

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 SENATE BILL 1380

By: Ivester

4
5 AS INTRODUCED

6 An Act relating to Oklahoma Higher Learning Access
7 Program; amending 70 O.S. 2011, Section 2603, which
8 relates to eligibility to participate in the Oklahoma
9 Higher Learning Access Program; allowing students of
10 deceased parents to be eligible for certain program
11 if the students' parent died during the students'
12 eleventh or twelfth grade year; providing an
13 effective date; and declaring an emergency.

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

15 SECTION 1. AMENDATORY 70 O.S. 2011, Section 2603, is
16 amended to read as follows:

17 Section 2603. A. Except as otherwise provided ~~for~~ in
18 ~~subsection~~ subsections B and C of this section and elsewhere in this
19 section, to be eligible to participate in the Oklahoma Higher
20 Learning Access Program and to qualify for an award which includes
21 payment of an amount equivalent to resident tuition or other tuition
22 pursuant to Section 2604 of this title for the first semester or
23 other academic unit of postsecondary enrollment, a student shall:

24 1. Be a resident of this state or be enrolled in a school
district located in this state that serves students who reside in

1 both this state and an adjacent state pursuant to a contract as
2 authorized in Section 5-117.1 of this title;

3 2. Be a United States citizen or lawfully present in the United
4 States. A student who is not a United States citizen or lawfully
5 present in the United States shall not be eligible to participate in
6 the Oklahoma Higher Learning Access Program and to qualify for an
7 award notwithstanding the provisions of Section 3242 of this title.
8 The provisions of this paragraph shall not apply to any student who
9 was enrolled in the Oklahoma Higher Learning Access Program prior to
10 the end of the 2006-2007 school year;

11 3. Have a record of satisfactory compliance with agreements
12 executed pursuant to Section 2605 of this title;

13 4. a. have graduated within the previous three (3) years
14 from a high school accredited by the State Board of
15 Education, or the Oklahoma School of Science and
16 Mathematics with a minimum 2.5 cumulative grade point
17 average on a 4.0 scale for all work attempted in
18 grades nine through twelve,

19 b. have graduated within the previous three (3) years
20 from a high school not accredited by the State Board
21 of Education with a minimum 2.5 cumulative grade point
22 average on a 4.0 scale for all work attempted in
23 grades nine through twelve and have achieved a
24 composite score of 22 or higher on the ACT test, or

1 c. have satisfactorily completed within the previous
2 three (3) years an educational program that was
3 provided through a means other than a public or
4 private school and have achieved a composite score of
5 22 or higher on the ACT test;

6 5. Have completed the curricular requirements for admission to
7 an institution within The Oklahoma State System of Higher Education
8 and one additional unit or set of competencies in a course that
9 meets college admission requirements. The curriculum requirements
10 shall include two units or sets of competencies in foreign or non-
11 English language or technology courses that meet the college
12 admission requirements and one unit or set of competencies of a fine
13 arts course. Students shall also have attained a 2.5 grade point
14 average in the core curriculum courses. Students who attended a
15 high school which did not offer all the core curriculum courses or
16 students who were educated by other means and were not offered all
17 the core curriculum courses shall be allowed to satisfy this
18 curriculum requirement by participating in a program approved by the
19 State Regents for remediation of high school curricular
20 deficiencies;

21 6. Have satisfied admission standards as determined by the
22 Oklahoma State Regents for Higher Education for first-time-entering
23 students for the appropriate type of institution, or, if attending a
24 private institution, have satisfied admission standards as

1 determined by the private institution. No student participating in
2 the Oklahoma Higher Learning Access Program shall be admitted into
3 an institution of higher education by special admission standards;

4 7. Have secured admission to, and enrolled in, an institution
5 which is a member of The Oklahoma State System of Higher Education,
6 a postsecondary vocational-technical program offered pursuant to a
7 duly approved cooperative agreement between a technology center
8 school and an institution of The Oklahoma State System of Higher
9 Education, or a private institution of higher learning located
10 within this state and accredited pursuant to Section 4103 of this
11 title; and

12 8. a. have established financial need according to the
13 provisions of subsection D of Section 2605 of this
14 title and standards and provisions promulgated by the
15 Oklahoma State Regents for Higher Education,

16 b. if the student was adopted between birth and twelve
17 (12) years of age while in the permanent custody of
18 the Department of Human Services, in the court-ordered
19 custody of a licensed private nonprofit child-placing
20 agency, or federally recognized Indian tribe, as
21 defined by the federal Indian Child Welfare Act, have
22 established financial need according to the provisions
23 of paragraph 1 of subsection E of Section 2605 of this
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1 title and standards and provisions promulgated by the
2 Oklahoma State Regents for Higher Education, or
3 c. if the student was adopted between thirteen (13) and
4 seventeen (17) years of age while in the permanent
5 custody of the Department of Human Services, in the
6 court-ordered custody of a licensed private nonprofit
7 child-placing agency, or federally recognized Indian
8 tribe, as defined by the federal Indian Child Welfare
9 Act, have established financial need according to the
10 provisions of paragraph 2 of subsection E of Section
11 2605 of this title and standards and provisions
12 promulgated by the Oklahoma State Regents for Higher
13 Education.

