18 shall make awards on the basis of need. Provided, the Oklahoma
19 State Regents for Higher Education shall take into consideration
20 other grants and scholarships received by an eligible applicant when
21 making awards.

22 ~~F.~~ G. The Oklahoma State Regents for Higher Education may, at
23 the time an award is made on behalf of an Oklahoma Higher Learning
24 Access Program student, set aside in the Oklahoma Higher Learning

1 Access Trust Fund funds for the full commitment made to such Higher
2 Learning Access Program student. For all academic years, students
3 who have previously received awards under the provisions of the
4 Oklahoma Higher Learning Access Act, Section 2601 et seq. of this
5 title, and who have continued at all times to fulfill the
6 requirements for eligibility to receive awards provided pursuant to
7 this program shall be given an absolute priority for continued
8 financial support by the Oklahoma Higher Learning Access Program
9 superior to any students who are applying for such benefits for the
10 first time.

11 SECTION 2. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as Section 3207.2 of Title 70, unless there
13 is created a duplication in numbering, reads as follows:

14 Each institution within The Oklahoma State System of Higher
15 Education which receives funds from the Oklahoma Higher Learning
16 Access Trust Fund shall provide to all students who have been
17 determined to be in need of remediation in one or more subject areas
18 based on an American College Test (ACT) score or a secondary
19 assessment, an option of either:

20 1. Enrolling in a remedial noncredit-earning course or courses;

21 or

22 2. Enrolling in a credit-earning course or courses which
23 include, in conjunction with the course, tutoring or additional
24 educational support.

1 Passed the House of Representatives the 7th day of March, 2012.

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4 Presiding Officer of the House of
Representatives

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6 Passed the Senate the ____ day of _____, 2012.

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9 Presiding Officer of the Senate