14 B. 1. A student shall be eligible to participate in the
15 Oklahoma Higher Learning Access Program and to qualify for an award
16 which includes payment of an amount equivalent to resident tuition
17 or other tuition pursuant to Section 2604 of this title for the
18 first semester or other academic unit of postsecondary enrollment if
19 the student meets all of the following criteria:

20 a. is a child of any person killed after January 1, 2000,
21 in the line of duty in any branch of the United States
22 Armed Forces or who died after January 1, 2000, as a
23 result of an injury sustained while in the line of
24 duty in any branch of the United States Armed Forces

1 and the person who was killed or died filed an
2 individual or joint Oklahoma income tax return for the
3 tax year prior to the year during which the person was
4 killed or died,

5 b. is a resident of this state or is enrolled in a school
6 district located in this state that serves students
7 who reside in both this state and an adjacent state
8 pursuant to a contract as authorized in Section 5-
9 117.1 of this title,

10 c. enrolls in an institution within The Oklahoma State
11 System of Higher Education prior to reaching the age
12 of twenty-one (21),

13 d. has satisfied admission standards as determined by the
14 Oklahoma State Regents for Higher Education for first-
15 time-entering students for the appropriate type of
16 institution, or, if attending a private institution,
17 has satisfied admission standards as determined by the
18 private institution. No student participating in the
19 Oklahoma Higher Learning Access Program shall be
20 admitted into an institution of higher education by
21 special admission standards,

22 e. has secured admission to, and enrolled in, an
23 institution which is a member of The Oklahoma State
24 System of Higher Education, a postsecondary

1 vocational-technical program offered pursuant to a
2 duly approved cooperative agreement between a
3 technology center school and an institution of The
4 Oklahoma State System of Higher Education, or a
5 private institution of higher learning located within
6 this state and accredited pursuant to Section 4103 of
7 this title, and

8 f. executes an agreement pursuant to subsection C of
9 Section 2605 of this title.

10 2. A student who is eligible to participate in the program
11 pursuant to this subsection shall not be required to meet the
12 eligibility requirements set forth in subsection A of this section.

13 C. 1. A student shall be eligible to participate in the
14 Oklahoma Higher Learning Access Program and to qualify for an award
15 which includes payment of an amount equivalent to resident tuition
16 or other tuition pursuant to Section 2604 of this title for the
17 first semester or other academic unit of postsecondary enrollment if
18 the student meets all of the following criteria:

19 a. the child's parent died during the students' 11th or
20 12th grade year and the deceased parent of the child
21 filed an individual or joint Oklahoma income tax
22 return for the tax year prior to the year during which
23 the person died,

- 1 b. is a resident of this state or is enrolled in a school
2 district located in this state that serves students
3 who reside in both this state and an adjacent state
4 pursuant to a contract as authorized in Section 5-
5 117.1 of this title,
- 6 c. enrolls in an institution within The Oklahoma State
7 System of Higher Education prior to reaching the age
8 of twenty-one (21),
- 9 d. has satisfied admission standards as determined by the
10 Oklahoma State Regents for Higher Education for first-
11 time-entering students for the appropriate type of
12 institution, or, if attending a private institution,
13 has satisfied admission standards as determined by the
14 private institution. No student participating in the
15 Oklahoma Higher Learning Access Program shall be
16 admitted into an institution of higher education by
17 special admission standards, and
- 18 e. has secured admission to, and enrolled in, an
19 institution which is a member of The Oklahoma State
20 System of Higher Education, a postsecondary
21 vocational-technical program offered pursuant to a
22 duly approved cooperative agreement between a
23 technology center school and an institution of The
24 Oklahoma State System of Higher Education, or a

1 private institution of higher learning located within
2 this state and accredited pursuant to Section 4103 of
3 this title.

4 ~~C.~~ D. To retain eligibility while pursuing the program of
5 higher learning in which enrolled, the student shall:

6 1. Achieve a minimum cumulative grade point average of 2.0 on a
7 4.0 scale or its equivalent for courses taken through the student's
8 sophomore year and achieve a minimum grade point average of 2.5 on a
9 4.0 scale or its equivalent for courses taken during the student's
10 junior year and thereafter. The provisions of this paragraph shall
11 not apply to any student who has received an Oklahoma Higher
12 Learning Access Program benefit award prior to the 2010-2011 school
13 year;

14 2. Maintain good academic standing and satisfactory academic
15 progress according to standards of the Oklahoma State Regents for
16 Higher Education;

17 3. Maintain satisfactory academic progress as required for
18 eligibility for federal Title IV student financial aid programs.
19 The provisions of this paragraph shall become effective for the
20 2012-2013 school year;

21 4. Comply with the standards related to maintenance of
22 eligibility as promulgated by the Oklahoma State Regents for Higher
23 Education; and
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1 5. Refrain from conduct that leads to expulsion or suspension
2 of more than one semester from an institution of higher education.
3 A student who violates the provisions of this paragraph shall
4 permanently lose eligibility for program benefits. The provisions
5 of this paragraph shall become effective January 1, 2008.

6 ~~D.~~ E. The Oklahoma State Regents for Higher Education and the
7 State Board of Career and Technology Education shall promulgate
8 rules relating to maintenance of eligibility under this act by a
9 student.

10 ~~E.~~ F. It is the intent of the Legislature that students in the
11 ninth grade for the 1992-93 school year who are determined to be
12 eligible Oklahoma Higher Learning Access students pursuant to this
13 act shall be the first students eligible for benefits from the
14 Oklahoma Higher Learning Access Trust Fund.

15 ~~F.~~ G. The Oklahoma State Regents for Higher Education are
16 authorized to study, develop and propose criteria for determining
17 award eligibility based upon the completion of seven (7) semesters
18 of high school coursework by a student.

19 SECTION 2. This act shall become effective July 1, 2012.

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